

DRAFT

Decree

No .../2026 of [date]

of the Minister for Agriculture

amending Decree No 152/2009 of 12 November of the Ministry of Agriculture and Rural Development on the mandatory requirements of the Codex Alimentarius Hungaricus with regard to its regulation on beer

[1] The aim of the legislation is to provide consumers with adequate information on the quality of beer and to clarify the nature and quality of the product to which the designation of the foodstuff refers.

[2] The regulation defines the terms beer, flavoured beer, non-alcoholic beer, special quality beer, special quality flavoured beer, and the requirements applicable to these products. This ensures consumers that products marketed under the name as specified in the regulation are manufactured by using the appropriate procedures and permitted ingredients.

[3] On the basis of the authorisation granted in Section 76(2)(5) of Act XLVI of 2008 on the food chain and its official supervision, and acting within the scope of my duties set out in Section 54(3) of Government Decree No 182/2022 of 24 May 2022 on the duties and powers of members of the Government, I hereby order the following:

Section 1

In Decree No 152/2009 of 12 November of the Ministry of Agriculture and Rural Development on the mandatory requirements of the Codex Alimentarius Hungaricus (hereinafter referred to as ‘Decree’), the following point (h) is added to Section 1(3):

[The mandatory requirements of Volume I of the Hungarian Food Code (Codex Alimentarius Hungaricus), which contain national product specifications, are laid down in the following Annex to this Decree:]

‘(h) Annex 44 on beer.’

Section 2

The following paragraph (28) shall be added to Section 2 of the Decree:

“(28) Products which do not comply with the provisions of Annex 44 of this Decree, as laid down in Decree No .../2026 of [date] which amends Decree No 152/2009 of 12 November of the Ministry of Agriculture and Rural Development on the mandatory requirements of the Codex Alimentarius Hungaricus with regard to its regulation on beer (hereinafter: Amending Decree 17), but which comply with the provisions in force on the day preceding the date of entry into force of Amending Decree 17 and are mentioned in Annex 44, may be produced and placed on the market until the last day of the 18th month following the date of entry into force of Amending Decree 17 and may remain on the market until their date of minimum durability or use-by date.”

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Section 3

The following Section 17 is added to the Decree:

“Section 17 The draft of Section 1(3)(h), Section 2(28) and Annex 44 of this Decree, as laid down by Amending Decree 17, have been notified in advance in accordance with Articles 5 to 7 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.”

Section 4

Annex 44, as referred to in Annex 1 hereto, is added to the Decree.

Section 5

This Decree shall enter into force on the third day following its publication.

Section 6

The requirement for the prior notification of this draft decree, as stipulated in Articles 5 to 7 of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, has been met.

Dr. István Nagy
Minister for Agriculture

Regulation 1-3/24-1 of the Hungarian Food Code on beer

Part A GENERAL PROVISIONS

I.

1. This regulation shall apply to beer as defined in Part B. The regulation does not apply to products that contain beer as one of their ingredients.
2. If beer is only one of the ingredients of the product, the name of the product may only include the term ‘beer’ in a way that makes it clear to the consumer that beer is only one of the ingredients of the product, such as: a mixture of beer, a beer mix, or a beer drink.
3. For products placed on the market, the product names referred to in this regulation may only be used if the products comply with the requirements laid down in Part B.
4. This regulation does not apply to beers with a protected geographical indication or those registered as traditional specialities under Regulation (EU) 2024/1143 of the European Parliament and of the Council.
5. Products that are produced or placed on the market in a Member State of the European Union or in Turkey, or are produced in an EFTA State that is a contracting party to the Agreement on the European Economic Area, in accordance with the applicable national legislation in that State, do not need to comply with the technical specifications specified in this regulation if the relevant provisions offer a level of protection equivalent to that laid down in this regulation in terms of consumer protection.

II.

For the purposes of this regulation:

1. *Balling degree (B°)*: a unit of measurement expressing the original extract content of the finished product as a percentage by weight, which shows how many grams of sucrose are present in 100 grams of solution at a temperature of 17.5°C.
2. *Mashing*: the process to make the constituents of malt meal or malt and adjunct meal soluble by the addition of water.
3. *EBC colour number*: colour value accepted by the Analysis Committee of the European Brewery Convention (EBC), which must be applied by taking into account the tolerances derived from the test method which is used to determine the EBC colour value.
4. *Fermentation*: the addition of yeast or fermenting bacteria to cooled wort, followed by microbial activity in which the carbohydrates in the wort are broken down to produce ethanol and carbon dioxide, with heat dissipation in open or closed vessels, under atmospheric conditions or under pressure.
5. *Fermenting bacterium*: a microorganism that can perform fermentation processes in an oxygen-free environment while producing useful end products.
6. *Flavouring foodstuff*:
 - 6.1. Natural flavouring substances and flavouring preparations as defined in Article 3(2)(c) and (d) of Regulation (EC) No 1334/2008 of the European Parliament and of the Council;

6.2. Flavourings as defined in Article 3(2)(a) of Regulation (EC) No 1334/2008 of the European Parliament and of the Council, with the exception of those listed in point 6.1;

6.3. Fresh or dried plants, plant parts, spices, fruit and vegetable preparations.

7. *Original extract content of the finished product*: a value calculated from the alcoholic and real extract content of the beer in accordance with standard MSZ 8761-10:2002 or an equivalent method, which is characteristic of the quantity of solids used in the preparation of the beer.

