TTB Disclaimer

This information is being presented to help the public to understand and comply with the laws and regulations that the Alcohol and Tobacco Tax and Trade Bureau (TTB) administers.

It is not intended to establish any new, or change any existing, definitions, interpretations, standards, or procedures regarding those laws and regulations.

In addition, this presentation may be made obsolete by changes in laws and regulations.

Please consult the applicable laws and regulations for the most current requirements.

Sample documents (such as records, returns, and labels) are for illustrative purposes only and contain fictitious data.
GOVERNMENT WARNING:
(1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE THE RISK OF BIRTH DEFECTS.
(2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

Mandatory Information:
1) Brand Name
2) Name and Address
3) Class/Type
4) Net Contents
5) Government Warning
6) Alcohol Content

(May be Optional)

*Declarations of certain ingredients also must appear on the label, when applicable.
Mandatory Label Information

BRAND LABEL:

Brand name - 27 CFR 7.23
Class - 27 CFR 7.24
Name and address (domestic)  27 CFR 7.25
Net contents - 27 CFR 7.27
Alcohol content (for malt beverages containing alcohol derived from added flavors or other nonbeverage ingredients (other than hops extract))  27 CFR 7.22

ANY LABEL:

Name and address (Imported)  27 CFR 7.25
Country of origin (Imported)
Declaration of certain ingredients, if applicable - 27 CFR 7.22
  ◦ Aspartame
  ◦ Sulfites
  ◦ FD&C yellow #5
  ◦ Cochineal extract or carmine
Mandatory Label Information
General Requirements

All mandatory information must be readily legible under ordinary conditions, and must appear on a contrasting background.

All mandatory information (other than the brand name) must be in English, with exceptions for malt beverages bottled for consumption in Puerto Rico.

For information about type size requirements, refer to:
- 27 CFR 7.28 General Requirements, or
- TTB Malt Beverage BAM (Beverage Alcohol Manual)
Mandatory Label Information

Brand Name

Name under which the malt beverage is marketed

If the malt beverage is not sold under a brand name, then the name of the bottler or importer is considered the brand name

Common mistakes:

- Label and application don’t match
- Class/type listed as brand name on application
# Mandatory Label Information

## Class and Type

<table>
<thead>
<tr>
<th>Specific identity of the malt beverage</th>
<th>Examples:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ale</td>
<td></td>
</tr>
<tr>
<td>Stout</td>
<td></td>
</tr>
<tr>
<td>Lager</td>
<td></td>
</tr>
<tr>
<td>Porter</td>
<td></td>
</tr>
<tr>
<td>Cereal beverage</td>
<td></td>
</tr>
<tr>
<td>Near beer</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Flavored Malt Beverages that require a formula:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Fanciful name</td>
</tr>
<tr>
<td>• Statement of composition</td>
</tr>
<tr>
<td>Jojo’s Chamomile Ale AND Ale Brewed with Chamomile</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Malt Beverages that are exempt from formula requirements under TTB Ruling 2015-1 must be designated in accordance with trade understanding as described in that ruling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jojo’s Pumpkin Stout OR Stout brewed with pumpkins</td>
</tr>
</tbody>
</table>
Class/Type Common Mistakes

Leaving the class designation off of the label

IPA (the word “ale” must appear on the brand label)

Hefeweizen, Bock, Tripel, Dubbel, Bier (which are not sufficient in and of themselves)

Gose, Wit, and Breakfast Stout not having suitable designation or statement of composition

Leaving designation of the base beer off of the statement of composition. The statement of composition must include the base designation.
  ◦ e.g., “Ale with vanilla extract”
Mandatory Label Information
Name and Address
City and state of bottler/packer

Common Mistakes:
◦ Leaving this information off of the label
◦ City and state do not match the address on the Brewer’s Notice
◦ Not using a DBA for contract brewing
◦ Label contains name and address for contractee and not the contract (producing) brewer
Mandatory Label Information

Net Contents

Must use English units of measure (fluid ounces, pints, quarts, gallons)

