

Memorandum of Understanding (MoU) on the provision of nutrition information & ingredient listing of spirits drinks sold in the EU

4th Implementation Report

(Rollout progress from 1 January–31 December 2023)

June 2024

EXECUTIVE SUMMARY

With the signature of the MoU – the spirits sector’s self-regulatory commitment on consumer information – in June 2019, spiritsEUROPE committed to publish three annual implementation reports, covering the rollout progress for the years 2020, 2021 and 2022 respectively.¹ While the initial implementation phase of the MoU ended on 31 December 2022, spiritsEUROPE, following consultations with all signatories and the European Commission, decided to continue implementing the MoU and reporting on rollout progress on an annual basis. This report therefore constitutes the 4th Implementation Report, covering rollout progress after 1 January 2023. The continued implementation of the MoU is testimony to the spirits sector’s commitment to consumer information – we are readily providing more information than legislation requires us to do, considering consumers’ demands and expectations and helping them to make informed choices.

- **Energy on-pack information:** Throughout the year 2023, the share of bottles featuring energy information on-pack has continuously increased further. By the end of the year, we estimate that, on average, more than 70% of total volumes of spirits put on the EU market were released in SKUs featuring energy-information on-pack. The eight international company signatories to the MoU reported an even higher average share of energy on-pack compliance of 83% (reaching up to 100% in certain cases and, in most cases, more than 70%). An above-average share could also be observed in numerous duty-free (travel retail) shops in EU airports.
- **Digital/E-labels:** Labels including digital consumer information – typically provided by means of QR codes – are increasingly available on the market in line with product development, innovation and iterative label improvements. Since September 2021, when the e-label platform U-Label was launched, close to 40.000 e-labels have been created and activated and close to 900 companies have registered to U-label. Some companies’ already report 100% of their product portfolio features digital consumer information – many others have ambitious roll-out plans in place. According to current forecasts, more than 75% of all volumes sold will feature e-labels by the end of 2025. In February 2024, an audit performed in Spain by Mecadinámica, rendered the following results: nearly 1/3rd of products sold already have a QR on their label. By comparison, in June 2023, this figure was a mere 18% – meaning a rapid growth had taken place in just 8 months. Further, 70% of products already feature nutritional information on their label – in line with the MoU commitment.
- **Broader uptake & additional signatories:** In 2023, more and more small and medium-sized producers have started implementing the MoU on their products. In addition, more signatories have joined the MoU, as shown by the co-signing of the MoU by the Greek Federation of spirits producers SEAOP and the Hellenic Association of Drinks Distributors ENEAP in May 2024.²

On a related note, **digital labelling solutions** for alcoholic beverages have been legally recognized at the EU level for the first time in 2023. On 8 December 2023, the legal requirement for wine to include digital consumer information on the back label and to make nutrition information available by means of e-labels entered into force. Closely aligned with the approach taken by the MoU, this new legal requirement is expected to boost digital consumer information development and acceptance in the

¹ These reports can be found [here](#) (2021), [here](#) (2022) & [here](#) (2023).

² Press Release of 30 May 2024 available [here](#).

months to come. As a result, European consumers will increasingly find and familiarize themselves with e-labels on food and beverages in the months to come.

As regards technological developments, the recent, powerful merger of the U-label Platform with the renown Swiss-based company Scantrust pays testimony to this.³ Much can be expected in the future in terms of making available to European consumers – in a fast, easy and cost-effective manner – product-related information in digital formats.

The MoU approach is a tried and tested format that works for consumers and has successfully mobilised a continuously growing number of producers and has made a real difference in practice. Looking ahead, the sector remains strongly committed to implementing the MoU also in the years to come. We expect the share of SKUs with energy labels on bottles and digital labels to rise further and reach more than 80% by the end of 2025. Given the strong alignment with the labelling requirements for wine, we now have a well-accepted and functioning consumer information approach being rolled out across the EU. This approach should be harmonized and integrated into the upcoming proposal for a revised EU Regulation on Food Information to Consumers (FIC). Implementing the approach taken in the MoU and for wine would clearly be the most cost-efficient approach, rewarding those producers who have made the necessary investments early and adopted the MoU approach in self-regulation and providing the remaining producers, in particular Small and Medium-Sized Enterprises (SMEs), with the necessary legal clarity and certainty to update their labels.

