



TTB Labeling Requirements

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TTB Disclaimer

Notice:

- This information is being presented to help the public to understand and comply with the laws and regulations that the Alcohol and Tobacco Tax and Trade Bureau (TTB) administers.
- It is not intended to establish any new, or change any existing, definitions, interpretations, standards, or procedures regarding those laws and regulations.
- In addition, this presentation may be made obsolete by changes in laws and regulations.
- The sample labels in this presentation are for purposes of illustration only and do not represent actual labels.
- Please consult the applicable laws and regulations for the most current requirements.



Mission of TTB As it Relates to Malt Beverages

- Collect the taxes on beer.
- Protect the consumer by ensuring the integrity of malt beverages.



What is a COLA?

- Certificate of Label Approval
- Authorizes:
 - The **bottling or packing** of malt beverages or
 - *The **removal** of bottled malt beverages from customs custody (Imports)*

If the product bears labels identical to the labels affixed to the face of the certificate, or labels with changes authorized by the certificate.

- The COLA does **not** constitute trademark protection. See TTB F 5100.31.

27CFR 13.11



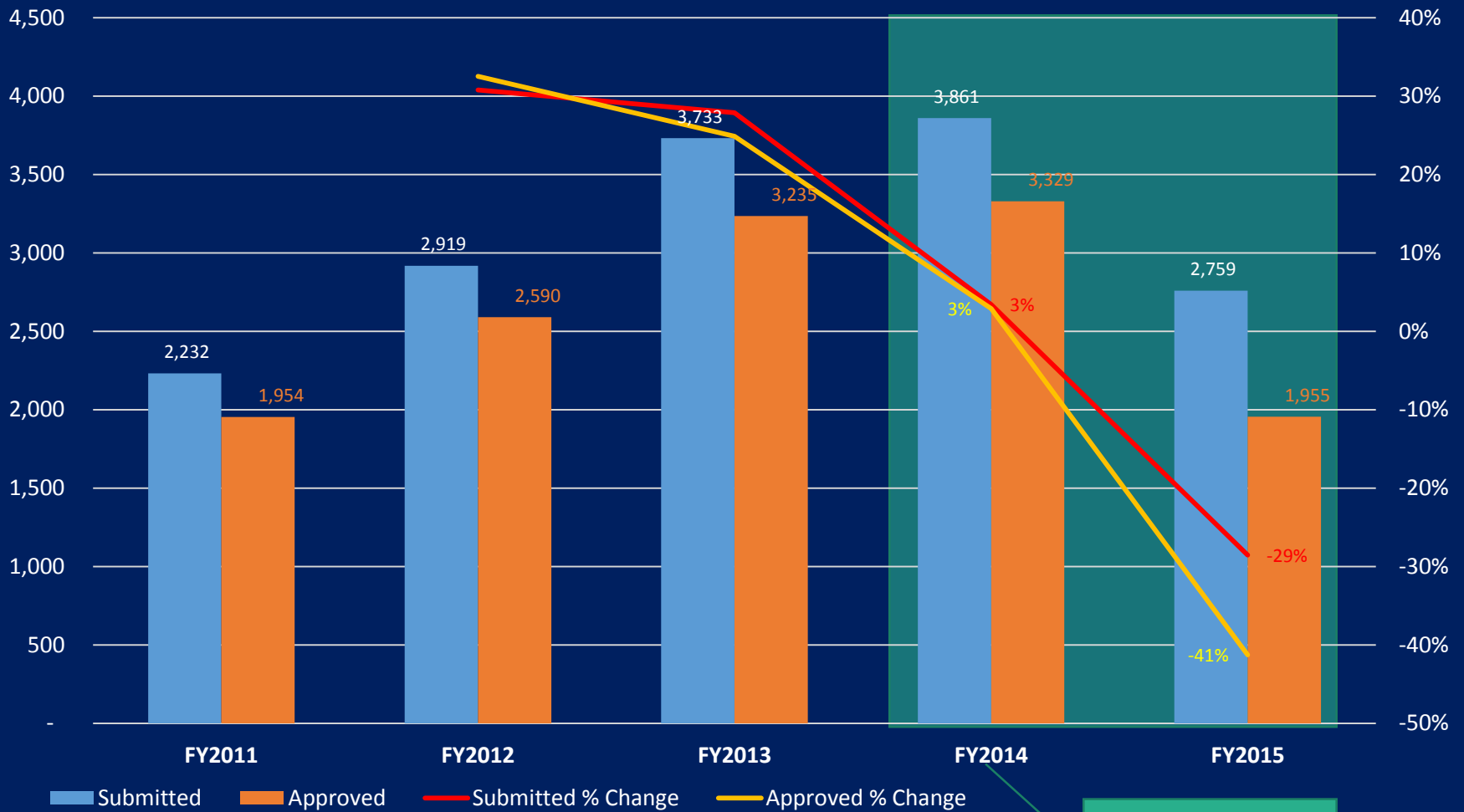
Malt Beverage Statistics

Processing Times

Process	Days
Brewer's Notice	156
Formula Review	25
Labeling Review	21

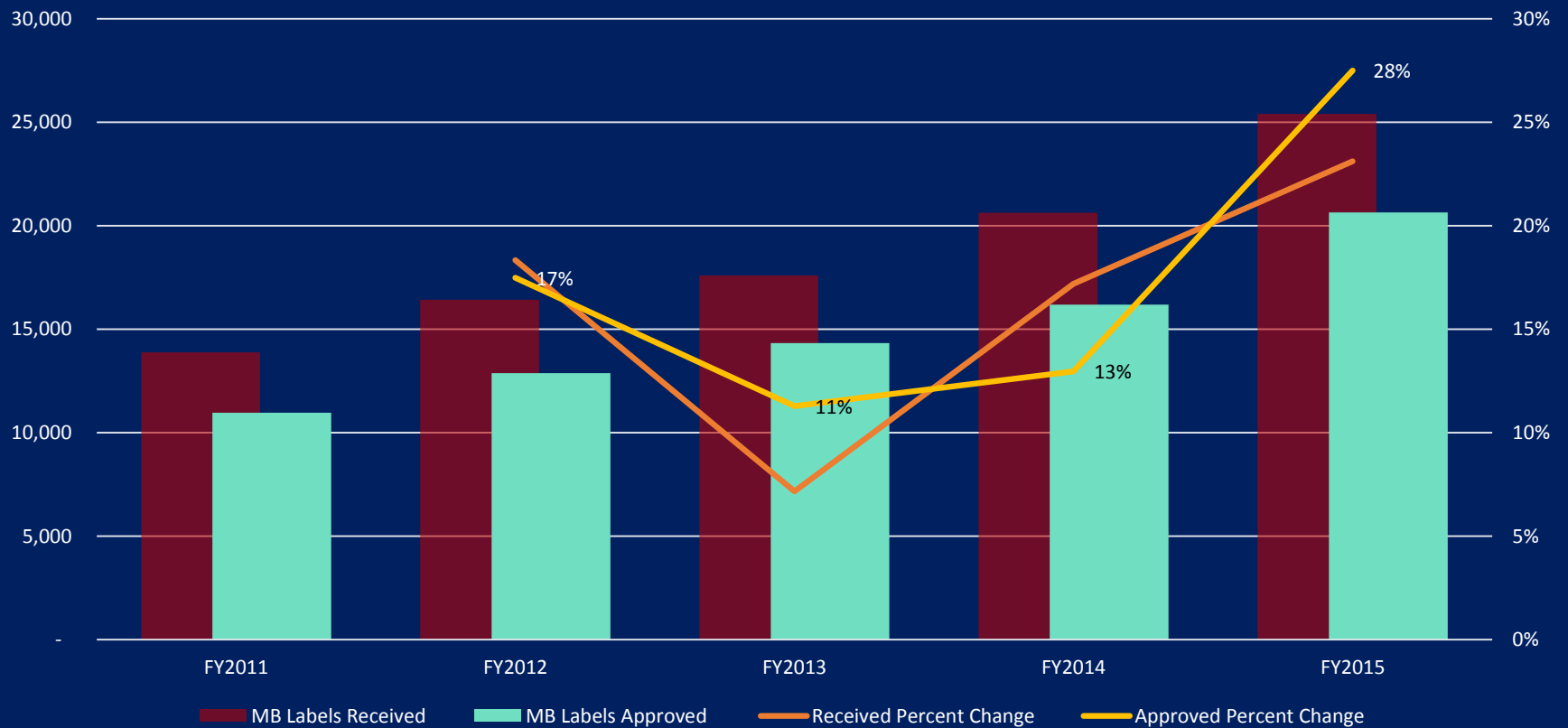


MB Formulas (FY'11 - FY'15)



