



Rob McKenna

## ATTORNEY GENERAL OF WASHINGTON

1125 Washington Street SE • PO Box 40100 • Olympia WA 98504-0100

September 21, 2005

Mr. John Manfreda, Administrator  
Alcohol & Tobacco Tax & Trade Bureau  
ATTN: Notice No. 41  
P.O. Box 14412  
Washington DC 20044-4412

Dear Mr. Manfreda:

As Attorney General of Washington, I am concerned with information provided to consumers in our state. In particular, because of the health impacts of food and beverages, I favor making available more information to individuals to use as they make choices. As you know, current federal alcohol beverage label regulations do not allow most beer, wine and distilled spirits companies to provide nutritional information about their products on product labels.

I am writing to support the regulations you have proposed to allow manufacturers of alcoholic beverages to put nutritional information on their labels. The Bureau is to be commended for seeking public comment on this proposed change in regulations.

Food, soft drinks, over-the-counter drugs, and even dietary supplements provide consumers with basic consumer information on the label. Alcohol beverages (with some exceptions) are the only major class of consumable goods that do not provide this type of information on the label. The Bureau should allow manufacturers to voluntarily list on product labels information such as serving size and servings per container, as well as alcohol content, calories, fat, carbohydrates and protein per serving. Of all this information, the amount of alcohol per serving might be the most beneficial for consumers to have.

The U.S. government's advice on moderate drinking, as provided in *Dietary Guidelines for Americans* (USDA & HHS, 2005) states:

The majority of American adults consume alcohol. Those who do so should drink alcoholic beverages in moderation. Moderation is defined as the consumption of up to one drink per day for women and up to two drinks per day for men. Twelve fluid ounces of regular beer, 5 fluid ounces of wine, or 1.5 fluid ounces of 80-proof distilled spirits count as one drink for purposes of explaining moderation. (p. 44)

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Allowing placement of information on alcohol per serving and servings per container on beer, wine and distilled spirits labels will help consumers to better understand and follow the government's recommendations. In fact, given the wide variety of formulations, container sizes and alcohol concentrations in today's products, and the regulatory disparities as to what information may be placed on beer, wine and distilled spirits labels, many consumers might welcome more information about how particular products relate to the *Guidelines*.

Consumer Serving Facts will be more meaningful if the Bureau makes clear in this rulemaking what constitutes a "serving." This essential fact will allow consumers to make more informed comparisons between products and to better understand what is in a standard serving of any alcohol beverage.

The standard serving definition used in the *Dietary Guidelines* (12 ounces of regular beer, 5 ounces of table wine and 1.5 ounces of 80 proof distilled spirits) is one widely used by U.S. government agencies, public health groups, consumer groups, and a majority of state driver's license manuals. It would make sense to use the same definition as the benchmark for labels.

I urge the Bureau to act expeditiously to promulgate a regulation that permits meaningful consumer-oriented Serving Facts on beer, wine and spirits labels. Meanwhile, I request that the Bureau allow manufacturers to provide this kind of information on labels while the rulemaking process proceeds.

Sincerely,



ROB MCKENNA  
Attorney General

RMM:pdh

cc: Frank Foote, Director  
Regulatory and Rulings Division