I. DELIVERING ON THE ENERGY ON-PACK COMMITMENT

Just as in the past years, roll-out speed and progress has varied between Member States and different regions of Europe. Countries with a higher market share of the early movers (i.e. our MoU signatories, both large international producers and certain SMEs) have naturally shown higher levels of products sold with energy information on-pack and increasing levels of ingredient information online than countries in which their respective market share is lower. In light of the broader acceptance of the MoU by a growing number of producers, we expect these geographical imbalances to decrease in the years ahead.

While the initial rollout of the MoU was primarily driven by larger producers, 2022 was the year that kicked off the increased adoption of the MoU's provisions by smaller and non-signatory companies, demonstrating the widening reach and acceptance of the self-regulatory approach across companies of all sizes. This is confirmed, for instance, by a closer look at the developments on the German market: one of the specificities of the German market is, amongst others, the comparatively high market share of local as well as national producers. Positively, the recent increases in 2023 have been driven to a large degree by the SME community.

Looking at the past years, there are a number of challenges and lessons to be considered. These will continue to exist and provide pointers to what will need to be addressed in the future to maximize the usefulness and impact of the MoU: the costs and complexities involved in label changes and the fact that they are not easily implemented have turned out to be a far bigger challenge than anticipated. Importantly, it is not just SMEs who have been challenged by this, and it is the result of a global environment in which all large and many small spirits drinks producers operate. Spirits are exported globally from a particular place of manufacture (which sometimes cannot be moved, as is the case for spirit drinks with a Geographical Indication [GI]). Whenever a producer of a spirit drink sold on a global scale decides to include energy information on the label, a regulatory due diligence review of up to 163 countries may be required. Nutrition labelling regulations vary across countries and compliance rules may apply, even if the placing itself can be voluntary (as is the case in the EU today).

Whilst many labels are designed to be shared across different countries, different rules on providing nutrition information may apply, adding an additional layer of complexity to the process of label

³ <https://spirits.eu/media/press-releases/u-label-by-scantrust-a-powerful-technology-partnership-to-elevate-e-labeling-for-wine-spirits-producers>

changes. As a result, making changes to labels can incur significant costs for a global brand. A global brand is most likely owned by a company who can factor the cost and significant time and logistics requirements needed to deliver changes to labels into their planning. These challenges are multiplied for smaller and medium-sized companies who have less resources to draw on, thus making label change a far bigger challenge.

II. EXPANDING STATE-OF-THE-ART DIGITAL CONSUMER INFORMATION SOLUTIONS

One of the key developments of the past months in the realm of digital consumer information is the legal requirement for wine to include energy information on the back label and to make nutrition information available by means of e-labels. This development will boost digital consumer information acceptance and development on all levels. The new rules have been in place since 8 December 2023 and their direct impact on the development of digital consumer information across products – such as spirits drinks – will be carefully monitored and assessed. A growing expectation of European consumers to find e-labels on food and beverages is expected as a result.

As regards the growing user acceptance of digital labelling solutions, a consumer survey commissioned by spiritsEUROPE and conducted by market research firm Appinio across five European countries (Germany, France, Italy, Spain, and Czechia) in summer 2022, showed that QR codes have become mainstream with European citizens: eight in ten respondents said they were used to scanning them, and over 95% of those who have scanned them on food and beverages found that they offered a useful way to get detailed product information.⁴ 75% of surveyed consumers said they have scanned a QR code on a food or drink product, and nearly half say that they do so regularly. Convenience, reliance, and readability of information were cited as the greatest advantages of digital labels. Moreover, citizens want the EU to act: 87% of respondents tend to favour the introduction of policies to ensure that product-specific information conveyed digitally (such as via a QR code or barcode scan) is truthful and accurate.

