

Voluntary Report – Voluntary - Public Distribution

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Report Name: WTO Notification Establishing Standards for Non-Alcoholic Energy Drinks

Country: Jordan

Post: Amman

Report Category: Beverages, FAIRS Subject Report

Prepared By: Mohannad AlShahwan

Approved By: Gene Kim

Report Highlights:

On February 2, 2024, the Jordan Standards and Metrology Organization (JSMO) notified G/TBT/N/JOR/55 to the World Trade Organization, Committee on Technical Barriers to Trade. This new measure outlines formulation and packaging requirements for non-alcoholic, ready-to-drink energy beverages, excluding sports drinks. This report includes an Unofficial English Translation of the JSMO measure titled “Technical regulation [that] specifies the requirements that must be met in non-alcoholic energy drinks ready for human consumption and does not include drinks for athletes.”

This report was prepared by the Amman Office of Agricultural Affairs, for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCTS IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

On February 2, 2024, the Jordan Standards and Metrology Organization notified [G/TBT/N/JOR/55](#) to the World Trade Organization, Committee on Technical Barriers to Trade

This new measure outlines formulation and packaging requirements for non-alcoholic, energy drinks. For example, energy drinks must contain between 14.5 milligrams (mg) to 32 mg of caffeine per 100 milliliters (mL). The measure also restricts formulations with certain ingredients, including prohibited substances, unsafe additives, foreign materials. The measure forbids energy drinks from organoleptic attributes such as off-odors.

All beverages subject to the measure must feature labels clearly displaying caffeine content and safety warnings, as well as daily intake limits. The warning labels must caution children, pregnant/nursing women, those with caffeine sensitivity, or exercising athletes from consuming energy drinks with caffeine content between 14.5 and 31 milligrams per 100 mL. Nutritional claims must be accurate and comply with existing regulations. Packaging should be clean, safe, and meet regulatory standards and provide guidance for storage must in a cool, dry place away from direct sunlight. Manufacturing must adhere to good manufacturing practices (GMP). These guidelines aim to ensure the safety and quality of energy drinks.

Comments:

Comments on the measure are to be directed to the attention of:

Jordan Standards and Metrology Organization (JSMO)
WTO/TBT Enquiry Point
Tel: +962 6 5301225
Fax: +962 6 5301249
E-mail: enquiry@jsmo.gov.jo

Trade:

According to U.S. Census data accessed from USDA/FAS' Global Agricultural Trade Statistics Online database, U.S. exports of sweetened/flavored waters (HS 220210) and non-alcoholic beverages excluding water, fruit juices, and milk (HS 220299) totaled about \$1.3 million from January to November 2023. HS 220299 represented the second-fastest growing tariff line category for U.S. exports to Jordan in 2023 from January to November, expanding by almost 6,200% over the same period in 2022.

U.S. Exports to Jordan of HS 220210 and 220299 (\$1,000s U.S. Dollars)									
HS Code	Description	2018	2019	2020	2021	2022	Jan-Nov 2022	Jan-Nov 2023	Jan-Nov % Change 2023/22
220210	Waters, Sweetened/Flavored	344	372	246	281	646	646	1,117	73
220299	Non-alcoholic beverages (excl. water, fruit or vegetable juices and milk)	0	39	0	69	21	3	204	6,197
Total		344	411	246	350	667	649	1,321	

Source: GATS, U.S. exports to Jordan

According to Euromonitor data, over the past five years, overall energy drink sales in Jordan, from all origins, are recovering from COVID-19 era related losses in sales. From 2020 to 2023, energy drink sales grew by 22 percent.

Energy Drink Sales in Jordan (million Liters)						
	2018	2019	2020	2021	2022	2023
Energy Drink Sales	12.1	12.6	8.9	9.8	10.4	10.9

Annex 1:

Unofficial Machine Translation from Arabic to English of “Technical regulation specifies the requirements that must be met in non-alcoholic energy drinks ready for human consumption and does not include drinks for athletes”

Annex 1

BEGIN UNOFFICIAL MACHINE TRANSLATION FROM ARABIC TO ENGLISH

FDJS 2381:2023

Second Draft

O N 2381 2023/

Firs Edition

Final project

Energy Drinks

Standards and Metrology Organization

The Hashemite Kingdom of Jordan

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Introduction

The Jordan Standards and Metrology Organization (JSMO) is the national standards body in Jordan. Jordanian Standards are prepared by technical committees. These committees are usually composed of members representing the main stakeholders interested in the subject of the standard. All stakeholders have the right to express their opinions and comments on the standard during the circulation of the draft for voting.

