

ABA Guidance for the Responsible Labeling and Marketing of Energy Drinks

BACKGROUND AND OBJECTIVE

The American Beverage Association (ABA) is the trade association representing the broad spectrum of companies that manufacture and distribute non-alcoholic beverages in the United States.

This Guidance relates to the labeling and marketing of energy drinks. Energy drinks are non-alcoholic beverages that are specifically marketed with an energizing effect and a unique combination of characterizing ingredients which may include caffeine, taurine, vitamins and other substances. Their ingredients and labeling comply with all US FDA safety requirements.

In the US, energy drinks have been marketed for 15 years, and consumed and enjoyed by consumers worldwide for more than 20 years. They represent about 1% of the total US non-alcoholic beverages market.¹

ABA and its members recognize public discussions about the marketing of energy drinks and their appropriate consumption and recognize their responsibility to play a positive role in addressing these discussions. Therefore, ABA and its members have developed this voluntary Guidance for the Responsible Labeling and Marketing of Energy Drinks which complements ABA's School Beverage Guidelines,ⁱⁱ and will enable consumers to enjoy energy drinks moderately and responsibly.

ABA and its members encourage all those who produce and market energy drinks to implement this voluntary Guidance and to incorporate it into their business practices as appropriate.

GUIDELINES FOR THE LABELING OF ENERGY DRINKS

In addition to compliance with applicable labeling laws and regulations, ABA members should follow these guidelines related to the labeling of energy drinks:

1. Labels of energy drinks should follow ABA's established voluntary format for the labeling of caffeine and identify the quantity of caffeine from all sources contained in the beverage, for example, "caffeine content: xx mg / 8 fl. oz.". This quantitative caffeine information should be separate and apart from the ingredient statement and the Nutrition Facts Panel.
2. Labels of energy drinks should not promote the mixing with alcohol or make any claims that the consumption of alcohol together with energy drinks counteracts the effects of alcohol.

3. Labels of energy drinks should include the advisory statement “Not (intended / recommended) for children, pregnant or nursing women (and/or persons/those) sensitive to caffeine”.
4. The labeling of energy drinks should also follow the guidelines for the sales and marketing of energy drinks as outlined below.

GUIDELINES FOR THE SALE AND MARKETING OF ENERGY DRINKS

5. Energy drink producers should not promote energy drinks for mixing with alcohol nor should they market energy drinks to counter the effects of alcohol consumption.
6. Energy drinks are functional beverages which differ from sports drinks and therefore should not be marketed as sport drinks.
7. Energy drinks should not be sold nor marketed in schools (K-12), as set forth in ABA’s School Beverage Guidelines and in its statement regarding the Sale of Energy Drinks in Schools.
8. Energy drinks should not be marketed to children, as set forth in ABA’s commitment to the Global Policy on Marketing to Children.

ⁱ Canadean statistics

ⁱⁱ <http://www.ameribev.org/nutrition--science/school-beverage-guidelines/the-guidelines/>