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NAFDAC Beer Regulations, 2025

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NAFDAC Beer Regulations, 2025

[] Commencement

In exercise of the powers conferred on the Governing Council of the National Agency for Food and Drug Administration and Control ('the Governing Council') by Section 30 of the National Agency for Food and Drug Administration and Control Act, Cap. N1, LFN, 2004 and Section 12 of the Food, Drugs and Related Products (Registration, Etc.) Act. Cap. F33. LFN, 2004 and of all the powers enabling it in that behalf, the Governing Council with the approval of the Minister makes the following Regulations: -

Part 1 Objective and Application

1. Objective

The objective of these Regulations is to provide regulatory framework for the regulation of beer manufactured, imported, exported, advertised, sold, displayed for sale, distributed, or used in Nigeria.

2. Application

These Regulations prescribe the requirements, classification and types of beer manufactured, imported, exported, advertised, sold, distributed or used in Nigeria.

Part II Requirement for Beer , Consistency of Beer, Classification of Beer, Labelling

3. Requirement for beer

- (1) Except as otherwise provided in these Regulations, the word "beer" ("lager", "ale" or "stout") shall not appear in the label of any beer unless the beer complies with the standard for beer prescribed in First and Second Schedules to these Regulations.
- (2) Beer shall be the product of the alcoholic fermentation of liquid derived from a mash of malted grain with hops or other appropriate vegetable bitters.
- (3) Beer may contain;
 - (a) un-malted cereal or cereal meal, sugar, yeast nutrient or carbon dioxide.
 - (b) caramel as coloring substance,
 - (c) ascorbic acid and not more than 25 mg/kg of sulfur dioxide or sulphite as permitted food conditioner.
- (4) Beer shall
 - (a) have clarity with characteristic color, taste and form of its type.
 - (b) be appropriately packaged and effectively pasteurized.
 - (c) be free from narcotic and psychotropic substances including caffeine or any other substances which, when mixed with alcohol, are injurious to health.

4. **Consistency of beer**

Beer shall consist of substance produced from the alcoholic fermentation of malt with the addition of hop or hop extract, in water and brewed in a manner as to possess the taste, smell and characteristics commonly attributed to beer.

5. **Classification of beer**

- (1) Beer shall be classified based on the ethyl alcohol content present as specified in First Schedule of these Regulations.
- (2) Where a beer contains the percentage of alcohol by volume as provided in First Schedule, the common name shall be used on the label of the beer.

6. **Labelling**

- (1) The labelling of beer shall be in accordance with the Pre-packaged Food (Labelling) Regulations, 2022.
- (2) Pursuant to the Pre-packaged Food (Labelling) Regulations, 2022, the labelling on beer shall include;
 - (a) percentage of alcohol.
 - (b) caution statement: Drink responsibly and 18+ for alcoholic beer.

Part III
Packaging, Advertisement of Beer, Maximum Limits of Contaminant

7. **Packaging**

- (1) Beer shall be
 - (a) filled in suitable containers that will not affect the quality of the beer.
 - (b) sealed in airtight containers that meet the specifications of the respective standards for such material.

8. **Advertisement of beer**

- (1) Advertisement of beer shall be in accordance with the Food Products advertisement Regulations 2021.
- (2) The content of advertisement of beer shall be free of health claims.
- (3) Beer advertising and marketing materials shall not
 - (a) claim or represent that individual cannot
 - (i.) obtain social, professional, educational, athletic, or financial success or status without beer consumption.
 - (ii.) solve social, personal, or physical problems without beer consumption.
- (4) Advertisement of beer shall not be permitted on children's programs nor shall children, sportsmen or expectant mothers be used as models.
- (5) Gift items promoting beer shall not be directed at children and sportsmen.

9. **Maximum limits of contaminant**

- (1) Beer shall conform to the specifications provided in the Fourth Schedule of these Regulations.

- (2) Contaminants in beer shall not exceed amounts as specified in the Fifth Schedule of these Regulations

Part IV

Prohibition, Offences and Penalties, Forfeiture after Conviction

10. Prohibition

A person shall not manufacture, import, export, advertise, sell, display for sale, or distribute beer specified in the Second Schedule to these Regulations in Nigeria unless it has been registered in accordance with the provision of these Regulations.