This is done in order to make Jordanian Standards as compatible as possible with international, regional and national standards, in order to remove technical barriers to trade and facilitate the flow of goods between countries. Jordanian Standards are structured and drafted in accordance with the Technical Work Guide of the Standardization Directorate 1 - 2 / 2005, Part 2: Rules for the Structure and Drafting of Jordanian Standards.*1

Accordingly, the Permanent Technical Committee for Beverages and Juices 9 studied the draft Jordanian Standard Specification 2023/2381 related to energy drinks and recommended adopting the draft as a Jordanian technical base, 2023/2381 (12) of the Standards and Metrology Law No. 22 of 2000 and its amendments.

1. Scope

This Jordanian standard specifies the requirements for non-alcoholic ready-to-drink energy drinks for human consumption, excluding sports drinks.

2. Normative References

The following referenced documents are indispensable for the application of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies. The Jordan Standards and Metrology Organization (JSMO) library has catalogs of current standards.

Codex Alimentarius Standard - 193, General Standard for Contaminants and Toxins in Food and Feed.

European Regulation - 1881, Maximum levels for certain contaminants in foodstuffs.

Jordanian Standard - 9, Labelling - General Standard for Labelling of Food Packages.

Jordanian Standard - 94, General Standard for Food Additives.

Jordanian Standard - 288, Foodstuffs - Shelf Life of Foodstuffs.

¹ Deliberative process

Jordanian Standard - 493, Hygienic Requirements - General Principles of Food Hygiene.

Jordanian Standard - 1472, Labelling - General Guidelines on Claims.

Jordanian Standard - 1473, Labelling - Guidelines for the Declaration of Nutrition Information.

Jordanian Standard - 1474, Labelling - Guidelines for the Use of Nutrition and Health Claims.

Jordanian Technical Regulation - 2130, Materials and Equipment Intended to Come into Contact with Food.

Jordanian Technical Regulation - 2131, Plastic Materials and Articles Intended to Come into Contact with Food.

Jordanian Technical Regulation - 2132, Packaging Materials.

Instructions of the Jordan Food and Drug Administration (JFDA) on the Transport, Storage and Display of Foodstuffs for the Year 2011 and its Amendments.

Instructions of the JFDA amended for the Instructions on the Import and Trading of Materials Intended to Come into Contact with Food (Indirect Food Additives) for the Year 2014 and its Amendments.

Instructions of the JFDA on Sampling of Foodstuffs Circulating in the Markets for the Year 2015 and its Amendments.

Instructions of the JFDA on Sweeteners for the Year 2015 and its Amendments.

Instructions of the JFDA on Inspection and Sampling of Imported Foodstuffs for the Year 2015 and its Amendments.

3. Terms and Definitions

For the purposes of this Jordanian standard, the following terms and definitions apply:

3.1 Energy Drinks: Non-alcoholic, carbonated or non-carbonated beverages based on water, containing caffeine with other ingredients such as amino acids, glucuronolactone, inositol, taurine, vitamins and minerals, herbal extracts such as ginseng, mineral salts, organic acids, sugars and other permitted food additives. Juices or natural fruit pulp or concentrates may also be added.

3.2 Caffeine: Total caffeine content from various sources in the final product.

3.3 Foreign Matter: Any substance that is not of product or ingredient origin and can be easily identified with or without magnification tools or equipment, the presence of which indicates non-compliance with good manufacturing and hygiene practices.

4. Requirements

4.1 Standard Requirements: The following standard requirements shall be met for the product ready for direct consumption:

4.1.1 It shall be free from prohibited stimulants, alcohol and hormones.

4.1.2 The caffeine concentration shall not be less than 14.5 mg/100 ml and not more than 32 mg/100 mL.

4.1.3 The ethanol content resulting from natural accidental fermentation shall not exceed 0.1% (v/v)¹ in case of adding juices or natural fruit pulp or concentrates or any other natural ingredients.

4.1.4 The use of sweeteners shall be in accordance with the JFDA's Instructions on Sweeteners for the Year 2015 and its Amendments.

4.1.5 It shall be free from foreign matter and from putrefaction and fermentation odors.

4.1.6 All materials used in the manufacturing process shall comply with their own standards, if any.

4.1.7 The daily individual consumption of the substances listed in Table 1 "if found" shall not exceed the amount specified for each.

Table 1: Maximum Daily Allowable Quantity

Substance	Maximum Daily Allowable Quantity
Thiamine	40 milligrams
Riboflavin	20 milligrams
Niacin	40 milligrams
Vitamin B6	10 milligrams
Vitamin B12	10 micrograms
Pantothenic Acid	10 milligrams
Glucuronolactone	200 milligrams
Inositol	100 milligrams
Taurine	2000 milligrams

Notes:

The amount of vitamins in energy drinks should not be expressed as a percentage of the recommended dietary intake or the safe daily intake of these vitamins. Instead, it should be expressed per 100 ml or per serving size.

The content volume of the product must not be less than 90% of the water capacity of the container.

4.2 Health Requirements

The following health requirements shall be met for the final product:

It shall be manufactured and distributed according to Jordanian Standard 493.

The microbiological limits shall be as specified in Table 2.