8. *Hops*: a product obtained mechanically from the cones of female hops.

9. *Hop product* means a hop product or hop extract, the composition of which has been chemically modified.

10. *Malt*: artificially germinated, dried grain.

11. *Adjunct*: beer barley, degerminated corn meal, rice and other carbohydrate-containing products to replace part of the malt, which contain enzymatically degradable polysaccharides or other carbohydrates.

12. *Brewer's yeast*: species of *Saccharomyces cerevisiae* and *Saccharomyces pastorianus* suitable for the fermentation of wort.

13. *Wort*: fermentable solution resulting from the mashing, possible hopping, and cooling of malt and adjuncts when using malt or adjuncts.

14. *Separation*: is a process to reduce the amount of substances that cause turbidity, in particular that of yeast cells, cold lees, by using a separation method based on density difference.

15. *Colouring food*: food with colouring properties not covered by Regulation (EC) No 1333/2008 of the European Parliament and of the Council.

16. *Filtration*: separation by means of filtering and clarifying agents, which may be combined with colloidal stabilisation. The carbon dioxide and the original extract content of the finished product may also be adjusted during this operation.

17. *Concentrated beer process*: a technological process in which a beer with a higher extract content than the finished product is prepared, which is diluted with water after fermentation.

Part B

BEER

1. Product group definition

1.1. Food category according to Regulation (EC) No 1333/2008 of the European Parliament and of the Council: 14.2.1.

1.2. 'Beer' shall mean a beverage made with water from malt and adjuncts, flavoured with hops, and fermented with brewer's yeast or other yeasts and bacteria, rich in carbon dioxide, where the finished product has an alcohol content exceeding 0.50 % by volume. No more than 30 % of the dry matter content of the finished beer may come from adjuncts.

1.2.1. Flavoured beer is a beer to which flavouring foods are added instead of or in addition to hops, in order to produce a specific flavour – these substances are added to the wort or the beer during maturation, separation or filtration at the latest. As a result of the addition of flavouring food during maturation, separation and filtration, a maximum of 30 % of the total extract content of the finished beer may come from flavouring foodstuff. The fruit or vegetable mentioned in the name of the beer must constitute at least 80 % of the total fruit or vegetable content. Colouring food can also be used for this product.

1.2.2. Non-alcoholic beer means a beverage made with water from malt and adjuncts, flavoured with hops, fermented with brewers' yeast or other yeasts and bacteria, rich in carbon

dioxide, in the case of which the finished product has an alcohol content of no more than 0.50 % by volume. Aroma can be used to create the beer character.

1.2.3. Special quality beer: special quality beer is a product with distinctive characteristics that set it apart from other beers and which, due to its production method and composition, offers consumers added value. No adjuncts may be used for the production of special quality beer. During production, only lactose and, as food additives, only citric acid and lactic acid may be added to the product. The use of additional enzymes is not permitted, except for gluten-resolution and starch-resolution enzymes for gluten-free beers. The concentrated beer process cannot be used in the production of special quality beer.

1.2.4. Special-quality flavoured beer is defined as beer of a specific quality, in which flavouring foodstuffs, as defined in points 6.1 and 6.3 of Chapter II of Part A, are used instead of or in addition to hops to create a flavour during beer production, by adding them to the wort or beer no later than during maturation, separation or filtration. As a result of the flavouring foods added during maturation, separation and filtration, a maximum of 30 % of the total extract content of the finished beer may come from flavouring foods. The fruit or vegetable mentioned in the name of the beer must constitute at least 80 % of the total fruit or vegetable content. Colouring food can also be used for this product.

2. Ingredients that may be used

2.1. For beer, flavoured beer and non-alcoholic beer:

- 2.1.1. malt,
- 2.1.2. water,
- 2.1.3. adjuncts,
- 2.1.4. hops,
- 2.1.5. hop products,
- 2.1.6. brewer's yeast, other yeasts,
- 2.1.7. fermenting bacterium,
- 2.1.8. flavouring food for flavoured beer only,
- 2.1.9. colouring food for flavoured beer only,
- 2.1.10. carbon dioxide,
- 2.1.11. nitrogen.

2.2. For special-quality beer and special-quality flavoured beer:

- 2.2.1. malt,
- 2.2.2. water,
- 2.2.3. hops,
- 2.2.4. brewer's yeast, other yeasts,
- 2.2.5. fermenting bacterium,
- 2.2.6. citric acid,
- 2.2.7. lactic acid,
- 2.2.8. lactose,
- 2.2.9. flavouring food pursuant to points 6.1 and 6.3 of Part A, Chapter II may only be used for special-quality flavoured beer,
- 2.2.10. colouring food only for special-quality flavoured beer,
- 2.2.11. carbon dioxide,
- 2.2.12. nitrogen.