11. Offences and Penalties

- (1) Any person who contravenes any of the provisions of these Regulations commits an offence and shall be liable on conviction. In case of -
- (a) an individual, to imprisonment for a term not exceeding one year or to a fine not exceeding N800,000.00 or to both; and
 - (b) a body corporate, to a fine not exceeding N5,000, 000.00.
- (2) Where an offence under these Regulations is committed by a body corporate, firm or other association of individuals every: -
- (a) director, manager, secretary or other similar officer of the body corporate.
 - (b) partner or officer of the firm.
 - (c) trustee of the body concerned.
 - (d) person concerned in the management of the affairs of the association; or
 - (e) person who purports to act in a capacity referred to in paragraphs (i) to (iv) of this sub-regulation, is severally liable to be proceeded against and punished for that offence in the same manner as if he had himself committed the offence, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

12. Forfeiture after conviction

- (1) A person convicted of an offence under these Regulations shall forfeit to the Federal Government:-
- (a) any asset or property constituting proceeds derived from or obtained, directly or indirectly, as a result of the offence; and
 - (b) any of the person's property or instruments used in any manner to commit or to facilitate the commission of the offence.
- (2) In this section, "proceeds" means any property derived or obtained, directly or indirectly, through the commission of the offence.

Part V

Miscellaneous

13. Enforcement of the Regulations

The Agency is exclusively responsible for the enforcement of these Regulations.

14. **Interpretation**

In these Regulations, unless the context otherwise requires:

Agency means National Agency for Food and Drug Administration and Control

Adjuncts means additional materials from the following sources:

- (a) starches derived from a variety of sources such as maize, barley, wheat, rice and potato;
- (b) syrups prepared from starches;
- (c) sugar from cane and beet

Ale means beer produced with top fermenting yeast strains at slightly warm temperature stored for maturation after fermentation.

Alcohol by Volume (abv): means ethyl alcohol (ethanol) in an alcoholic beverage expressed as a percentage of total volume.

Beer means an alcoholic beverage resulting from fermentation of yeast culture of an extract derived from cereals, with or without malt, with or without adjuncts, with or without enzymes, with or without hops in potable water.

Draught beer means beer packaged in a suitable container and drawn with a dispensing device under a counter gas pressure.

Hops means dried ripe female flowers of the hop plant (*Humulus lupulus*) used to give a bitter taste to beer. Hops are used in the form of flowers, extracts, pellets, or hops oil of different alpha acids.

Lager beer means beer produced with bottom-fermenting yeast strains stored for maturation after fermentation.

Stout beer means beer which is dark and bitter and the colour derived from roasted cereals or its derivatives.

“Yeast” means unicellular fungi responsible for fermentation to produce alcoholic beverages. Yeast metabolizes the fermentable sugars to produce mainly alcohol and carbon dioxide.

15. **Citation**

These Regulations may be cited as NAFDAC Beer Regulations, 2025

MADE at Abuja this day of2025
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Dr. Mansur Kabir
Chairman Governing Council
National Agency for Food and Drug Administration and Control (NAFDAC)

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Types of Beer

This classification of beer is based on the types of yeast used in brewing (top fermenting yeast or bottom fermenting yeast) and alcohol content

S/N	Class of beer	Requirement
1.	Non-alcoholic beer	shall contain below 0.05% ethyl alcohol volume per volume
2.	Low Alcoholic beer	shall contain above 0.5% but less than 1.0 % ethyl alcohol volume per volume
3.	Light Beer	This shall contain above 1.0% but less than 4.0 % ethyl alcohol volume per volume
4.	Standard Beer	shall contain above 4.0% but less than 6.0 % ethyl alcohol per volume
5.	Strong beer	shall contain above 6.0% ethyl alcohol volume per volume
6.	Ale	shall contain above 6.0 % but less than 7.0% ethyl alcohol volume per volume
7.	Strong Stout	shall contain above 6.0% ethyl alcohol volume per volume
8.	Standard Stout	shall contain above 4.0% but less than 6.0% ethyl alcohol volume per volume
9.	Light Stout	shall contain above 1.5% and less than 4.0% ethyl alcohol volume per volume
10.	Extra strong beer, Extra strong Ale, Extra strong stout, Extra strong Porter, extra strong malt liquor	shall contain above 8.6 ethyl alcohol volume per volume
11.	Extra light beer, Extra light Ale, Extra light stout, Extra light Porter, Extra light malt liquor	shall contain above 1.1% but less than 2.5 % ethyl alcohol volume per volume
12.	Porter:	shall contain above 4.0% but less than 6.0 % ethyl alcohol per volume

Categories of beer

S/N	Category of beer	Requirement
1.	Lager	Prepared by using bottom fermenting yeast and aged; may have low or high alcohol content and can be found in a wide variety of colors from light to dark. It is stored for a specified period before being bottled or canned.
2.	Pilsner	Is light with 3.0–3.8% alcohol and has a medium hop flavour.