The behavioral study “*Using QR Codes to Access Food Information*”⁵, published by the European Commission’s Joint Research Center (JRC) in November 2023, confirmed that around two-thirds of respondents had scanned a QR code in the past: 66% of Bulgarian respondents, 69% of German respondents, and even 83% of Spanish respondents. Most respondents in the three countries stated that they would like to see QR codes on food. Importantly, the likelihood of scanning a QR code is not affected by participants’ education, age, income, or place of residence. We can conclude that, clearly, Europeans are increasingly familiar with accessing digital information via QR codes.

In expectation of a growing role of digital consumer information, the European spirits sector, in cooperation with the European wine sector – represented by the Comité Européen des Entreprises Vins (CEEV) – commissioned and built a bespoke E-label Platform to allow the development of tailored e-labels in an easy, reliable and cost-efficient way. This Platform, named ‘**U-label**’, offers companies the opportunity to provide EU consumers with full and multilingual product information accessible via a QR code. The U-label Platform allows the creation of e-labels with a few mouse clicks which are integrated onto spirits (and wine) labels. The moderate cost structure enables producers of all sizes, and SMEs in particular, to participate should they choose to. In line with MoU commitments, this is provided in a marketing-free and a thoroughly secure way.

To the best of our knowledge, U-label was the first sector-wide application of e-labelling in Europe and has been the springboard for small and medium-sized companies in particular, to provide an increasing variety of online information to the consumer. Since the launch of U-Label in September 2022, the

⁴ <https://spirits.eu/media/press-releases/digital-labels-new-survey-shows-a-majority-of-european-consumers-regularly-use-e-labels-to-access-product-information>

⁵ European Commission, Joint Research Centre, Gaudeul, A., Krawczyk, M., *Using QR codes to access food information – A behavioural study with European consumers*, Publications Office of the European Union, 2023, <https://data.europa.eu/doi/10.2760/358391>

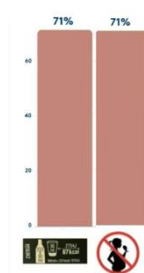
platform has been joined by more and more companies every year, and it is expected that the 1000 company milestone will be reached well before the end of this year. In parallel, the total number of labels/QR codes created via U-Label grew consistently and almost 45.000 labels were created in April 2024 – continued growth expected!

Earlier this year, on 8 March 2024, U-label and Scantrust, leaders in electronic labeling (e-label) solutions for the wine and spirits industries, announced their strategic partnership to facilitate the easy creation of e-labels for wine, aromatized wine and spirit drinks. Scantrust is a global software company headquartered in Lausanne, Switzerland with over 10 years of experience in managing electronic labels through billions of QR codes. Some of the world's most recognizable brands use Scantrust QR codes for regulatory compliance, consumer engagement, anti-counterfeiting and supply chain traceability. U-label by Scantrust generates QR codes linked to ingredient and nutritional information, accessible directly by scanning.

Some of the large international companies are providing digital consumer information via their own online dedicated e-label platforms. This is partly due to having the resources at their disposal to be able to provide the online information themselves, and partly due to the wide variety of products in their brand portfolios, which makes managing the online provision of their own brands the logical step to take.

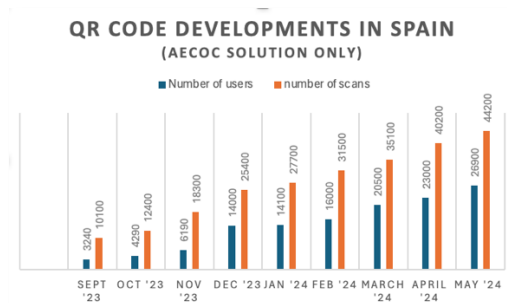
As anticipated when first imagined, the U-label Platform is now **assisting companies in the gradual expansion of digital consumer information beyond the nutrition-related information** mandated by the MoU to also include sustainability-related product information. For instance, since 1 January 2023, spirits drinks sold in Italy are obliged to provide consumers with information about the identification and classification of the product packaging. Italian authorities have allowed producers to convey this information digitally via an e-label, accessible by scanning a QR code with a smartphone. Companies who have signed the MoU and who are on the U-label platform have started to integrate these requirements onto the U-Label page(s) of their Italy bound products using single QR code. In a further development, the Italian-based company [Giunko](#) has developed an additional app which has been integrated with the U-Label Platform and which provides geo-localised information for each product in order to convey to Italian consumers the correct disposal information, which varies from city to city.