Total Formulas Submitted: 15,504
 Approved: 13,063

MB COLAs (FY11 to FY15)



Total COLAs Received: 93,934
Approved: 75,004

MB COLAs First Submission Stats

	MB Labels Approved on First Submission	MB Labels Submitted with Error (Year to Year)
FY2011	58%	N/A
FY2012	56%	20%
FY2013	54%	8%
FY2014*	49%	24%
FY2015	53%	13%

*TTB Ruling 2014-4 Implemented

MB Labeling Top 6 Corrections

- Class/Type is Missing
- General Misleading
- Formula Requirement
- Clarification Needed
- Brand Name Does Not Match
- Alc by Vol in Wrong Format



Labeling Requirements

Laws and Regulations Covering Labeling of Malt Beverages and Beer

- Alcoholic Beverage Labeling Act of 1988 - 27 U.S.C. 213 et seq.
 - 27 CFR part 16- Alcoholic Beverage Health Warning Statement
- Federal Alcohol Administration Act - 27 U.S.C. 205
 - 27 CFR part 7 - Labeling and Advertising of Malt Beverages
- Internal Revenue Code - 26 U.S.C. Chapter 51
 - 27 CFR part 25 - Beer
 - 27 CFR part 27 - Importation of Distilled Spirits, Wines, and Beer



When is a COLA Not Required?

- If your beer is not a malt beverage under the FAA Act (usually because it is not made with both malted barley and hops), then you do not need a COLA. (See TTB Ruling 2008-3).
 - (Special rules apply to sake', which is a wine under the FAA Act if it has at least 7 percent alcohol by volume.)
- Brewers bottling a malt beverage that will be sold exclusively in the State in which it was bottled are not required to obtain a COLA. See TTB Ruling 2013-1.
 - However, if the state where the malt beverage is bottled requires an approved COLA from TTB, then you may need a COLA to comply with State law.

Regulatory Requirements Regardless of COLA Requirement:

- Government Warning Statement per 27 CFR Part 16
- Markings per 27 CFR Part 25, Subpart J (for domestic brewers)
- Formula Review for domestic beers under part 25 (if applicable)



Little Egypt's Finest Ales

¹ X & Y Brewery

² Steeleville IL



³ Bourbon Barrel Aged Ale

⁶

1 Pint 9.4 fl oz. (750 mL) | 8.2% Alc/Vol

⁴

Mandatory Information:

- 1) Brand Name
- 2) Name and Address
- 3) Class/Type
- 4) Net Contents
- 5) Government Warning
- 6) Alcohol Content (Optional)

⁵

GOVERNMENT WARNING:

(1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF BIRTH DEFECTS. (2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

Mandatory Label Information

Brand Label

- Brand Name - 27 CFR 7.23
- Class - 27 CFR 7.24
- Name and Address (domestic) - 27 CFR 7.25
- Net Contents - 27 CFR 7.27
- Alcohol Content (for Malt Beverages containing alcohol derived from added flavors or other nonbeverage ingredients (other than hops extract)) - 27 CFR 7.22

Any Label

- Government Warning Statement - 27 CFR 16.21-22
- Name and Address (Imported) - 27 CFR 7.25
- Country of origin - (CBP Requirement for Imports)
- Declaration of Certain Ingredients, if Applicable - 27 CFR 7.22:
 - Aspartame
 - Sulfites
 - FD & C Yellow #5
 - Cochineal Extract or Carmine



