



# Announcement

**March 17, 2015**

## **Advisory on Underwater Aging of Wine**

The Alcohol and Tobacco Tax and Trade Bureau (TTB) is providing the following guidance in response to recent interest in the aging of wine under ocean waters.

TTB has consulted with the Food and Drug Administration (FDA) to determine whether wines aged under ocean waters would be considered adulterated under the Federal Food, Drug, and Cosmetic Act (FD&C Act), 21 U.S.C. § 301, et seq. It is TTB's position that wines found to be adulterated under the FD&C Act are considered mislabeled within the meaning of the Federal Alcohol Administration Act (FAA Act), 27 U.S.C. § 201, et seq., which TTB enforces.

The FDA has advised us that aging wine in a way that bottle seals have contact with sea or ocean waters may render these wines adulterated under the FD&C Act in that they have been held under unsanitary conditions whereby they may have become contaminated with filth or may have been rendered injurious to health (21 U.S.C. § 342(a)(4)).

We understand that every ten meters of depth at which a wine is aged subjects wine bottle seals to one atmosphere of pressure; this pressure may periodically increase or decrease due to tidal flow and storm surges. Overpressure on bottle seals increases the likelihood of seepage of sea or ocean water into the product. As a result, variation in overpressure during tidal flows and storms would allow the bottles to "breathe," or exchange contents of the bottle with the sea or ocean, as the bottle tries to equilibrate its internal pressure to the external sea pressure, and chemical and biological contaminants in ocean water may contaminate the wine.

Examples of chemical contaminants found in sea or ocean waters include gasoline, oil, heavy metals, plastics, drug residues, pesticides, as well as various types of filth, including waste materials from biological sources, sludge, decaying organic matter, runoff from farms, effluents from sewage treatment plants, and bilge waters from vessels. Although a wax coating may delay seepage of sea or ocean water into the product, we are not aware of evidence that such a coating would render the packaging impermeable. In addition, biological growth on the container may contribute to the degradation of the cork and wax seal and could contaminate the product when the bottle is opened by the consumer.

Mislabeled wines may not be sold or shipped, delivered for sale or shipment, or otherwise introduced or received in interstate or foreign commerce, or removed from customs custody for consumption, by a producer, importer or wholesaler, or other industry member subject to 27 U.S.C. § 205(e). As provided in 27 U.S.C. § 204(d), the

FAA Act basic permit is conditioned upon compliance with 27 U.S.C. § 205(e), as well as other federal laws relating to distilled spirits, wine and malt beverages.

TTB will refer any inquiries or label applications for products aged under ocean or sea waters to FDA for a determination as to whether the alcohol beverage would be considered adulterated under the FD&C Act. TTB will not take any action on label applications until FDA provides such a determination with regard to the product in question.

For public guidance discussing safety issues associated with foods that have been submerged in flood waters, please visit the [TTB](#) and [FDA](#) websites.