3.	Ale Beer	Prepared by using top fermenting yeast and usually lighter in color, prepared from pale malt and has a medium bodied flavour.
4.	Stouts and porters	Are dark beers made using roasted malts or roast barley, and typically brewed with slow fermenting yeast.
5.	Root beer	Are beers containing an infusion of various roots, bark and herbs.
6.	Draught Beer	All types (lager, ale, stout, pilsner; mild and strong beers) may or may not be pasteurized.
7.	Flavored Beer	Is a beer-based beverage with added natural or nature identical flavors.
8.	Blended beer	Is a beer-based beverage blended with small quantities of spirits in any form to get unique flavors
9.	Irish beer	Produced in Ireland is known as Irish beer. It can be either lager, stout or ales type.
10.	Wheat beer	Is brewed with a large proportion of wheat although it often also contains a significant proportion of malted barley. Wheat beers are usually top-fermented. Wheat provides a soft character to beer and is sometimes hazy or cloudy with a touch of spice notes.
11.	Ice beer	Is beer a claim for beer that has been subjected to the process of freezing and removal of the ice crystal so formed.
12.	Spiced beer	Beer spiced with a spice or herb may be described using a common name such as “beer with (common or class name of the ingredients)”. The common name will be considered in the list of ingredients.

Second Schedule

Requirements for Beer

Beer shall comply with the following specific requirements

Classification Description Parameters	Unit	Ale	Strong Stout	Standard Stout	Light Stout	Strong Lager Beer	Standard lager Beer	Light Lager Beer	Low Alcohol Beer	Non-Alcohol Beer
Original Gravity	Plato	12-16	>16	10-16	4-10	>16	10-16	4-10	N/A	N/A
	Saccharine (%) (v/v)	1050-1065	>1065	1040-1065	1016-1040	>1065	1040-1065	1016-1040	N/A	N/A
Ethyl Alcohol	(%) (v/v)	6-7	>6.0	4.0-6.0	1.5-4.0	>6.0	4.0-6.0	1.0-3.9	0.5-1.0	<0.5
Carbon Dioxide	g/L	4.0-7.5	4.0-7.5	4.0-7.5	4.0-7.5	4.0-7.5	4.0-7.5	4.0-7.5	4.0-7.5	4.0-7.5

pH	N/A	3.5-4.7	3.5-4.7	3.5-4.7	3.5-4.7	3.5-4.7	3.5-4.7	3.5-4.7	3.5-4.7	3.5-4.7
Total air (Max)	mL/L	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Deposits (max)	mg/L	10	50	50	50	Nil	Nil	Nil	Nil	Nil
Bitterness (Isohumulone)	EBU	35-55	50-90	30-50	25-50	12-30	12-30	12-30	12-30	12-30
Colour	EBC	25-300	120-280	110-150	90-110	6-16	6-16	6-16	6-16	6-16
Turbidity (Haze) Max after 6 months	EBC	N/A	N/A	N/A	N/A	4.0	4.0	4.0	4.0	4.0

Third Schedule

Beer shall comply with the microbiological requirements as specified

Parameters	Ale	Strong stout	Standard Stout	Light Stout	Strong beer	Standard beer	Light Beer	Low alcoholic beer
Total Bacteria Count (APC) (cfu/mL) (max)	100	100	100	100	100	100	100	100
Coliform (MPN) (cfu/mL) (max)	<3	<3	<3	<3	<3	<3	<3	<3
<i>E.coli</i> (cfu/mL) (max)	0	0	0	0	0	0	0	0
Yeast and mould (cfu/mL) (max)	20	50	50	50	50	50	50	50

APC- Aerobic Plate Count

Fourth Schedule

Maximum Level of Additives Permitted in Beer

Additives	Maximum amount in parts per million
Sulphur dioxides	25
Benzoic acid	70
Methyl or propyl parahydroxy benzoate	70

Beer shall comply with the metallic contaminants as specified

Maximum Level of contaminants Permitted in Beer

Elements	Maximum Limits
Lead (Pb)	0.2mg/kg
Arsenic (As)	0.1 mg/kg
Copper (Cu)	0.4mg/kg
Iron (Fe)	2.5mg/kg
Tin (Sn) for canned beverages	150mg/kg

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