



# INDUSTRY CIRCULAR

DEPARTMENT OF  
THE TREASURY

Bureau of Alcohol, Tobacco and Firearms  
Washington, D.C. 20226

Number: 76-10

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*Ewm*

## EQUIVALENT NET CONTENT STATEMENT REQUIRED BY 27 CFR 4.37(b)

Proprietors of Bonded Wine Cellars, Taxpaid Wine Bottling Houses,  
Distilled Spirits Plants, Importers, and others concerned:

Purpose. The purpose of this circular is to clarify the status of the equivalent volume statement required by 27 CFR 4.37(b) to appear on wine labels in direct conjunction with the net contents of metric wine containers.

Metric standards of fill for wine are prescribed at § 4.73. These 7 sizes, expressed in liters and milliliters, represent the exact quantity of wine (within prescribed tolerances) required to be filled into bottles so labeled.

For the purpose of consumer education, § 4.37(b) requires a statement of the equivalent volume of the bottle, expressed in U.S. fluid ounces, to appear in direct conjunction with the metric net content. However, due to rounding this fluid ounce equivalent does not accurately describe the bottles' net content and this quantity must not be used for recordkeeping, for tax determination, or for establishing the correct fill of bottles. For these operations, the metric standard of fill, converted to wine gallons by means of the factor 1 liter equals 0.26417 gallons, must be used rather than the equivalent U.S. volume.

In the case of 3 liter bottles, the actual fill is exactly 3 liters or 101.44 fluid ounces. For labeling purposes, this statement was rounded to 101 fluid ounces because the Bureau believes that showing fractions of an ounce for quantities in excess of 100 ounces conveys no more useful information to the consumer than showing the nearest full ounce. Proprietors are reminded that these bottles must contain 3 liters which equals 101.44 fluid ounces in U.S. measure; those bottles filled to only 101 ounces will be considered underfilled and not in compliance with the standard of fill regulations. The label statement as required by § 4.37(b)(1) remains: 3 liters (101 fl. oz.).

Inquiries. Inquiries concerning this circular should refer to its number and be addressed to the Assistant Director (Regulatory Enforcement), Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226.

*Rex D. Davis*

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