

American Society for Nutrition

a constituent society of the Federation of American Societies for Experimental Biology

September 15, 2005

Chief, Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
Attn: Notice No. 41
P.O. Box 14412
Washington, DC 20044-4412

Re: Notice No. 41

Dear Friends:

The American Society for Nutrition (ASN) appreciates this opportunity to comment regarding the Alcohol and Tobacco Tax and Trade Bureau's (TTB) advance notice of proposed rulemaking on alcohol beverage labeling and advertising.

ASN was recently formed by the union of the American Society for Nutritional Sciences (ASNS), the American Society for Clinical Nutrition (ASCN) and the Society for International Nutrition Research (SINR). As the leading professional nutrition society in the United States, ASN represents and advances the views of our 3000 clinical and research nutritionists concerned about the development and application of knowledge in the field of nutritional sciences.

As stated in the *Dietary Guidelines for Americans 2005*, the consumption of alcoholic beverages can have beneficial effects when consumed in moderation, but can contribute to dependency and obesity, and increase the risk for hypertension and certain diseases if consumed in excess. Therefore, for the more than 55 percent of American adults who consume alcohol¹, having clear, easy-to-read labeling information that will guide and inform consumers' purchasing and consumption decisions is an important way to improve the public health. That is why ASN urges TTB to require a mandatory "Alcohol Facts" panel on the labels of all alcoholic beverages, regardless of product category.

In designing this "Alcohol Facts" panel, ASN recommends including standardized information about calories and alcohol content. Such information is critically needed at the point of purchase and must include:

- The amount of alcohol in fluid ounces (fl oz) per serving;
- The percentage alcohol by volume

¹ U.S. Department of Agriculture (USDA) and Department of Health and Human Services (HHS), *Dietary Guidelines for Americans 2005*, 6th edition, p. 43

- The serving size (*i.e.*, 12 fl oz for beer, 5 fl oz for wine, and 1.5 fl oz for distilled spirits);
- The number of calories per serving;
- The number of standard drinks per container; and
- The definition of a “standard drink”

At the same time, ASN would support adding a statement on the label that summarizes the *Dietary Guidelines for Americans 2005* advice on moderate drinking (*i.e.*, “Those who choose to drink alcoholic beverages should do so sensibly and in moderation—defined as the consumption of up to one drink per day for women and up to two drinks per day for men”).² Since the *Dietary Guidelines for Americans 2005* advice on moderate drinking is phrased in terms of the number of drinks per day, it is important that labels of alcoholic beverages provide sufficient information for consumers to know how many drinks they are consuming. For consumers who prefer to measure alcohol in fluid ounces, this information should also be provided.

We are also supportive of the other key recommendations in the alcoholic beverages chapter of *Dietary Guidelines for Americans 2005*: “Alcoholic beverages should not be consumed by some individuals, including those who cannot restrict their alcohol intake, women of childbearing age who may become pregnant, pregnant and lactating women, children and adolescents, individuals taking medications that can interact with alcohol, and those with specific medical conditions. Alcoholic beverages should be avoided by individuals engaging in activities that require attention, skill, or coordination, such as driving or operating machinery.”² This information and more detailed information on serving size could be made available to consumers, perhaps on a government website that could be identified on the product label.

ASN has concerns regarding explicit or implicit health claims on alcoholic beverages and the unintended health and social consequences that might ensue from labels, claims or marketing strategies that might portray alcohol as a food (*i.e.* a substance that offers nutritional or other health benefits). Accordingly, the ASN urges that the TTB use its regulatory powers to scrupulously avoid any labeling, claims or marketing strategies that would in any way portray alcoholic beverages as foods. We also recommend that TTB conduct an analysis of risk and benefit of this policy change.

In addition to the Alcohol Facts panel, ASN believes that all alcoholic beverages should be required to list all ingredients in layman’s language and to identify any major food allergens present in the product. Since some alcoholic beverages contain major food allergens, such as milk and eggs, identification of these ingredients is necessary to ensure that consumers with food allergies have the information they need to avoid those allergens.

Regarding information about the fat, carbohydrate, and protein content of beverage alcohol products, ASN believes that because alcohol provides few essential nutrients, this

² U.S. Department of Agriculture (USDA) and Department of Health and Human Services (HHS), *Dietary Guidelines for Americans 2005*, 6th edition, p. 44.

information should be optional, or could be provided on a government website. However, if the product makes a carbohydrate claim (e.g., "low carbohydrate"), carbohydrate information should be required.

In summary, the American Society for Nutrition urges TTB to require an "Alcohol Facts" panel that provides information on serving size, alcohol content, calories, the definition of a standard drink, and the *Dietary Guidelines for Americans 2005* advice on moderate alcohol consumption on the labels of all beverage alcohol products. Moreover, since it will probably take a few years for this ruling to go into effect, we request that TTB issue an interim policy allowing bottlers to voluntarily provide this information on their labels at the present time. There is an immediate need for this kind of information and consumers should have access to it as soon as possible.

Thank you for your consideration.

Sincerely,

Handwritten signatures of Naomi Fukagawa and Dennis Bier.

Naomi Fukagawa, MD, PhD; Dennis Bier, MD
Co-Presidents