May show both metric and English units on the label
  ◦ 1 Pint 9.4 fl. oz. (750 mL)

Common Mistakes:
  ◦ Stating “oz.” instead of “fl. oz.”
  ◦ Stating “16 fl. oz.” instead of “1 Pint” (may list both)
  ◦ Not converting measurements (22 fl. oz. vs. 1 Pint 6 fl. oz.)
  ◦ Listing only metric units (750 mL)
Mandatory Label Information
Alcohol Content

Alcohol content statement is mandatory for malt beverages that contain any alcohol derived from added flavors or other added nonbeverage ingredients (other than hops extract) containing alcohol.

Otherwise, it is optional (unless required by state law).

Approved Formats:
- Alcohol (ALC) __% by Volume (VOL)
- Alcohol (ALC) by Volume (VOL) __%
- __% Alcohol (ALC) by Volume (VOL)
- __% Alcohol (ALC)/Volume (VOL)

Common Mistakes:
- Incorrect format “ABV” is not permitted
- Leaving off part of the phrase or the percentage symbol (%)
- Not listing alcohol content on the label for products that contain added alcohol from a flavor

27 CFR 7.71
GOVERNMENT WARNING: (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems.
Label Example 1

1) ABV should be stated as “alc/vol” or “alc by vol”

2) Net Contents should be stated as “1 pint 6 fl. oz.”

3) Breakfast Stout is an incorrect class designation
   - If the product requires formula approval then a statement of composition must appear on the label
   - If the product is exempt under 2015-1 then it must be labeled in accordance with trade understanding and either a statement of composition or designation is required
Formulas and TTB Ruling 2015-1

Issues occur when:

- Products where the ingredients are not sufficiently conveyed by the style’s name, such as gose or wit
- Missing statement of composition
- Missing designation

For example: Breakfast Stout

- SOC: Stout with coffee and spices
- Designation: Breakfast Coffee Stout
Geographic Names
27 CFR 7.24

Geographic names for distinctive types of malt beverages shall not be applied to malt beverages produced in any place other than the particular region indicated by the name unless qualified with text such as “STYLE” or “PRODUCT OF THE USA” or other text to indicate the true place of production.

Common Mistakes

- India Pale Lager or India Session Ale appear without qualifiers (such as “style” or “product of USA”)
- “Product of the USA” is not in direct conjunction with the brand name
Geographic Names

NAMES THAT HAVE LOST GEOGRAPHIC SIGNIFICANCE
(NO QUALIFIER REQUIRED)

India Pale Ale
Baltic Porter
Bohemian
Russian Imperial Stout
Imperial Russian Stout
Scotch Ale
Scottish Ale

EXAMPLES OF NAMES THAT STILL HAVE GEOGRAPHIC SIGNIFICANCE
(QUALIFIER, SUCH AS “STYLE” REQUIRED)

Belgian
Berliner
English
Irish
Kolsch
Vienna
West Coast (or similar)

(Not a Full List)
Examples of Prohibited Practices
Labels/Cartons/Cases

Shall not contain:

- Any false or misleading information
- Claims of alcohol content strength
- Text that implies that the product is a distilled spirit or contains a distilled spirit
- Misleading health-related claims
- Obscene or indecent material
- The U.S. flag or U.S. military or Government seals or emblems, if they create a misleading impression as to Government endorsement or affiliation

Note: Not an all inclusive list

27 CFR 7.29
Old PAP has the fresh smooth taste of an ale with a unique cherry and stone fruit flavor.

Brewed & Bottled by Pap Brewery, Anywhere, GA

GOVERNMENT WARNING:
(1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects.
(2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems.

1 pint, 6 fl. oz.
Issues with Example 2

“Strong” must be removed as it is a prohibited strength statement

“Belgian” is misleading since the product is made in GA and should appear as “Belgian style”

Additional Text: “cherry and stone fruit flavor”

◦ Use words such as:
  ◦ Notes of
  ◦ Hints of
  ◦ Aromas of
  ◦ Alternatively, state as “Ingredient X imparts a flavor of ...”
How do I Label a Non-Alcoholic Beer?

