



Announcement

January 22, 2013

Alcohol Beverage Products Affected by Hurricanes and Flooding

In the aftermath of recent natural disasters, we have received questions about the safety of alcohol beverage products exposed to flood waters.

FDA Notice Advises that Certain Food Products Exposed to Flood Waters are Adulterated

The U.S. Food and Drug Administration (FDA) offers guidance on its website about the safety of foods, including alcohol beverage products, adversely affected by hurricanes, flooding, and power outages. The FDA notice states that food products submerged in flood waters may pose a health hazard because of possible exposure to sewage, chemicals, heavy metals, pathogenic microorganisms, or other contaminants. The notice advises that certain food products that have been exposed to flood waters are adulterated and should not enter the human food supply.

Read the FDA notice for more information: [Safety of Food Affected by Hurricanes, Flooding, and Power Outages: A Notice from the FDA to Growers, Food Manufacturers, Food Warehouse Managers, and Transporters of Food Products](#)

Adulterated Alcohol Beverage Products are Mislabeled

It is TTB's position that adulterated distilled spirits, wines, and malt beverages are mislabeled within the meaning of the Federal Alcohol Administration Act (FAA Act). Subject to the jurisdictional requirements of the FAA Act, mislabeled distilled spirits, wines, and malt beverages, including adulterated products, 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).

If you have any questions about whether an adulterated alcohol beverage product can be reconditioned or whether it should be destroyed, please contact TTB's Market Compliance Office at 202-453-2250, or toll free at 866-927-2533, and select option 5.

TTB will coordinate with FDA on these inquiries.

Additional Information about Claims

Businesses (retailers, wholesalers, importers, and producers) may, under certain circumstances, be eligible to file claims with TTB for refund or allowance of credit of federal excise taxes paid on alcohol beverage products that have been lost, rendered unmarketable, or condemned by a duly authorized official because of floods or other natural disasters.

See our TTB.gov page [When Disaster Strikes](#) and the regulations in [Losses Resulting From Disaster, Vandalism, or Malicious Mischief \(27 CFR part 70, subpart G\)](#) for more information.