Table 2: Microbiological Limits for Energy Drinks

Microorganism	Samples	Microbiological Limit	Unit
Total Aerobic Count	5	1	100 CFU/ml or g
Coliforms	5	1	0
Yeasts and Molds	5	1	2

Notes:

The microbiological limits in this table are subject to review and amendment as needed. Any new scientific developments in the field of food safety and health will be taken into account, including scientific developments and any unusual microbiological contamination indicators of public health importance. Risk assessment results will also be considered. The Jordan Standards and Metrology Organization is responsible for reviewing and amending these microbiological limits.

CFU: Colony Forming Unit

N: Number of sample units to be analyzed.

c: Maximum number of sample units that are allowed to give a number greater than M but less than P.

M: The level of the microbiological limit that is required to be achieved in the product.

P: The maximum value of the microbiological limit that must not be exceeded in any unit of N.

5. Food Additives

Food additives are permitted according to Jordanian Standard 94.

6. Sampling and Testing Methods

6.1 Sampling Methods

Samples shall be taken according to the instructions of the Jordan Food and Drug Administration (JFDA) on Sampling of Foodstuffs Circulating in the Markets for the Year 2015 and its Amendments, and the Instructions of the JFDA on Inspection and Sampling of Imported Foodstuffs for the Year 2015 and its Amendments.

6.2 Testing Methods

6.2.1 Reference test methods or equivalent methods that have been validated and verified shall be used.

6.2.2 Microbiological testing may be carried out on a representative composite sample. If the microbiological limit exceeds 80% of the maximum value of P in Table 2, the sample is considered non-compliant. In the case of re-testing of the product, microbiological testing shall be carried out on samples collected according to the unit system specified in Table 2, and each sample shall be tested separately, based on the microbiological limits specified in Table 2.

7. Packaging, Transportation, and Storage

In addition to the requirements of the Jordan Food and Drug Administration (JFDA) Instructions on the Transport, Storage and Display of Foodstuffs for the Year 2011 and its Amendments, the following conditions shall be met when packaging, transporting, and storing the product:

7.1 The final product shall be packaged in clean, sound, and suitable containers that protect it from contamination and spoilage and preserve its natural properties. The packaging and wrapping materials used shall comply with the requirements of Jordanian Technical Regulations 2130, 2131, and 2132, and the JFDA's Instructions amended for the Instructions on the Import and Trading of Materials Intended to Come into Contact with Food (Indirect Food Additives) for the Year 2014 and its Amendments.

7.2 The content volume of the package shall not be less than that specified in Jordanian Standard 9.

7.3 The product shall be handled in a proper manner to prevent physical damage.

8. Contaminants

The maximum level of contaminants in the final product shall not exceed the limits allowed in Codex Alimentarius Standard 193. If no limits are available for any of the contaminants in this standard, the European Regulation 1881 shall be referred to.

9. Labeling

In addition to the requirements of Jordanian Standard 9, the following explanatory information shall be stated on each package in Arabic. It may also be written in English alongside the main Arabic language:

9.1 Product name: "Energy Drink".

9.2 Shelf life according to Jordanian Standard 288.

9.3 The percentage of natural juice, if added. The word "juice" should not be written next to the product name.

9.4 The following phrases in a clear and visible place:

9.4.1 High caffeine content.

9.4.2 The amount of caffeine expressed in mg/100 ml or as a percentage (%).

9.4.3 Not suitable for people with heart disease.

9.4.4 A phrase stating that it is not recommended for children, pregnant or breastfeeding women, or people with caffeine sensitivity, or a phrase stating that it is not suitable for children, pregnant or breastfeeding women, or people with caffeine sensitivity, and athletes during sports activities.

9.4.5

A phrase stating that the daily recommended amount should not be exceeded, such as (specifying the number of packages, or specifying the number of bottles, or specifying the amount in ml). The maximum daily consumption level is calculated based on Table 1 of this Jordanian Standard.

9.4.6

The warning for artificial sweeteners, if any.

9.5

Any nutritional or health claims shall be declared according to Jordanian Standard 1472, Jordanian Standard 1473, and Jordanian Standard 1474.

9.6

The manufacturer or distributor is responsible for ensuring that all required warning information is present on the label.

10. References

Egyptian Standard - 4244 / 2020, Energy Drinks.

Lebanese Standard - 802 / 2018, Energy Drinks.

Gulf Standard - 1016 / 2015, Microbiological Criteria for Commodities and Foodstuffs.

Australian Standard - 2 / 4 / 6, Composition of Caffeine Beverages.

Gulf Standard - 2538 / 2017, Maximum Limits for Ethyl Alcohol (Ethanol) Residues in Food.

Government of Canada, Guidance Document for the Temporary Marketing Authorization (TMAC) Class, Caffeinated Energy Drinks, December 2013.

END UNOFFICIAL MACHINE TRANSLATION FROM ARABIC TO ENGLISH

Attachments:

No Attachments.