



Health  
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Health Products  
and Food Branch

Direction générale des produits  
de santé et des aliments

Bureau of Chemical Safety  
Food Directorate  
251 Sir Frederick Banting Driveway  
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May 25<sup>th</sup>, 2010

**Re: Health Canada's policy on pre-mixed alcoholic energy drinks**

As a follow-up to the email of April 16<sup>th</sup>, 2010 which addressed questions related to the status of caffeine in alcoholic beverages and energy drinks as ingredients in pre-mixed alcoholic beverages, I would like to reiterate that Health Canada has not approved the sale of any pre-mixed alcoholic energy drinks. Energy drinks are therapeutic products regulated as natural health products for specific purposes. If they contain alcohol, they are by definition considered a food.

This means that, whether or not the non-alcoholic version of the product is approved as an energy drink, once the product contains alcohol, it would need to be evaluated under a completely different set of regulations - as a food. A product developed by simply taking an energy drink approved under the Natural Health Products Regulations and adding alcohol would not be allowed for sale.

The regulations cover a broad list of requirements, and any food product must comply with all of the relevant regulations to be sold legally in Canada. This includes regulations covering the use of food additives like caffeine, but also those covering the addition of vitamins to food, labelling and health claims. As a result, it is not possible to look at a single ingredient (for example, guarana) and say that because one ingredient may be allowed, the product as a whole is therefore legal.

With respect to the ingredients that are frequently found in energy drinks, many of these ingredients would not be allowed to be added to alcoholic beverages. This includes the direct addition of caffeine, but also elements such as vitamins and minerals and taurine.



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Only after a full assessment of all of the ingredients and packaging, would it be possible to determine whether a specific product is in compliance with the regulations. The determination as to whether a specific food product is in compliance with all of the food regulations would be made by the Canadian Food Inspection Agency (CFIA) based on an evaluation of all of these elements.

Should you have any outstanding questions or would like to seek clarification on specific products, we would be happy to provide an opinion.

Sincerely,

Barbara Lee

Director, Bureau of Chemical Safety  
Food Directorate

cc:

Samuel Godefroy, Director General, Food Directorate

John Lynch, Executive Director, Food Safety and Consumer Protection Directorate, CFIA

Johanne Beaulieu, Director, Consumer Protection Division, CFIA