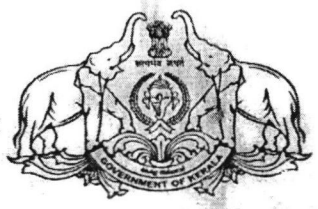


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കേരള സർക്കാർ
Government of Kerala
2021



Regn.No. KERBIL/2012/45073
dated 05-09-2012 with RNI
Reg No.KL/TV(N)/634/2021-2023

COMMISSIONERATE OF
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കേരള ഗസറ്റ് KERALA GAZETTE അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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GOVERNMENT OF KERALA Taxes (G) Department NOTIFICATION

G. O. (P) No. 119/2021/TD.

*Dated, Thiruvananthapuram, 17th November, 2021
2nd Vrischikam, 1197.*

S. R. O. No. 870/2021

In exercise of the powers conferred by sections 24 and 29 of the Abkari Act, 1 of 1077, the Government of Kerala hereby make the following rules further to amend the Kerala Foreign Liquor (Approval of Label) Rules, 2018 issued by notification under G. O. (P) No. 80/2018/TD dated 5th June, 2018 and published as S. R. O. No. 368/2018 in the Kerala Gazette Extraordinary No. 1506 dated 5th June, 2018, namely:—



RULES

1. *Short title and commencement*—(1) These rules may be called the Kerala Foreign Liquor (Approval of Label) Amendment Rules, 2021.

(2) They shall come into force at once.

2. *Amendment of the Rules*— In the Kerala Foreign Liquor (Approval of Label) Rules, 2018.—

(1) in sub-rule (1) of rule 3, after clause (d), the following clause shall be inserted, namely:—

“(da) “contrasting colour” means the colour of the printed matter clearly distinguishing itself from the background of the label where it is printed on;”

(2) in rule 4,—

(i) in sub-rule (1), —

(a) in clause (ii), and in the proviso to clause (ii), the symbols and letters, “U. P” shall be omitted;

(b) after clause (iv a), the following proviso shall be inserted, namely: —

“Provided that the Commissioner may exempt the printing of GLASS BOTTLE on labels of Indian Made Foreign Liquor bottles, which are intended to be exported from the State to another State or to a foreign country as required by the importer in that State or the foreign Country”.

(c) in clause (xi) for the words, figure and symbols “The warning shall be printed horizontally in letters of size not less than 3 mm., inside a square box”, the following words, figures and symbols shall be substituted, namely:—

“The warning shall be printed horizontally, inside a square box, with each letter having a dimension of not less than 1.5 mm. for containers of pack size up to 200 ml., and not less than 3 mm. for containers of pack size above 200 ml.”

(ii) in clause (b) of sub-rule (2), for the words, figures and letters “each letter having not less than 3 mm.”, the following words, figures and letters shall be substituted, namely: —

“each letter having a dimension of not less than 1.5 mm. for containers of pack size up to 200 ml., and not less than 3 mm. for containers of pack size above 200 ml”.



(iii) after sub-rule (5), the following provisos shall be inserted, namely:—

“Provided that the Commissioner may allow printing of such words and expressions on labels of Indian Made Foreign Liquor bottles, which are intended to be exported from the State to another State or to a foreign country as required by the importer in that State or the foreign country, to the extent that it is used responsibly only for marketing the brand and that it may suit with the statutory requirements of the laws relating to the sale of liquor in the respective State or Country:

Provided further that, no words, expressions, symbols, or images which defame the State or Country, or hurt patriotic sentiments, or are demeaning to the State or the Country, shall be printed on the label.”

Provided also that messages carrying false medical or health claims shall not be printed on the label”.

(3) in rule 5, in the existing proviso, for the figure and brackets “(x)”, the figures and brackets “(xi)” shall be substituted;

(4) in rule (6),—

(a) after sub-rule (1) the following proviso shall be inserted, namely:—

“provided that the labels used on the foreign liquor bottles manufactured in the Distilleries/Foreign Liquor (Compounding, Blending and Bottling) units/breweries situated in the State of Kerala may be approved by the Joint Excise Commissioner”.

(b) after sub-rule (3), the following proviso and note shall be inserted, namely: —

“provided further that a fee equivalent to three times of the fees mentioned above shall be levied for the shrink sleeve labels.

Note:— ‘Shrink sleeve labels’ means a film type labels that shrinks and conforms to the shape of a bottle or can when exposed to heat.”

(c) in sub-rule (4), —

(i) for the word and figure “rule 3”, the word and figure “rule 4” shall be substituted.



(ii) for the words "No fee" shall be levied for the approval of label due to any change made in the statutory warning alone, the following figures and letters shall be substituted, namely:—

"while doing so, no fee shall be levied for the approval of label due to any change made in the statutory warning, printing or condition stipulated in clause (iv a) of sub-rule (1) of rule 4 and for incorporating statutory requirements as per the norms of the Food Safety and Standards Authority of India."

By order of the Governor,

K. R. JYOTHILAL

Principal Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

As part of the Business Reform Action Plan (BRAP) being implemented by the Government, it has been decided to minimise the compliance burden based on various defined compliance parameters which requires suitable amendments to the existing laws. The Food Safety and Standards (Alcoholic Beverages) Regulations, 2018 have issued directions regarding the varying font size of statutory warning on labels of Alcoholic Beverages based on the pack size. It has been also decided to delegate the power of the Excise Commissioner in approving labels of foreign liquor brands produced by distilleries, compounding, blending and bottling units and breweries situated in Kerala State to Zonal Joint Excise Commissioners. Government have further decided to avoid the declaration of unit alcohol content in U. P. on the labels since the alcohol content is already stated in percentage volume by volume and degree proof. In order to implement the above decision, the Kerala Foreign Liquor (Approval of Label) Rules, 2018, need to be amended suitably.

The notification is intended to achieve the above object.

