

Introduction

Wine Beverage Alcohol Manual

What is TTB's Authority?

The Federal Alcohol Administration Act (FAA Act) authorizes the Alcohol and Tobacco Tax and Trade Bureau (TTB) to issue regulations with respect to the labeling of wines in order to prohibit deception of the consumer, and to provide the consumer with adequate information as to the identity and quality of such products. TTB administers the labeling regulations promulgated under the FAA Act, which are set forth in Title 27, Code of Federal Regulations (CFR) part 4.

It should be noted that because of the definition of "wine" in the FAA Act, wines containing less than 7 percent alcohol by volume are not subject to the FAA Act regulations in part 4. Such wines are subject to the labeling regulations issued by the U.S. Food and Drug Administration.

Furthermore, as set forth in more detail below, all wines (including wines containing less than 7 percent alcohol by volume, as well as wines sold exclusively in intrastate commerce), remain subject to applicable TTB labeling requirements under the Alcoholic Beverage Labeling Act of 1988 (see 27 CFR part 16) and the Internal Revenue Code of 1986 (see 27 CFR parts 24 and 27).

What is a Certificate of Label Approval?

To prevent the introduction of mislabeled wine into interstate or foreign commerce, the law requires importers and bottlers to obtain a certificate of label approval (COLA) before the product is introduced into interstate commerce. Bottlers must obtain a COLA or a certificate of exemption before bottling the wine, and importers must obtain a COLA before removing wine, in containers, from customs custody for consumption. A COLA is a certificate issued by TTB that authorizes the bottling and removal of wine that is labeled in conformance with the COLA. The COLA *does not* confer trademark protection.

While some industry members continue to submit COLA applications on paper (TTB F 5100.31), most industry members submit applications through COLAs Online. Industry members are reminded that they should not print labels until they have obtained a COLA for the product.

What is a Certificate of Exemption from Label Approval?

Domestic bottlers of wine may apply for a certificate of exemption if the wine will be offered for sale only within the State in which it is bottled and the wine will not be sold, offered for sale, shipped or delivered for shipment, or otherwise introduced, in interstate or foreign commerce. Wines that are imported in containers are not eligible for a certificate of exemption from label approval and therefore must be covered by a COLA.

Where can I obtain the Application for Certification/Exemption of Label/Bottle Approval form?

The COLA application form may be found on our website at <http://www.ttb.gov/forms/f510031.pdf>.

What is COLAs Online?

COLAs Online is an Internet-based system that allows registered industry members to apply for COLAs and COLA exemptions online. COLAs Online also gives registered industry members the ability to track the status of their electronic label submissions. Currently, COLAs Online does not allow for the tracking of paper COLA submissions.

How can I Register for COLAs Online?

There are two different options available to receive a user ID and initial password for COLAs Online:

Electronically:

Industry members and third party representatives may register electronically by going to www.ttbonline.gov and clicking on the "Register" link. Then, follow the steps to create a new registration to complete and submit the registration electronically.

By Mail:

Access may also be obtained by submitting a paper COLAs Online Access Request form (TTB F 5013.2) by mail. Paper applications must have original signatures.

Completed form(s) should be mailed to:

Alcohol and Tobacco Tax and Trade Bureau
Alcohol Labeling and Formulation Division
1310 G Street, NW, Box 12
Washington, DC 20005

Signature authority or a power of attorney may be required to gain access to the system. See our website for additional information, <https://www.ttb.gov/labeling/colas.shtml>.

Who can apply for a COLA for wine?

In general, COLA applicants must be importers or bottlers with active TTB permits. In limited circumstances, a wholesaler, with an active TTB wholesaler's permit, may apply for a COLA to cover relabeling.

What wines require formula approval or pre-COLA review?

Producers are required to obtain formula approval from TTB for certain domestic wines. See 27 CFR 24.80 and 24.81. In addition, TTB requires pre-COLA review for certain imported wines. This evaluation entails a review of a product's ingredients and the manner in which it is formulated. For additional information regarding the requirements for formula and pre-COLA evaluations, please visit our website.

Once I receive COLA approval, may I make changes to the label(s) without submitting a new COLA application?

Industry members may make certain changes to previously approved alcohol beverage labels without applying for a new COLA. The list of allowable revisions is located in Section V of the COLA form. On COLAs Online, you may access the list of allowable revisions within your account by clicking on "Instructions" within the Menu box and then clicking "allowable revisions." Please review the list of allowable revisions as well as the additional comments carefully to ensure compliance. Additional information about allowable revisions may be found on the TTB website.

Where may I find additional information regarding mandatory labeling and COLA requirements?

Please visit www.ttb.gov.

Are there TTB labeling requirements found outside of 27 CFR Part 4?

Yes. In addition to reviewing 27 CFR part 4, bottlers and importers of wine should be aware of the following TTB labeling requirements, which apply to wines covered by part 4 as well as wines that are not subject to the labeling requirements of part 4 (such as wines that contain less than 7 percent alcohol by volume and wines covered by a certificate of exemption).

Health Warning Statement

Alcohol beverages bottled or imported for sale or distribution in the United States, including wines containing at least 0.5 percent alcohol by volume and intended for human consumption, must bear the health warning statement required by the Alcoholic Beverage Labeling Act (ABLA). TTB's implementing regulations may be found in 27 CFR part 16.

Labeling Requirements under 27 CFR Part 24

Under 27 CFR 24.257(a), proprietors of wine premises must label each bottle or other container of beverage wine prior to consumption or sale with the following information:

- The name and address of the wine premises where bottled or packed
- The brand name (if different from the above);
- The alcohol content, as percentage by volume or in accordance with 27 CFR Part 4;

- The kind of wine; and
- The net contents.

See *also* 27 CFR 27.59 for labeling requirements applicable to imported containers of wine.