

Proposal for a revision of Regulation (EU) No 1169/2011 on the provision of food information to consumers, for what concerns labelling rules on alcoholic beverages

This Initiative (Ref. Ares(2021)4128214) will complement the revision of EU rules on food information to consumers, following up on Europe's Beating Cancer Plan.

Feedback from Alcohol Action Ireland – who we are.

Alcohol Action Ireland (AAI) is Ireland's leading independent advocate working to reduce harm from alcohol.

Our vision is a society free from alcohol harm.

We campaign for the burden of alcohol harm to be lifted from the individual, community and State, and have a strong track record in effective advocacy, campaigning and policy research.

Our work involves providing information on alcohol-related issues, creating awareness of alcohol-related harm and offering public policy solutions with the potential to reduce that harm, with an emphasis on the implementation of the Public Health (Alcohol) Act 2018.

AAI support the work of Ireland's national Health Service Executive's Alcohol Programme, informing strategic alcohol initiatives as an instrument of public health planning. We act as the secretariat to the Alcohol Health Alliance Ireland, as its co-founder, and serve on the Board of Eurocare — European Alcohol Policy Alliance, Brussels.

We welcome the opportunity to inform this initiative and look forward to our active participation in the process.

Introductory remarks

Alcohol Action Ireland welcome the publication of the EU Commission's 'Europe's Beating Cancer Plan', its definitive recognition of the direct link between alcohol and fatal cancers and the priority it affords to improving health literacy on cancer risk by proposing:

“a **mandatory indication** of the list of ingredients and the nutrition declaration on alcoholic beverage labels before the end of 2022 and of **health warnings on labels** before the end 2023.”¹

In recent times, Ireland has adopted a similar approach by enacting the Public Health Alcohol Act, 2018, which holds specific provision (Section 12) for the Labelling of alcohol products and notices in licensed premises.²

In our view, and supporting the submission from our colleagues at Eurocare, we believe this *lex specialis* approach should be adopted by the Commission for this initiative too.

Feedback on the Inception Impact Assessment: Proposal for a revision of Regulation (EU) No 1169/2011 on the provision of food information to consumers, for what concerns labelling rules on alcoholic beverages

Alcohol Action Ireland believes, given the stated ambition of Europe's 'Beating Cancer Plan', the context of this Initiative, as described, is incomplete, and must also encompass a mandatory health warning on labels, as stated in the Plan (Feb 2021)³, if it is to address the problem it aims to tackle.

We acknowledge, and welcome, the ambition to introduce mandatory indications of the list of ingredients and the nutrition declaration on labels of all alcoholic beverages.

¹ https://ec.europa.eu/health/sites/default/files/non_communicable_diseases/docs/eu_cancer-plan_en.pdf

² <http://www.irishstatutebook.ie/eli/2018/act/24/section/12/enacted/en/html#sec12>

³ https://ec.europa.eu/health/sites/default/files/non_communicable_diseases/docs/eu_cancer-plan_en.pdf

Policy Options

Alcohol Action Ireland opposes Option 0 – Baseline “business as usual”, and Option 1 – Revise the rules for all alcoholic beverage: revoke the exemption and allow certain indications off-label.

It is our view that, in a democratic society, citizens hold a fundamental right to timely information as an entitlement and not as a favour of producers or industry.

Citizens are autonomous, independent agents with the right to make informed decisions regarding their health and well-being.

It is a truism that citizens cannot reasonably exercise a responsibility to be informed unless, as consumers, one has sufficient knowledge to make informed choices. To be effectively informed one must be in possession of the information to make informed choices and decisions.

The principle of informed choice is evident in the field of health and social care and enshrined in national health policies. This recognises the right of citizens to be given clear, relevant and quality information in order to make informed decisions, rights underpinned by Charter of fundamental rights of the European Union⁴ and the Universal Declaration of Human Rights⁵.

