



Supplement to the user regulations: law concerning alcohol Winter in Antwerp

At Winter in Antwerp, of which the Christmas market is a part, the city of Antwerp would like to commit to increasing attention to moderation of alcohol consumption and to promoting a healthy lifestyle.

The city of Antwerp shall, therefore, work with all competent services throughout the Christmas market to ensure that applicable alcohol laws are adhered to, with specific attention to respect for age limits for the sale, serving and offering of alcoholic drinks.

The city of Antwerp shall take the measures necessary to communicate these specific areas of attention to visitors to the Christmas market. As a stallholder, the city of Antwerp expects you to commit to respecting applicable alcohol laws and to pointing out these laws to visitors to your stall.

Legal framework

Having regard to the law of 24 January 1977 concerning the protection of the health of users within the scope of foodstuffs and other products, more specifically Article 6, 56;
Having regard to the law of 28 December 1983 concerning licensing for the dispensing of spirits, more specifically Article 9;
Having regard to the law of 7 January 1998 concerning the structure and excise duties on alcohol and drinks containing alcohol, more specifically Article 16;
Having regard to the change in law of 10 December 2009 concerning the age limits for the sale, serving and offering of alcohol, more specifically Article 14.

Public drunkenness is a punishable offence in accordance with the Legislative Order of 14 November 1939 concerning the curbing of drunkenness. The same Order also prohibits the serving of drinks with the potential to cause drunkenness to persons who are obviously drunk, the forcing of persons to drink until they drunk, making persons drunk to the point that they become ill, unfit for work or dead and proposing or accepting challenges that involve drinking.

Decree

Article 1:

Provided that the following conditions are adhered to, the city of Antwerp (SB/Events) shall grant permission to operators of chalets or events terraces at the Christmas market to serve alcoholic drinks at the Christmas market.

Article 2:

2.1. The sale and serving of alcohol to persons under the age of 16 is prohibited. Alcohol is understood to mean any alcohol-based drink in excess of 0.5% ABV, to include beer, wine sparkling and other drinks and intermediate products, whether or not fermented, to include port, sherry, martini, etc. All persons wishing to purchase alcohol-based drinks or other products must be able to demonstrate that they are older than 16 years of age.

2.2. The sale and serving of spirits to persons under the age of 18 is prohibited. Spirits is understood to mean all products with GN codes 2207 and 2008 with an effective alcoholic strength by volume in excess of 1.2% ABV, including if these products are part of a product from another section of the combined nomenclature of the common customs tariff of the European Communities; products with GN codes 2204, 2205 and 2206 with an effective alcoholic strength by volume in excess of 22%; distilled drinks containing products whether or not in solution. All persons wishing to purchase spirits must be able to demonstrate that they are older than 18 years of age.

2.3. The giving of alcohol to persons in a state of drunkenness is prohibited.

2.4. Underage persons are not permitted to serve spirits. Underage persons over the age of 15 years of age are permitted to sell other alcohol-based drinks provided that they are under the supervision of an adult. In the event of problems or violations, the adult shall be held responsible.



2.5. The age limits concerning the sale of alcohol shall be communicated to visitors by means of a placard to be displayed in a visible location at the stall.

2.6. Stallholders are not permitted to run promotions or happy hours for alcohol-based drinks.

2.7. Bottles containing alcohol-based drinks may not be offered or sold for consumption on-site.

2.8. Stallholders must, at all times, be able to demonstrate the composition of mixed drinks if requested to do so by the FPS Public Health.

Article 3:

3.1. The inspection body of the FPS Public Health and the local police services shall be responsible for verifying compliance with applicable alcohol laws.

3.2. The city surveillance body or SB/Events shall be responsible for verifying compliance with the regulations concerning the sale of alcohol in a chalet or events terrace at the Christmas market.

3.3. All violations of the regulations or applicable alcohol laws shall be reported to the local police services immediately. The police shall present the respective stallholder in question with an official warning from the mayor on the following day. This warning shall inform the stallholder of the violation and of the sanction(s) that shall be imposed in the event of repeated violation.

3.4. Following three violations of the applicable alcohol laws, the mayor shall be entitled to order the closure of the stall for one (or more) day(s).

3.5. In the event of more than four violations of the regulations and/or alcohol laws over the full duration of the Christmas market, the operator shall be sanctioned at the next Christmas market event (one-day closure) following only one violation.

Article 4:

A copy of this Decree shall be presented to the applicant, stallholders and local police.