3. Quality characteristics

3.1. Physical and chemical properties

3.1.1. Physical properties

| | A | B | C | D | E |
|-----------|-------------------------|---|--------------------|-----------------------------|-------------------|
| 1. | Characteristics | Pale beer | Amber beer/red ale | Dark beer | “Black beer” |
| 2. | Purity | Filtered beers are brilliant, clear, free of sediment and turbidity. Opacification or slight sedimentation resulting from the protein content and possible temperature effects is permissible. Unfiltered beers can also be cloudy by their nature. | | | |
| 3. | Colour | yellow | reddish brown, red | brownish, dark brown, black | dark brown, black |
| 4. | EBC colour number value | < 20 EBC unit | 20 – 45 EBC unit | > 45 EBC unit | > 100 EBC unit |
| 5. | deviation | ± 3.0 EBC unit | ± 6.0 EBC unit | ± 20.0 EBC unit | ± 20.0 % |

3.1.1.1. The value of the EBC colour number shall be recorded on the sheet relating to the product.

3.1.1.2. If the colour of the dark beer recorded on the product sheet is above 100 EBC units, then the tolerance for deviation is ± 20.0 %.

3.1.2. Chemical characteristics

3.1.2.1. Alcohol content

3.1.2.1.1 The original extract content and alcohol content in the finished product shall be recorded on the product sheet.

3.1.2.1.2 The alcohol content must be indicated in accordance with Regulation (EU) No 1169/2011 of the European Parliament and of the Council, even for beers with an alcohol content of up to 1.2 % by volume.

3.1.2.1.3 When indicating the alcoholic strength by volume, the positive and negative tolerances for beer with an alcoholic strength greater than 0.5 % by volume and less than or equal to 1.2 % by volume shall be 0.5 % by volume.

3.1.2.1.4 In the case of non-alcoholic beers, the alcohol content may not exceed 0.5 per cent by volume, with no positive tolerance allowed.

3.1.2.1.5 The deviation of the finished product from the original extract content value is ± 1% (m/m) when measured.

3.2. Organoleptic properties

3.2.1. The aroma, flavour, harmony of flavours, texture and bitterness of the product are characteristic of its variety and consistent with its style.

4. Marking, labelling

4.1. Designation

4.1.1. Designation of the product: beer.

4.1.2. The term referring to the colour of the product shall be indicated in the designation in accordance with columns B to E of row 1 of the table in point 3.1.1. Beers that are cloudy by nature, as well as flavoured beers and beers that are different in colour due to flavouring or colouring foodstuff, are exempt from this designation requirement.

4.1.3. In the case of unfiltered beer, the name of the product must be supplemented by the term 'unfiltered'.

4.1.4. In the case of non-alcoholic beers, the term 'non-alcoholic' must be added to the name.

4.1.5. In the name of beers which are made from malt derived from cereals other than barley, the species of the cereal may be added to the name. Examples for the name: 'Wheat beer'.

4.1.6. In the case of flavoured beers, the term 'flavoured' shall be added to the name. The designation may be supplemented by the name of the flavouring foodstuff used to flavour it. The designation may only be supplemented by the name of the fruit or vegetable if at least 80 % of the fruit or vegetables used for flavouring come from that particular fruit or vegetable.

4.1.7. In the case of special-quality beer and special-quality flavoured beer, the term 'special quality' may be added to the designation.

4.1.8. Where bottling or other technological packaging of beer is not carried out by a food business operator within the meaning of Article 8(1) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council, the name of the bottling undertaking shall be indicated by one of the terms 'bottler', 'bottled by', 'packaged by' or 'packer'.

4.2. List of ingredients

4.2.1. Regardless of their alcohol content, products must list their ingredients in accordance with Regulation (EU) No 1169/2011 of the European Parliament and of the Council.

4.3. Indication of the original extract content of the finished product.

4.3.1. The product must bear information on the original extract content of the finished product in degrees Balling. The figure expressing the original extract content of the finished product shall be given to no more than one decimal place. This is followed by the symbol B° and may be preceded by the words 'original extract content' or 'original extract'.

Part C
INSPECTION METHODS

1. The quality parameters specified in part B were determined with the use of the methods below. Thus, these methods or equivalent methods shall be used when checking the quality parameters:

| | A | B | C |
|-----------|--------------------------------|---|---|
| 1. | Physical – chemical properties | Standard number or number in the Hungarian Food Code | Standard or title in the Hungarian Food Code |
| 2. | Extract content | MSZ 8761-10:2002 | Determination of the alcohol content, extract content and degree of fermentation |
| 3. | Alcohol content | Decree No 152/2009 of 12 November of the Ministry of Agriculture and Rural Development on the mandatory requirements of the Codex Alimentarius Hungaricus, Annex 30 (MÉ 3-1/15-1) | Regulation No 3-1/15-1 of the Hungarian Food Code concerning the table for determining the alcoholic strength of ethyl alcohol-water mixtures |
| 4. | | MSZ 8761-10:2002 | Determination of the alcohol content, extract content and degree of fermentation |
| 5. | EBC colour number | MSZ 8761-6:2002 | Determination of the colour by spectrophotometric method |