Mandatory Label Information

General Requirements

- All mandatory information must be readily legible under ordinary conditions, and must appear on a contrasting background.
- All mandatory information (other than the brand name) must be in English, with exceptions for malt beverages bottled for consumption in Puerto Rico.
- For information about type size requirements, refer to
 - TTB Malt Beverage BAM (Beverage Alcohol Manual)
 - 27 CFR 7.28, General Requirements



Mandatory Label Information

Brand Name

- Name under which the malt beverage is marketed.
- If the malt beverage is not sold under a brand name, then the name of the bottler or importer is considered the brand name.
- **Common Mistakes:**
 - Label and Application Don't Match
 - Class/Type listed as Brand Name on Application



Mandatory Label Information

Class and Type

- Specific identity of the malt beverage

Beer Ale Porter Stout
Lager Malt Liquor Cereal Beverage
Near Beer

- Flavored Malt Beverages that
Require a formula:
 - Fanciful Name
 - Statement of Composition

Examples:

JoJo's Chamomile Ale
AND
Ale Brewed with Chamomile

- Malt Beverages that are exempt from
formula requirements under TTB Ruling
2015-1 must be designated in accordance
with trade understanding as set forth in
that ruling.

Examples:

JoJo's Pumpkin Stout
OR
Stout brewed with pumpkins



Class/Type Common Mistakes

- Leaving the class designation off of the label
- IPA (the word “ale” must appear)
- Hefeweizen, Bock, Tripel, Dubbel, Bier (which are not sufficient in and of themselves).
- Leaving designation of the base beer off of the Statement of Composition. The Statement of Composition must include the base designation
(e.g., “Ale with vanilla extract.”)



Mandatory Label Information

Name and Address

- City and State of bottler/packer
- **Common Mistakes:**
 - Leaving this information off of the label
 - City and state do not match the address on the Brewer's Notice.



Mandatory Label Information

Net Contents

- English units of measure (e.g., fluid ounces, pints, quarts, gallons)
- May show both Metric and English Units on the label

1 Pint 9.4 fl. oz. (750 mL)

CONTENTS OF CONTAINER	NET CONTENTS MUST BE SHOWN IN...	EXAMPLES	
		CONTAINER SIZE	LABEL NET CONTENTS STATEMENT MUST BE...
Less than 1 pint	Fluid ounces or fractions of a pint	8 ounces	8 fluid ounces (fl. oz.) or ½ pint (pt.) or 0.5 pint (pt.)
1 pint	Pints	16 ounces	1 pint (pt.)
More than 1 pint but less than 1 quart	Pints and fluid ounces or fractions of a quart	20 ounces	1 pint (pt.), 4 fluid ounces (fl. oz.) or 5/8 quart (qt.) or 0.63 quart (qt.)
1 quart	Quarts	32 ounces	1 quart (qt.)
More than 1 quart but less than 1 gallon	Quarts, pints and fluid ounces or fractions of a gallon	60 ounces	1 quart (qt.), 1 pint (pt.), 12 fluid ounces (fl. oz.) or 15/32 gallon (gal.) or 0.47 gallon (gal.)
1 gallon	Gallons	128 ounces	1 gallon (gal.)
More than 1 gallon	Gallons and fractions of gallons	166 ounces	1 ¼ gallons (gals.) or 1.25 gallons (gals.)

- Common Mistakes:
 - Stating “oz.” instead of “fl. oz.” on the label.
 - Stating ‘16 fl oz’ instead of ‘1 Pint’ (May list both)
 - Not converting measurements (22 fl oz vs. 1 Pint 6 fl oz)
 - Listing only Metric Units (750 mL)



Mandatory Label Information

Alcohol Content

- Alcohol content statement is **mandatory** for malt beverages that **contain any alcohol derived from added flavors or other added nonbeverage ingredients (other than hops extract) containing alcohol.**
- Otherwise, it is optional (unless required by State law).

