



ICBA Guidelines for the Composition, Labelling and Responsible Marketing of Energy Drinks

Adopted by the ICBA Board, 16 December 2013

BACKGROUND AND OBJECTIVE

The International Council of Beverages Associations (ICBA) is an international nongovernmental organization that represents the interests of the worldwide non-alcoholic beverages industry. The members of ICBA operate in more than 200 countries and produce, distribute, and sell a variety of non-alcoholic beverages, such as sparkling and still beverages including soft drinks, juice-containing beverages, bottled waters, sports drinks, energy drinks and ready-to-drink coffees and teas.

The non-alcoholic beverages industry recognizes its responsibility to play a positive role in contributing to discussions about energy drinks. To that end and to aid in these discussions, it has developed Guidelines for the Composition, Labelling and Responsible Marketing of Energy Drinks (hereinafter called “*Guidelines*”).

ICBA members strive to ensure energy drink product safety and quality through the formulation of safe products and responsible marketing practices. In most countries around the world, energy drinks are typically regulated under the same quality and regulatory framework as other beverage products and must comply with the same national and international standards as other ready-to-drink beverages.

These voluntary Guidelines take into account the regulatory situation for energy drinksⁱ in most countries worldwide. However, regulations in countries may vary and therefore may require adaptation of these Guidelines.

For the purpose of these Guidelines energy drinks are ‘*non-alcoholic beverages which typically have a total caffeine content from all sources of 75 mg per 250 milliliter, or eight (8) fluid ounces or higher*’ⁱⁱ, which enhances physical and mental performance. Energy drinks may be produced with or without caloric content. They also contain other ingredients including, but not limited to, substances with a nutritional or physiological effect’ and are usually considered functional energizing beverages. Energy drinks have been marketed in more than 165 countries for more than 20 years and are today safely consumed and enjoyed by consumers worldwide. The safety of their key ingredients has been assessed and confirmed by several risk assessment institutions.^{iii, iv}

Since modern energy drinks were introduced into the market in the 1980s, more than 58 billion liters have been sold and consumed around the world. However, in total, energy drinks currently represent less than 1 % of the global non-alcoholic beverages market.^v

These Guidelines take into account the various codes and guidelines that have already been voluntarily developed by industry and implemented throughout the world. ICBA encourages its members to develop their own national and regional guidelines or codes of practice that encourage responsible and moderate consumption of energy drinks, that are in compliance with applicable national and regional legislation and that incorporate the principles of these Guidelines, which in many instances go beyond the requirements of applicable legislation.^{vi, vii, viii, ix}.

GUIDELINES FOR ENERGY DRINK INGREDIENTS

If not already required by applicable legislation, ICBA recommends the following guidelines related to the composition of energy drinks:

1. In addition to caffeine, energy drinks may contain other ingredients including but not limited to carbohydrates, glucuronolactone, taurine, and various vitamins and minerals. Regulatory authorities have reviewed these ingredients for energy drinks and concluded the following levels to be generally safe: taurine 4000 mg/l^{iv}, glucuronolactone 2400 mg/l^{iv} and caffeine 320 mg/l^{iv,x}. ICBA members should use the above levels as a guidance. It is the producer's responsibility to review, confirm, and demonstrate the safety of any product that includes these or any other ingredients before it is put on the market.
2. ICBA members should not market any beverages labelled as 'energy drinks' that are a mixture of energy drinks with alcohol. ICBA considers the labelling of such premixed alcoholic beverages as 'energy drinks' to be misleading.

GUIDELINES FOR ENERGY DRINKS LABELLING^{xi}

If not already required by applicable legislation, ICBA recommends the following guidelines related to the labelling of energy drinks:

3. Identify on the label the total quantity of caffeine from all sources contained in the beverage per 100 ml and/or per serving and/or per package.
4. Labels of energy drinks should not promote the mixing of energy drinks with alcohol or make any claims that the consumption of energy drinks together with alcohol counteracts the effects of the alcohol.
5. Labels of energy drinks should include the advisory statement "Not recommended for children or pregnant or breast-feeding women" or similar.
6. Energy drinks should be labelled in compliance with provisions for conventional foods, not as dietary supplements or food supplements, except in cases where required by applicable legislation.
7. The labelling of energy drinks should also comply with the principles for the sales and marketing as outlined below.