spiritsEUROPE and its members are exploring ways to monitor the number of scans of e-labels by consumers to be aware of consumer engagement. Yet, cookie and privacy settings demand that any such endeavour is carefully undertaken to deliver meaningful results. In February 2024, an audit performed in Spain by Mecadinámica, resulted in the following figures: 30% of products already have a QR on their label. By comparison, in June 2023, this figure was 18% - so a growth of close to 50% took place in just above half a year. Further, 71% of products already have nutritional information – in line with the MoU – on their label. One of the specificities of the Spanish system is that the number of scans of the QR codes can be traced.



Zooming in on the Spanish digital label solution provider Aecoc – one of various providers on the market, it can be observed that in only six months' time, the number of scans quadrupled: In September 2023, the monthly number of QR Code scans was just above 10,000. By December 2023, more than 20,000 scans were registered and in May 2024, QR Codes were scanned more than 44,000 times. In the same period of time, from September 2023 to May 2024, the number of consumers scanning QR Codes provided by Aecoc grew almost 10 times.

Whilst these figures give an interesting snapshot indication on the rapidly growing use and consumer acceptance of digital labels, it needs to be stressed that this figure is under-representative of real-market developments: it only depicts one solution, and the sector can only statistically know about & report on scans from those consumers who agree to the light cookie trackers integrated to the respective solutions (=meaning the scan can be recorded statistically). This means the number of scans reported is well below day-to-day consumer engagement.



III. CONCLUSIONS & OUTLOOK

The MoU approach to consumer information continues to be a great success in terms of voluntary, industry-driven initiatives on consumer information – well beyond legal requirements. The pioneering work carried out by the European wine and spirits sectors to develop digital labelling solutions and to introduce digital labels on the market demonstrates that industry can be a frontrunner and demonstrate the technical viability of innovative solutions in the area of consumer information.

The most recent announcement on 23 April 2024 by the Latvian government to indeed propose draft legislation on consumer information for alcoholic beverages reflecting a.o. key elements of the MoU pays testimony to the fact that industry can take a leading, ambitious role and test and trial improved ways of proving consumer information.⁶

That digital information will play an ever more important role – also on global level - has been confirmed by GS1, who recognize the potential of QR/2D codes and have publicly announced their objective that by 2027, QR/2D codes can be read in all points of sale and checkouts.⁷ With the use of QR codes growing worldwide and recommended by the global standardisation bodies, we expect an additional boost for digital consumer information.

The share of labels with energy on-pack as well as digital consumer information is set to continue growing in the years to come, as commitments and plans of individual companies confirm – as does the involvement of the renown Swiss digital consumer solution provider Scantitrust.

Throughout the last months, it has been confirmed that large international producers were key to act as early adopters of the MoU scheme at the beginning, but the number of companies complying with the provisions keeps expanding rapidly and consistently also beyond the formal end of the MoU, including SMEs. For a self-regulatory initiative like this to be successful, it is important that clear guidance and certainty is provided to ensure broad uptake by producers.

Looking ahead, there is strong commitment by the sector to continue to deliver on the MoU in the years to come. The MoU approach is a tried and tested format that works for consumers and has successfully mobilised a continuously growing number of producers. As such, we can expect the share of SKUs with energy labels on bottles and digital labels to increase organically across the EU in the years ahead. In line with this, the MoU approach should be integrated in national policies on consumer information, like in Latvia, and furthermore, for a harmonized approach, be reflected in any upcoming review of the EU's Regulation on Food Information to Consumers (FIC).

