

DISTILLED SPIRITS FORMULAS AND LABELS: WHAT IS THE CONNECTION?

Example Set 1: Distilled Spirits Products with Added Ingredients				
Description of Product	Ingredients	Class/type designation	Examples of ALLOWABLE labeling designations	Examples of inadequate and misleading designations
Finished vodka with an artificial lemon flavor that contains FD&C Yellow #5	<ul style="list-style-type: none"> – Vodka – Artificial lemon flavor – Water – Honey/ Sucrose Sweetener 	Imitation Lemon Flavored Vodka <ul style="list-style-type: none"> – The use of artificial flavor shifts beverage to an imitation status; if it were a natural flavor it would be a flavored vodka. <p style="text-align: center; margin: 5px 0;">OR</p> Distilled Spirits Specialty <ul style="list-style-type: none"> – It could also be classified as a distilled spirits specialty and labeled with a truthful and adequate statement of composition. 	If labeled as an imitation: <i>“IMITATION LEMON FLAVORED VODKA”</i> If labeled as a distilled spirits specialty: <i>“VODKA WITH ARTIFICIAL LEMON FLAVOR AND ARTIFICIAL COLOR”</i> *Because the distilled spirit contains the coloring material FD&C Yellow No. 5, a label must also include a statement to that effect, such as “FD&C Yellow No. 5” or “Contains FD&C Yellow No. 5”	Lemon Flavored Vodka Vodka Flavored with Lemon Vodka with Lemon Vodka with Lemon Flavor Vodka with Natural Flavor
Corn whisky flavored with whole, natural ingredients (that do not contain added coloring, alcohol, or other components). A natural sweetener and spices are added, and it is bottled at 28% ABV with whole, pitted cherries.	<ul style="list-style-type: none"> – Corn – Black pepper – Mustard seed – Cloves – Cherries – Active dry yeast – Water – Honey/ Sucrose Sweetener 	Distilled Spirits Specialty <ul style="list-style-type: none"> – Based on the alcohol content of the finished product and the added ingredients, it does not fit the corn whisky or flavored whisky standards of identity. – The addition of whole cherries is allowed under the flavored whisky standards of identity, but that class of products must be bottled at not less than 30% ABV. 	Generic statement of composition: <i>“CORN WHISKY WITH NATURAL FLAVORS”</i> More specific labeling statement that discloses the specific flavors: <i>“CORN WHISKY WITH SPICES AND WHOLE PITTED CHERRIES”</i> *This product also requires a special alcohol by volume statement, because some of the alcohol from the corn whisky base will be absorbed by the cherries over time: “Bottled at 28% percent alcohol by volume”.	Cherry Flavored Whisky Corn Whisky with Spices and Roasted Cherries

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Example Set 2: Bourbon Whisky-Based Products			
Description of Product	Class/type designation	Examples of ALLOWABLE labeling designations	Examples of inadequate and misleading designations
<p>Bourbon whisky (70% corn, 30% rye) aged 3 years in charred new, oak barrels, produced in the United States.</p> <p style="color: green; font-weight: bold;">– No formula required!</p>	<p>Bourbon Whisky because it:</p> <ul style="list-style-type: none"> – Is a fermented mash of grain made of no less than 51% corn; – Has a distillation proof of 160° or less; – Was stored in charred new oak barrels at 125° proof or less; and – Does not contain coloring, flavoring, or blending materials. <p style="text-align: center;">OR</p> <p>Straight Bourbon Whisky because it:</p> <ul style="list-style-type: none"> – Was also aged in charred new oak containers for no less than 2 years. 	<p><i>“BOURBON WHISKY”</i></p> <p><i>“STRAIGHT BOURBON WHISKY”</i></p>	<p>Bourbon (without Whisky/Whiskey)</p> <p>Straight Bourbon (without Whisky/Whiskey)</p> <p>High Rye Bourbon</p> <p>Straight Rye Bourbon Whisky</p> <p>Bourbon American Whisky/ Straight American Bourbon Whisky</p>
<p>Bourbon whisky aged in charred new oak barrels for 1 year then aged in used sherry barrels for 1 year.</p>	<p>Distilled Spirits Specialty</p> <ul style="list-style-type: none"> – The standard of identity for bourbon whisky requires that it be stored in charred new oak barrels at 125° or less and no harmless coloring, flavoring, or blending materials are allowed. – The aging of the bourbon in sherry barrels makes this product ineligible to remain a bourbon whisky/straight bourbon whisky. Information about the second barrel must be included in the Method of Manufacture in the formula submission. 	<p><i>“BOURBON WHISKY FINISHED IN WINE BARRELS”</i></p> <p><i>“BOURBON WHISKY FINISHED IN SHERRY BARRELS”</i></p>	<p>Bourbon (without Whisky/Whiskey)</p> <p>Bourbon Whisky</p> <p>Bourbon Whisky with a separate “Aged in Sherry Casks” buried in descriptive text</p>