Wine Labeling Overview

NAPA VALLEY VINTNERS | DECEMBER 2019
TTB Disclaimer

This information is being presented to help the public to understand and comply with the laws and regulations that the Alcohol and Tobacco Tax and Trade Bureau (TTB) administers.

It is not intended to establish any new, or change any existing, definitions, interpretations, standards, or procedures regarding those laws and regulations.

In addition, this presentation may be made obsolete by changes in laws and regulations.

Please consult the applicable laws and regulations for the most current requirements.

Sample documents (such as records, returns, and labels) are for illustrative purposes only and contain fictitious data.
Agenda

• Mandatory label information*
  • Brand label
  • Any label

• Top labeling errors (and tips to avoid them!)

• Allowable revisions to approved labels

*for wines sold interstate and contain at least 7% alcohol by volume
Mandatory Label Information
Mandatory Information: Brand Label

Brand label must include:
- Brand name
- Class/type designation
- Appellation of origin (if required)

Either the front or back label may be the designated as the “brand label.”
Mandatory Information: Brand Label

4 Points

NAPA VALLEY WHITE WINE

Bottled by:
4 Points, Napa CA

14% alc./vol.
Mandatory Information: Brand Name

• Name under which the product is sold, usually the most prominent piece of information on the label.

• If the wine is not sold under a separate brand name, the name of the bottler, packer or importer (if shown on the brand label) becomes the brand name.

• May not create a misleading impression.

• Must appear on the brand label.
Mandatory Information: Class/Type

• A class/type designation is a categorical description of the wine in the container, based on the defined standards of identity found in 27 CFR 4.21.

• In order to label and market your wine under a particular class/type designation, the wine must meet the regulatory standards of identity for that class/type.
Mandatory Information: Class/Type

• Nine general **classes** of wine.

• Most classes are subdivided into more specific **types** of wine.

• Generally, the class and/or type designation may be used to meet the mandatory labeling requirement.

<table>
<thead>
<tr>
<th>Class Example</th>
<th>Type Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grape Wine</td>
<td>Red Wine, Merlot, Table Wine</td>
</tr>
<tr>
<td>Sparkling Grape Wine</td>
<td>Sparkling Chardonnay, Sparkling Red Wine</td>
</tr>
<tr>
<td>Fruit Wine</td>
<td>Cider, Perry, Strawberry Dessert Wine</td>
</tr>
</tbody>
</table>
Mandatory Information: Class/Type

- Wines that do not meet the definition of any of the standards of identity are considered **wine specialty products**, and are subject to different class/type labeling requirements.

- Adding flavors, colors, or spices to your wine will generally result in your wine being classified as a wine specialty product.

- Wine specialty products must be labeled with a truthful and adequate statement of composition.

**Note:** Wine specialty products require **formula approval** prior to applying for a COLA.

- Required to appear on brand label.
Mandatory Information: Appellation

- Mandatory if any of the following appear on the label:
  - Grape varietal
  - Vintage date
  - Semi-generic designation (if grandfathered)
  - Estate bottled

- Must appear on brand label, if required.
American viticultural area (AVA): A type of appellation specific to grape wines. It is a defined grape-growing region having a name, distinguishing features, and a delineated boundary as established in 27 CFR part 9.

- An AVA designation may not be used on wine made from other fruit or agricultural products.
Mandatory Information: Appellation

**Estate bottled**: 100% of the wine came from grapes grown on land owned or controlled by the winery, both of which must be located in the viticultural area on the label.

- The winery must crush and ferment the grapes, finish, age, process, and bottle the wine on their premises. The wine must at no time leave the premises of the bottling winery.
- Wine labeled as “estate bottled” must be labeled with a viticultural area appellation of origin.
Mandatory Information: Alcohol Content

Must be stated in terms of percentage of alcohol by volume.*

Example of specific percentages:
• ALCOHOL ___ % BY VOLUME
• _____% Alc. by Vol.

Example of ranges:
• ____% to ____% alcohol by volume
• ALC. ___% TO ____ % BY VOL.

*Table Wine may be used in place of a percentage for wine with 7-14% alcohol by volume.

• May appear on any label.
Mandatory Information: Name and Address Statement

• Name or Trade name of the Bottler/Importer as listed on the permit, preceded by the phrase bottled by, packed by, canned by, or imported by, as appropriate

• Address (City and State) of the permit

• May appear on any label
These optional terms may be used to further describe activity:

(See Wine BAM Chapter 6 for more information.)

*Cellar treatment involves the use of various methods or materials to correct or stabilize wine or juice.

The regulations in 27 CFR 4.22 provide for the use of certain cellar treatments that do not alter the class of the wine.

See Chapter 8 of the Wine BAM for more information about cellar treatment.

<table>
<thead>
<tr>
<th>USE THE EXPLANATORY PHRASE</th>
<th>IF (AT THE STATED ADDRESS) THE NAMED PROPRIETOR...</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blended by</td>
<td>Mixed the wine with other wines of the same class and type.</td>
</tr>
<tr>
<td>Cellared by</td>
<td>Subjected the wine to cellar treatment in accordance with 27 CFR 4.22(c).*</td>
</tr>
<tr>
<td>Made by</td>
<td>Fermented not less than 75 percent of the wine, OR Changed the class and type of the base wine by the addition of alcohol, brandy, flavors, colors, or artificial carbonation, OR Produced sparkling wine by secondary fermentation 27 CFR 4.22.</td>
</tr>
<tr>
<td>Prepared by</td>
<td>Subjected the wine to cellar treatment in accordance with 27 CFR 4.22(c).*</td>
</tr>
<tr>
<td>Produced by</td>
<td>Fermented not less than 75 percent of the wine, OR Changed the class and type of the base wine by the addition of alcohol, brandy, flavors, colors, or artificial carbonation, OR Produced sparkling wine by secondary fermentation.</td>
</tr>
<tr>
<td>Vinted by</td>
<td>Subjected the wine to cellar treatment in accordance with 27 CFR 4.22(c).*</td>
</tr>
</tbody>
</table>
Mandatory Information: Net Contents

Metric standards of fill; authorized sizes per 27 CFR 4.72.