⁶<https://titania.saeima.lv/LIVS14/saeimalivs14.nsf/0/AFD51E2CA390BB57C2258B080023FE24?OpenDocument>

⁷<https://gs1.se/en/support/what-does-the-target-date-2027-mean-for-2d-codes/>

Annex I: Examples of digital consumer information using different solutions available to-date

 <p>The image shows a digital label for Basarana liqueur. The label is yellow and black, featuring a bottle icon with '33 x 30ml' and a glass icon. It includes nutritional information: '30ml = 264 KJ / 63 Kcal' and '100 ml = 879 KJ / 210 Kcal'. There are also icons for '18+' and a QR code. A barcode is visible at the bottom left with the number '8 411183 198217'. To the right is a photograph of the actual Basarana bottle.</p>	<p>Spain – GS1 digital link – Basarana – Pacharán Navarro</p>  <p>https://id.aecocescanqr.es/01/08411183198217</p>
 <p>The image shows a bottle of Malfy gin with a digital label. The label is white and features the Malfy logo, 'PRODUCT OF ITALY', and 'PRODOTTI IN ITALIA'. It includes nutritional information: '30ml = 240 KJ / 57 Kcal' and '100ml = 800 KJ / 191 Kcal'. There are also icons for '18+' and a QR code. The label also mentions 'PERNOD RICARD ITALIA S.p.A. Via De Castellan, 72 - Milano'.</p>	<p>Proprietary solution for Pernod Ricard – Example, MALFY Gin</p>  <p>The image shows a digital label for Malfy gin. It features a QR code, a person icon, and several icons: a person with a slash, '18+', and a car with a slash. The label also includes the text 'PRODUCT OF ITALY', 'PRODOTTI IN ITALIA', and 'Malfy GIN ROSA'.</p> <p>https://e-label.pernod-ricard.com/L00056</p>
 <p>The image shows a label for Braeckman liqueur. The label is green and white, featuring a QR code, a glass icon, and nutritional information: '30ml = 240KJ / 57KCAL' and '100ML = 800KJ / 191KCAL'. It also includes '20% vol. 70cl e' and 'EST. BRAECKMAN LIQUEUR - LIQUEUR - LIKÖR'.</p>	<p>Belgium – U-Label solution Liqueur Braeckman</p>  <p>https://www.u-label.com/qr-code/eu/eng-GB/1ae18163fd252</p>



Annex II – Background Information on the MoU

This paper constitutes the fourth **implementation report** on rollout progress of the MoU's commitments, in line with the reporting process outlined in the MoU until the end of its implementation period on 31 December 2022. It is the first implementation report drafted beyond the scope of the MoU. In June 2019, spiritsEUROPE, member companies and member trade associations signed the self regulatory [Memorandum of Understanding on the provision of nutrition information & ingredient listing of spirits drinks sold in the EU](#).

In this Memorandum of Understanding (MoU), spiritsEUROPE and its members formalised the sector's commitment to make nutrition information and ingredients listing available to consumers for spirits sold in the EU (on-pack and/or online). The MoU reflects the sector's ambition to go beyond required labelling obligations in the EU at the time of signing and for the duration of the MoU's three year execution period under which alcoholic beverages above 1.2% ABV are exempted from providing such information. In signing the MoU, signatories agreed to make such information available in accurate, meaningful and transparent ways for the benefit of consumers.

spiritsEUROPE's member companies⁸ who signed the MoU committed to implementing it as they rolled out labels for new products and refreshed /restocked labels of existing products. spiritsEUROPE trade association members⁹ who signed the MoU agreed to undertake their best efforts to make their broad membership (predominantly SME distilleries and brand owners) fully aware of the MoU, its commitments, and to encourage their members to sign the MoU individually thus, hopefully triggering a broader roll-out process among small, medium and large spirits producing companies across wider Europe.¹⁰

⁸ See Annex II for the names of spiritsEUROPE member companies who signed the MoU.

⁹ See Annex III for the names of spiritsEUROPE trade association members who signed the MoU.

¹⁰ The MoU covers the EU-27 Member States, Switzerland, Norway, Iceland and the United Kingdom.