Furthermore, in facilitating a deliberate omission of product information, especially that of a known risk to human health, consumers - denied a right to know - are being misled by economic actors, – a concept proscribed under Article Seven: *Misleading Omissions*, of the EU’s Unfair Commercial Practices Directive⁶.

⁴ https://ec.europa.eu/info/aid-development-cooperation-fundamental-rights/your-rights-eu/eu-charter-fundamental-rights_en

⁵ <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32005L0029&from=FI>

Alcohol Action Ireland supports Option Two

By conspicuously and prominently placing a list of ingredients, the nutrition declaration and health warning on alcoholic beverage labels, citizens, and consumers alike, have a convenience and freedom of information, and as such, an immediate opportunity to make informed decisions.

As the Commission's 2017 report on mandatory labelling concluded there was no 'objective grounds that would justify the absence of information on ingredients and nutrition information on alcoholic beverages'⁷.

Relevant Global and National Data

The recently published Global burden of cancer in 2020 attributable to alcohol consumption: a population-based study, provides the Commission with robust data on Alcohol and the global burden of cancer⁸. Globally, an estimated 741,300 (95% UI 558,500 – 951 200), or 4.1% (3.1–5.3), of all new cases of cancer in 2020 were attributable to alcohol consumption. The findings highlight the need for effective policy and interventions to increase awareness of cancer risks associated with alcohol use and decrease overall alcohol consumption to prevent the burden of alcohol attributable cancers.

In Ireland, research data from 2013: 'Cancer Incidence and Mortality due to Alcohol: An Analysis of 10-Year Data'⁹ shows that, every year in Ireland approximately 5% of newly diagnosed cancers and cancer deaths are attributed to alcohol i.e. a yearly average of 917 new cases and 452 deaths between 2001 and 2010. Among females, 12.2% of breast cancers, 305 cases annually, were attributed to alcohol.

The recently published Global Burden study (2021) validates this data and indicates that in Ireland in 2020, there were around 1000 alcohol attributable cancer cases. Men 670 (510-790), and for Women 380 (260-520).

The 2019-20 Irish National Drug and Alcohol Survey (NDAS): Main Findings (2021, Health Research Board) shows that 74.2% of the adult population are drinkers, corresponding to 2.9 million of the general population aged 15 years and older. The NDAS measures alcohol use disorder (AUD) using the DSM-5 criteria. The prevalence of AUD in the general population was found to be 14.8%, corresponding to 578,000 of the general population aged 15 years and older. The highest prevalence of AUD was observed among female drinkers aged 15-24 years (38%).

⁷ [https://ec.europa.eu/transparency/documents-register/detail?ref=COM\(2017\)58&lang=en](https://ec.europa.eu/transparency/documents-register/detail?ref=COM(2017)58&lang=en)

⁸ [https://www.thelancet.com/journals/lanonc/article/PIIS1470-2045\(21\)00279-5/fulltext](https://www.thelancet.com/journals/lanonc/article/PIIS1470-2045(21)00279-5/fulltext)

⁹ <http://archive.imj.ie/ViewArticleDetails.aspx?ArticleID=12456>

The Healthy Ireland Survey (2016), a nationally representative cross-sectional survey of adults aged 15 years or older in Ireland, found that with the exception of liver disease (90.5%), knowledge of the link between alcohol and all other alcohol-related conditions was poor, ranging from 21.2% for breast cancer to just over 50% for high blood pressure¹⁰.

This is why Ireland's Public Health Alcohol Act, 2018, provides for a mandatory health warning on labels of all alcohol products¹¹ and ensures that every product must inform the public of the danger of alcohol consumption, the danger of alcohol consumption when pregnant and of the **direct link between alcohol and fatal cancers**.

We believe all EU citizens have the right to know the risk and should be afforded the same information.

¹⁰ <https://www.drugsandalcohol.ie/31013/>

¹¹ <http://www.irishstatutebook.ie/eli/2018/act/24/section/12/enacted/en/html#sec12>