- **Approved Formats:**

Alcohol (ALC) ___% by Volume (VOL)

Alcohol (ALC) by Volume (VOL) ___%

___% Alcohol (ALC) by Volume (VOL)

27CFR 7.71

___% Alcohol (ALC)/Volume (VOL)

- **Common Mistakes:**

- **Incorrect format - “ABV” is not permitted.**
- **Leaving off part of the phrase or the percentage symbol (%).**
- **Not listing alcohol content on the label for products that contain added alcohol from a flavor.**



Mandatory Label Information

Government Warning Statement

- Must be readily legible under ordinary conditions and on a contrasting background
- Must be separate and apart from all other label text
- The words “**GOVERNMENT WARNING**” must appear in capital letters and bold type.

GOVERNMENT WARNING: (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems.



Geographic names

27 CFR 7.24

- Geographic names for distinctive types of malt beverages shall not be applied to malt beverages produced in any place other than the particular region indicated by the name unless qualified with text such as “STYLE” or “PRODUCT OF THE USA” or other text to indicate the true place of production.
- **Common Mistakes**
 - India Pale Lager or India Session Ale appear without qualifiers (such as “style” or “product of USA”).
 - “Product of the USA” is not in direct conjunction with the geographic name.



Geographic Names

Names that have Lost Geographic Significance

(No Qualifier Required)

- India Pale Ale
- Baltic Porter
- Bohemian
- Russian Imperial Stout
- Imperial Russian Stout
- Scotch Ale
- Scottish Ale

Examples of Names that Still Have Geographic Significance

(Qualifier Required)

(Not a Full List)

- Belgian
- Berliner
- English
- Irish
- Kolsch
- Vienna
- West Coast (or similar)

X & Y Coordinate Brewery



Springfield, Oregon
12 FL. OZ.

LAGER

GOVERNMENT WARNING: (1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF BIRTH DEFECTS. (2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

ABC BREWERY



Springfield, Oregon
12 FL. OZ.

Belgian-Style Ale

ALE BREWED WITH SPICES

(CORIANDER, GRAINS OF PARADISE, ORANGE PEEL)

GOVERNMENT WARNING: (1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF BIRTH DEFECTS. (2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

Porter **OLD BUZZARD**

12 Fluid ounces

**IMPORTED BY ABC IMPORT COMPANY,
SPRINGFIELD, OR.**

Product Of United Kingdom

GOVERNMENT WARNING: (1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF BIRTH DEFECTS. (2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

Examples of Prohibited Practices

Labels/Cartons/Cases

- Shall not contain:
 - Any false or misleading information
 - Claims of alcohol content strength
 - Text that implies that the product is a distilled spirit or contains a distilled spirit
 - Misleading health-related claims
 - Obscene or indecent material
 - The U.S. flag or U.S. military or Government seals or emblems, if they create a misleading impression as to Government endorsement or affiliation.

Note: Not an All Inclusive List



Can I Change my Approved Label Without a New COLA?

- Review List of Allowable COLA Revisions
 - Available on TTB F 5100.31 Form
- You should be able to identify the COLA on which you are relying to bottle a malt beverage, in the event that TTB asks you to provide evidence that the label is covered by a COLA.



Changes to Labels That Require Resubmission

- Addition of Text or Artwork
- Addition of New Location Listed on Label
- Going from one label to multiple labels
 - Can (brand) to Bottle (brand, back, neck)
- Change in class or type



Allowable Changes to Label, In Accordance with Form 5100.31

- Change Label Size (e.g., to fit a different container);
- Change Net Contents Value;
- Add, Delete, or Change an Optional Alcohol Content Statement;
- Change a Mandatory Alcohol Content Statement;
- Change Numerical Values for Serving Facts Statement or Statement of Average Analysis;
- And more...



TTB Contact Resources

- michael.webster@ttb.gov
- Advertising Labeling & Formulation Division
 - 866-927-2533 opt. 7 Formula, 8 MB Labeling
 - alfd@ttb.gov
- International Affairs Division
 - 202-453-2260
 - iad@ttb.gov



Resources

Websites

- www.ttb.gov
- www.fda.gov
- www.ecfr.gov
 - 27 CFR parts 7, 16, and 25
- [MB Beverage Alcohol Manual](#)
- [TTB Beer Rulings](#)

Key Words

- TTB
- Malt Beverage
- BAM
- Beverage Alcohol Manual
- Beer Rulings
- ECFR