

**CHAPTER 7**  
**STANDARDS OF FILL AND NET CONTENTS**  
**27 CFR 4.32, 4.37 and 4.70 – 4.72**

**1. STANDARD WINE CONTAINER (27 CFR 4.71)**

A standard wine container must be made, formed and filled to meet the following requirements:

- **Design.** It must be made and formed in a manner that will not mislead the purchaser. Wine containers will be considered misleading (even if the correct net contents appear on the label) if the actual capacity is substantially less than the apparent capacity upon visual examination under ordinary conditions of purchase or use.
- **Fill.** It must contain the quantity of wine specified in one of the standards of fill;

**AND**

- **Headspace.** It must be made and filled so that it has a headspace not in excess of 6 percent of its total capacity after closure if the net content of the container is 187 mL or more, and a headspace not in excess of 10 percent of its total capacity in the case of all other containers.

**2. METRIC STANDARDS OF FILL**

- **STANDARDS (27 CFR 4.72)**

Except as outlined below, wine bottled on or after January 1, 1979, must be bottled in one of the following sizes:

3 Liters	375 mL
1.5 Liters	187 mL
1 Liter	100 mL
750 mL	50 mL
500 mL	

- **WINE BOTTLED OR PACKED IN CONTAINERS OF 4 - 17 LITERS (27 CFR 4.72)**

For wine bottled or packed in containers of 4 - 17 liters, the net contents must be expressed in even liters (e.g., 4 liters, 5 liters, 6 liters, etc.).

- **TOLERANCE.** See 27 CFR 4.37(d) for the tolerances allowed for labeling statements of net contents. See 27 CFR 24.255 for tolerances under the Internal Revenue Code.

### **3. APPLICATION OF METRIC STANDARDS OF FILL (27 CFR 4.70)**

- The METRIC STANDARDS OF FILL do not apply to:
  - Wine bottled or packed prior to January 1, 1979 (subject to the conditions set out in 27 CFR 4.70);
  - Saké;

**OR**

- Wine packed in containers of 18 liters or more.

### **4. WINE BOTTLED OR PACKED BEFORE JANUARY 1, 1979**

- NET CONTENTS
  - For wine bottled or packed before January 1, 1979 in a nonstandard size (not one of the METRIC STANDARDS OF FILL), the net contents must be expressed:
    - In liters and decimal portions of a liter accurate to the nearest one-hundredth of a liter for containers of more than one liter.
    - In milliliters for containers of less than one liter.
- DOCUMENTATION
  - Documentation of bottling or packing prior to January 1, 1979, must accompany the application for a certificate of label approval (COLA):
    - For American wine, documentation is a bottling record.
    - For imported wine, documentation is a statement signed by an official duly authorized by the appropriate foreign government. See 27 CFR 4.70(b)(4).

### **5. SAKÉ (27 CFR 4.37(a))**

For Saké not bottled in one of the METRIC STANDARDS OF FILL, the net contents must be expressed:

- In liters and decimal portions of a liter accurate to the nearest one-hundredth of a liter for containers of more than one liter.
- In milliliters for containers of less than one liter.

## 6. WINE PACKED IN CONTAINERS OF 18 LITERS OR MORE

For wine packed in containers of 18 liters or more, the net contents must be expressed in liters and decimal portions of a liter accurate to the nearest one-hundredth of a liter.

## 7. U.S. EQUIVALENTS (27 CFR 4.37)

The U.S. equivalent stated in fluid ounces for the metric size may also be shown on the label.

- The established U.S. equivalents for the METRIC STANDARDS OF FILL:

3 Liters (101 fl. oz.)	375 mL (12.7 fl. oz.)
1.5 Liters (50.7 fl. oz.)	187 mL (6.3 fl. oz.)
1 Liter (33.8 fl. oz.)	100 mL (3.4 fl. oz.)
750 mL (25.4 fl. oz.)	50 mL (1.7 fl. oz.)
500 mL (16.9 fl. oz.)	

- Equivalents for non-standard metric sizes must be:
  - Accurate to the nearest one-tenth of a fluid ounce for equivalents of less than 100 fluid ounces.
  - Accurate to the nearest whole fluid ounce for equivalents of 100 fluid ounces or more.