

ALCOHOL BEVERAGE ADVERTISING

• What is considered an advertisement?

The regulations define the term “advertisement” as any written or verbal statement, illustration, or depiction that is intended to induce sales in interstate or foreign commerce. Examples include ads in newspapers or magazines, trade booklets, menus, wine cards, leaflets, circulars, mailers, book inserts, catalogs, promotional materials, or sales pamphlets. The definition includes any written, printed, graphic, or other matter accompanying the container; markings on cases, billboards, signs, or other outdoor display; and broadcasts made via radio, television, or in any other media. Though not specifically listed, this definition includes Web sites and other Internet-based advertising.

• Does TTB approve alcohol beverage advertisements?

The Federal Alcohol Administration Act does not require alcohol beverage advertisements to be approved prior to appearing in print or broadcast. TTB does, however, offer industry members, free of charge, a voluntary advertising pre-clearance service.

• How does TTB monitor advertisements in the marketplace?

In fiscal year 2005, TTB implemented the Alcohol Beverage Advertising Program. This program provides advertising reviews arising from (1) referrals and/or complaints; (2) requests for advertising clearance; and, (3) TTB advertising audits. This program was developed in an effort to take a more proactive approach toward monitoring and reviewing alcohol beverage advertisements.

PROHIBITED ADVERTISING PRACTICES

Read more about the advertising regulations listed in the Code of Federal Regulations (CFR): Wine (27 CFR Part 4), distilled spirits (27 CFR Part 5) and malt beverages (27 CFR Part 7) online at:

www.ttb.gov

Generally speaking the regulations prohibit any statement, design, device, or representation, that is:

False or Untrue

**Misleading or Likely to Mislead
the Consumer**

Curative or Therapeutic

Inconsistent with Labeling

Disparaging to a Competitor's Products

Health Claims/Health Related Statements

**Flags, Seals, Coats of Arms, Crests,
and Other Insignia**

**Misleading Guarantees
(Money back guarantees are not prohibited)**

For a complete listing of the prohibited practices, please review the following regulations:

Wine – 27 CFR 4.64

Distilled Spirits – 27 CFR 5.65

Malt Beverages – 27 CFR 7.54

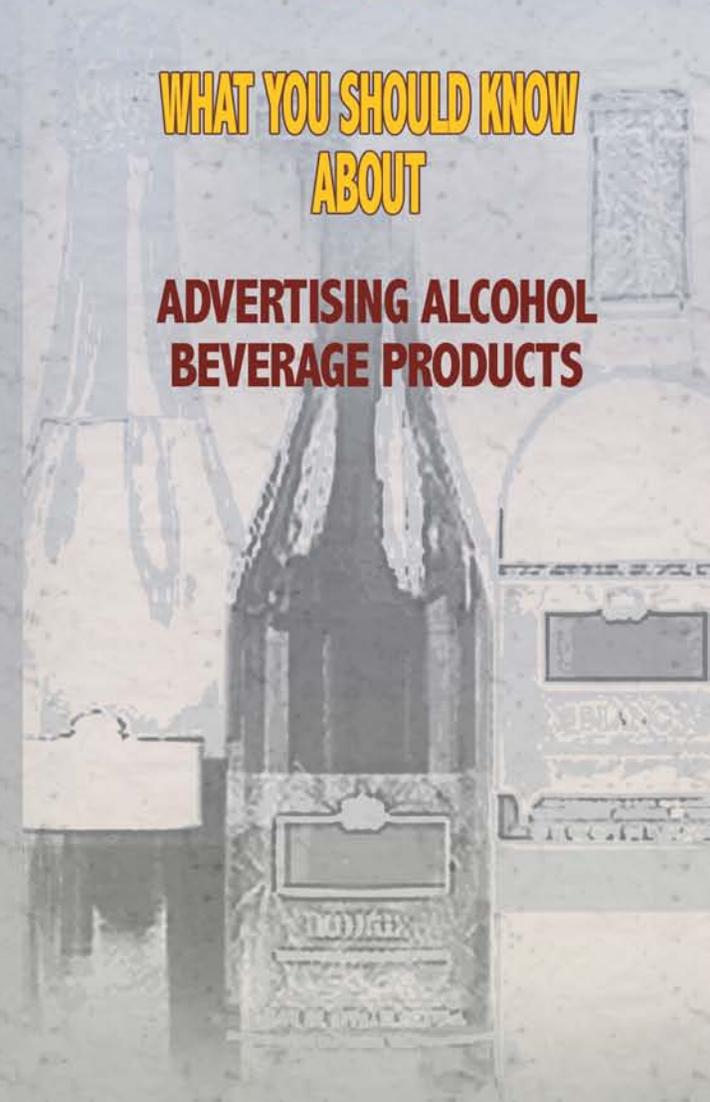
TTB 5190.05 (04/2008)

DEPARTMENT OF THE TREASURY

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

WHAT YOU SHOULD KNOW ABOUT

ADVERTISING ALCOHOL BEVERAGE PRODUCTS



ALCOHOL BEVERAGE ADVERTISEMENTS

The Federal Alcohol Administration Act (FAA Act) gives the Alcohol and Tobacco Tax and Trade Bureau (TTB) its authority to regulate the advertising of alcohol beverage products. It provides for the regulation of those engaged in the alcohol beverage industry and for the

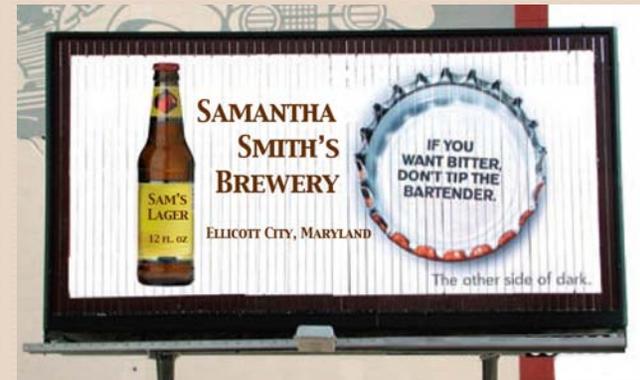
protection of consumers. The FAA Act authorizes regulatory action to prevent deception of the consumer and to provide the consumer with adequate information on the identity of the product. The regulations for each commodity outline mandatory information that must appear

in advertisements. Below is an example of an advertisement for each beverage alcohol commodity regulated by TTB—wine, distilled spirits, and malt beverage—as well as a list of the mandatory information that must appear in an advertisement for these products.

Wine Advertisement



Distilled Spirits Advertisement



- Responsible advertiser (27 CFR 4.62(a))
- Class, type, and distinctive designation (27 CFR 4.62(b))

- Responsible advertiser (27 CFR 5.63(a))
- Class and type (27 CFR 5.63(b))
- Alcohol content (27 CFR 5.63(c))
- Percentage of neutral spirits and name of commodity (27 CFR 5.63(d)) – *If applicable*

- Responsible advertiser (27 CFR 7.52(a))
- Class designation (27 CFR 7.52(b))