GUIDELINES FOR THE RESPONSIBLE SALES AND MARKETING OF ENERGY DRINKS

If not already required by applicable legislation, ICBA recommends the following guidelines related to the sales and marketing of energy drinks:

8. Energy drinks should not be marketed to children^{xii}.
9. Samplings should not be conducted in close proximity to primary and secondary schools or other institutions taking care of this age group.
10. When promoting the benefits of energy drinks and their ingredients, no claims should be made on the effects of the consumption of alcohol together with energy drinks.
11. Although normal consumption of energy drinks also provides water to the body, energy drinks should not be marketed as beverages that would replace fluids lost during intense physical activity/exercise.

12. As with all beverages, energy drinks should be promoted responsibly to encourage moderate consumption. Based on the intended functionality of energy drinks, ICBA recommends that energy drinks be marketed in pre-packaged form intended for individual consumption. Where an energy drink is not sold in a pre-packaged form, and/or not required to bear a label, the information referenced in point 3 and point 5 above, should be displayed on or in connection with the display of the product.
13. In addition to information on labels, industry should provide comprehensive information about energy drinks and their responsible consumption through other means such as websites or leaflets. Such information should also include the characteristic ingredients in energy drinks and how the caffeine content of these products relates to other caffeine-containing foods and beverages.

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- i In a few countries these products are also called “formulated caffeinated beverages” or similar
- ii Coffee and tea are not covered by these Guidelines. In China certain beverages with carbohydrates but without caffeine may also be called *energy drinks*. They are also not covered by these Guidelines.
- iii [Scientific Opinion of the Panel on Food Additives and Nutrient Sources added to Food on a request from the European Commission to the European Food Safety Authority \(EFSA\) on the use of taurine and D-glucurono-γ-lactone as constituents of the so-called “energy” drinks, adopted on 15 January 2009.](#)
- iv [Australia New Zealand Food Authority, ANZFA Safety Assessment dated 29 November 2000](#)
- v Canadean Global Beverage Forecasts, 2013
- vi [ABA Guidance for the Responsible Labeling and Marketing of Energy Drinks, American Beverages Association](#)
- vii [Energy Drinks – An Industry Commitment, Australian Beverages Council](#)
- viii [UNESDA Code for the Labelling and Marketing of Energy Drinks, Union of European Beverage Associations](#)
- ix [Energy Drinks Marketing Code, Canadian Beverage Association](#)
- x Australia New Zealand Food Authority, ANZFA (2001): Amendment No. 55 to the Food Standards Code, Standard 2.6.4 Formulated Caffeinated Beverage. In Canada up to 400 mg/l, Health Canada, 2011
- xi Given the specific formulation of energy drinks, it is ICBA’s position that the use of the term „energy drink“ as part of the statement of identity adequately and appropriately informs the consumer as to the type of product, and the ingredients that are expected to be present. This is because
- for many years, commercially available non-alcoholic beverages have been lawfully marketed under the name “Energy Drink” in more than 165 countries around the world;
 - they are understood (and expected) by consumers to contain other substances that contribute to mental alertness/energy (e.g. caffeine, vitamins, guarana and other plant extracts);
 - while most products marketed as “energy drinks” also provide calories, consumers do not associate such products exclusively with caloric energy and therefore do not expect caloric energy to be the only or distinctive product attribute;
 - the denomination “Energy Drink” has been accepted by regulatory authorities, for example in the Member States of the European Union, Switzerland, Ecuador and Canada.
- xii International Council of Beverages Associations Guidelines on Marketing to Children