• “ml” on containers of less than 1 liter and “L” on container of one liter or more

• May be on label or etched/blown into the container (which would be stated under Special wording)

• May appear on any label

Bottled by:
Lost Wines Napa, CA

GOVERNMENT WARNING: (1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF BIRTH DEFECTS. (2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

Contains Sulfites

750ml
Mandatory Information: Sulfite Declaration

• Must declare if 10 ppm of total sulfites or more; generally stated as **Contains Sulfites**

• If less than 10 ppm, may be omitted if:
  • Obtain lab analysis
  • Submit analysis with COLA

**NOTE:** TTB does not permit statements such as “sulfite free,” but other statements are allowed, such as “No sulfites added” or “Contains naturally occurring sulfites.”

• May appear on any label

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**BOTTLED BY:**
*Lost Wines Napa, CA*

**GOVERNMENT WARNING:**
(1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF BIRTH DEFECTS.
(2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.
Mandatory Information: Health Warning Statement

GOVERNMENT WARNING: (1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF BIRTH DEFECTS. (2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

- Words “GOVERNMENT WARNING” must be in capital letters and bold type; remainder of statement may not appear in bold type
- “S” in Surgeon and “G” in General must be capitalized
- It must appear as a continuous paragraph, separate and apart from other information
- May appear on any label

Bottled by: 
Lost Wines Napa, CA

GOVERNMENT WARNING: (1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF BIRTH DEFECTS. (2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

Contains Sulfites

750ml
Top Label Errors (FY 2019)

1. Company/DBA name conflict (different on the application and the label)
2. Grape varietal missing from application
3. Appellation conflict
4. Misleading geographical references
5. Company address conflict
6. Brand Name conflict
7. Reference to an appellation more specific than on the brand label or application
8. Labels distorted
9. Appellation is on the wrong label
10. Company name/DBA not listed
Top Label Errors (Q4 2019)

1. Company/DBA name conflict
2. Misleading geographical references
3. Company address conflict
4. Appellation conflict
5. Government warning statement – punctuation/bold errors
6. Class/type designation missing from the label
7. Grape varietal missing from the application
8. Change other label to brand label
9. Appellation more specific
10. Appellation missing when required due to grape varietal or vintage date
Common Application Errors

1. Name or Trade Name conflict with label
2. Application not complete (fields or supporting information missing)
3. Application not submitted by the bottler
4. Wrong label uploaded as the Brand Label
5. Appellation conflicts with label
6. Class/Type info in Brand, Fanciful Name or Appellation field
7. Translation required
8. Labels are distorted
Allowable Revisions to Approved Labels
Allowable Revisions: Commonly Used

• Deleting non-mandatory information
• Repositioning
• Change color/font
• Percentage of blend
• Vintage date
• Change name or trade name to reflect another name listed on your permit
• Change “Produced” to “Vinted” or “Cellared” (cannot be used in reverse)
• Net Contents
• Alcohol Content
Allowable Revisions: Example

<table>
<thead>
<tr>
<th>YOU MAY...</th>
<th>REVISION APPLIES TO</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Delete any non-mandatory label information, including text, illustrations, graphics, etc.</td>
<td>WINE</td>
<td>YES</td>
</tr>
</tbody>
</table>
### Allowable Revisions: Example

<table>
<thead>
<tr>
<th>YOU MAY...</th>
<th>REVISION APPLIES TO</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Reposition any label information, including text, illustrations, graphics, etc.</td>
<td>WINE</td>
<td>YES</td>
</tr>
</tbody>
</table>

#### Approved COLA

- **SUNNYSIDE ACRES**
  - Finger Lakes
  - New York
  - White Wine

#### Allowable revision

- **SUNNYSIDE ACRES**
  - White Wine
  - New York
  - Finger Lakes
Allowable Revisions: Example

<table>
<thead>
<tr>
<th>YOU MAY...</th>
<th>REVISION APPLIES TO</th>
<th>COMMENTS</th>
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</thead>
<tbody>
<tr>
<td>10. Change the net contents statement.</td>
<td>YES</td>
<td>YES</td>
</tr>
</tbody>
</table>

Approved COLA

**Dog House**
Red Table Wine
750 ml

Allowable revision

**Dog House**
Red Table Wine
1 Liter
### Allowable Revisions: Example

<table>
<thead>
<tr>
<th>YOU MAY...</th>
<th>REVISION APPLIES TO</th>
<th>COMMENTS</th>
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</thead>
<tbody>
<tr>
<td>11. Change the mandatory statement of alcohol content, as long as the</td>
<td>WINE</td>
<td>DISTILLED</td>
</tr>
<tr>
<td>change is consistent with the labeled class and type designation, and all</td>
<td>YES</td>
<td>SPIRITS</td>
</tr>
<tr>
<td>other labeling statements.</td>
<td>YES</td>
<td></td>
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<td></td>
<td>YES</td>
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</tbody>
</table>

**Approved COLA**

**Allowable revision**

![Whistlin' Jack's Chardonnay](image1.png)

![Whistlin' Jack's Chardonnay](image2.png)
QUESTIONS??

CONTACT INFORMATION: TECHNICAL INFORMATION CENTER
866-927-2533 OPTION 6 WINE TEAM