This would be achieved by working to ensure that the collective total market share of products placed on the EU market providing energy information on-label and a list of ingredients online would, over a three year period, constitute:

- 25 % of all spirits sold by 31 December 2020
- 50 % by 31 December 2021, and
- 66 % by 31 December 2022.

The MoU and its goals were endorsed by the European Commission in the form of a public [letter](#) signed by Health and Food Safety Commissioner Vytenis Andriukaitis at that time and also by the former EU Agriculture Commissioner Phil Hogan.

In preparing and bringing forward the MoU, it was made clear to all that it only applies to those companies/trade associations who signed up and that the existence of the MoU did not at any stage constitute an obligation on the part of other, non-signatories to apply its requirements. To date, eight multinationals, 17 national association members of spiritsEUROPE, and 59 SME companies have signed the MoU.¹¹

¹¹ See Annex IV for the names of European small and medium-sized distilleries and brand owners who have signed the MoU.

Annex III – International company signatories to the MoU (8)

Bacardi Limited, Beam Suntory, Diageo, Edrington, Moët Hennessy, Pernod Ricard, Rémy Cointreau, Jägermeister.

Annex IV – National trade association signatories to the MoU (17)

Vinum Et Spiritus (Belgium), спиритсБЪЛГАРИЯ (Bulgaria), Vin & Spiritus Organisationen i Danmark (Denmark, non-member of spiritsEUROPE), Alkoholitootjate ja Maaletoojate Liit (Estonia), Suomen Alkoholijuomakauppari (Finland), Bureau National Interprofessionnel du Cognac (France), Fédération Française des Spiritueux (France), Bundesverband der Deutschen Spirituosen-Industrie und -Importeure e.V. (Germany), Drinks Ireland (Ireland), Latvijas Alkoholā nozares asociācija (Latvia), spiritsNL (Netherlands), Polski Przemysł Spirytusowy (Poland), Associação de Vinhos e Espirituosas de Portugal (Portugal), Sprit & Vinleverantörsföreningen (Sweden), Union of the Czech Spirits Producers and Importers (Czech Republic), SEAOP - Greek Federation of spirits producers (Greece) and ENEAP - Hellenic Association of Drinks Distributors (Greece); Espirituosos España (Spain).

Annex V – SME signatory companies to the MoU (59)




FRANCE (26)

<p>MAISON VILLEVERT LES SPIRITUEUX FRANÇAIS</p>	<p>ESTD 1828 PLANAT COGNAC</p>
<p>GROUPE VEDRENNE LIQUEURS & SIROPS</p>	<p>LARSEN COGNAC</p>
<p><i>Jean Boyer</i></p>	<p>DISTILLERIE du CENTRE</p>
<p>ROZELIEURES Single Malt French Whisky</p>	<p>MAISON FONDÉE EN 1884 CRISTAL LIMIÑANA</p>
<p>Distilleries et Domaines de Provence</p>	<p>183 MAISON ROUTIN FRANCE</p>
<p>BALBINE SPIRITS</p>	<p>FAMILY SPIRIT TERROIRS DISTILLERS</p>

GERMANY (13)


<p>AUGUST ERNST</p>	<p><i>Verpoorten</i> Qualität seit 1876</p>
<p>ABTSHOF SPEZIALITÄTEN-DESTILLERIE</p>	<p>FAMILY DISTILLERS SINCE 1892 WALDEMAR BEHN WORLD OF UNIQUE BRANDS</p>
<p>GEFA</p>	<p>HENKELL X FREIXENET</p>
<p>BRENNEREI MÄNNERHOBBY SEIT 2010</p>	<p>Private Kornbrennerei H. HEYDT</p>
<p>FRIEDRICH SCHWARZE GMBH & CO. KG</p>	<p>Schlitzer Destillerie Seit 1585</p>

IRELAND (5)


LATVIA (1)

	
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AUSTRIA (1)

	
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BULGARIA (1)

	
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PORTUGAL (6)

	
	
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SPAIN (6)

June 2024