



Announcement

February 11, 2014

Use of "Gluten-Free" on TTB-Regulated Alcohol Beverages

We have completed our review of how the U.S. Food and Drug Administration (FDA) final rule on the use of the term "gluten-free" in the labeling of products under FDA's labeling jurisdiction impacts TTB's interim policy on gluten content statements in the labeling and advertising of wines, distilled spirits, and malt beverages that we previously set forth in TTB Ruling 2012-2.

As a result of our review and consultation with FDA, we are updating our policy on gluten labeling. Given the important consumer health considerations relating to "gluten-free" claims, TTB believes that it is important to adopt an approach on this issue that is as consistent as possible with the regulations that FDA issued.

Under our updated policy, alcohol beverages that are made from ingredients that do not contain gluten (such as wines fermented from grapes or other fruit and distilled spirits distilled from materials other than gluten-containing grains) may continue to make "gluten-free" claims in the same way allowed in the new FDA regulations for inherently gluten-free products.

Consistent with the new FDA regulations, TTB will continue to consider "gluten-free" label claims for alcohol beverages that are made from gluten-containing grains to be misleading to consumers who are seeking to avoid the consumption of gluten for health reasons. However, products made from gluten-containing grains may be labeled with a statement that the product was "Processed," "Treated," or "Crafted" to remove gluten, if that claim is made together with a qualifying statement that warns the consumer that the gluten content of the product cannot be determined and that the product may contain gluten.

TTB may revise this policy after FDA issues a final rule or other guidance with respect to fermented and hydrolyzed products. In the interim, we remind consumers that the FDA has determined there is still no scientifically valid way to evaluate the claims that beers made from gluten-containing grains can be processed in a way that removes gluten and that there is inadequate evidence about whether such methods are effective.

Our Revised Interim Policy on Gluten Content Statements in the Labeling and Advertising of Wine, Distilled Spirits, and Malt Beverages (TTB Ruling 2014-2) can be found on our Web site at: <http://www.ttb.gov/rulings/2014-2.pdf>.