A non-alcoholic beer contains less than 0.5 % alcohol by volume

It can be labeled as a “malt beverage,” a “cereal beverage”, or a “near beer”

If the designation “non-alcoholic malt beverage” is used, the label must state “contains less than 0.5% alcohol by volume” in direct conjunction with “non-alcoholic”

May not be labeled as “Beer,” “Stout,” “Lager,” “Ale,” “Porter,” “Malt Liquor,” or “Lager Beer”

Domestically bottled non-alcoholic products must state on the label “Non taxable under section 5051 I.R.C.”
Label Example 3

Non-Alcoholic Malt beverage
Contains less than 0.5% Alcohol by Volume
12 Fluid Ounces
Non-taxable under section 5051 I.R.C.
Allergen Disclosures

Use of allergen disclosures is voluntary, but if you use one you must follow certain rules

Sources of Allergens:

- Milk
- Eggs
- Tree nuts
- Fish
- Wheat
- Peanuts
- Soybeans
- Crustacean shellfish

Labeling:

- Must be specific as to the type of tree nut or crustacean shellfish
- If one allergen is disclosed, then all allergens used in production of beverage must be disclosed
- Allowed statements must read:

  Contains: Wheat, Eggs, Pecans

27 CFR 7.22a
Kegs

Kegs are consumer containers, just like bottles or cans

Must meet the mandatory labeling requirements

Labels bearing mandatory information must be firmly affixed and may include:

- Keg caps
- Collars
- Stickers
- Combination of formats

Information can be handwritten on the label
Common Keg Labeling Issues

- Missing class/type
- Use of abbreviation “ABV”- Incorrect form of alcohol content statement
- Label that has blank spaces for mandatory information, or that has multiple check boxes with nothing checked
- Government Health Warning Statement is not compliant
GOVERNMENT WARNING:
(1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE THE RISK OF BIRTH DEFECTS.
(2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

Missing Information:
1) Class/Type
2) Address
3) Net Contents
4) Alcohol Content (Optional)
GOVERNMENT WARNING:
(1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE THE RISK OF BIRTH DEFECTS.
(2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS.

Broken Axel
Cream Ale
5% Alc./Vol 5 Gal

X & Y COORDINATES
BEER COMPANY
BREWED & BOTTLED IN STEELEVILLE IL

Missing Information:
1) Class/Type
2) Address
3) Net Contents
4) Alcohol Content
(Optional)
Keg Label Example 2

**GOVERNMENT WARNING:**
(1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE THE RISK OF BIRTH DEFECTS.
(2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS

**BREWED & BOTTLED IN STEELEVILLE IL**

**NET CONTENTS:**

- □ MA BELL’S IRISH
- □ JOJO BLONDE
- □ BROKEN AXEL CREAM
- □ FLOOD PLAIN WIT
- □ _______________

**ABV:** ______

**Missing Information:**
1) Class/type (ALL)
2) Net contents
3) Alcohol content
4) Checkmark for product
5) “Irish” requires a qualification
6) “Wit,” by itself, is not an adequate designation
Keg Label Example 2

X & Y COORDINATES
BEER COMPANY
BREWED & BOTTLED IN STEELEVILLE IL

GOVERNMENT WARNING:
(1) ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE THE RISK OF BIRTH DEFECTS.
(2) CONSUMPTION OF ALCOHOLIC BEVERAGES IMPAIRS YOUR ABILITY TO DRIVE A CAR OR OPERATE MACHINERY, AND MAY CAUSE HEALTH PROBLEMS

NET CONTENTS:
☑ 15.5 Gal
☐ 5.16 Gal

☐ MA BELL’S IRISH Style Ale
☐ JOJO BLONDE Ale
☑ BROKEN AXEL CREAM Ale
☐ FLOOD PLAIN SPICED WIT BEER
☐ ___________________

ALC/VOL: 5%

Missing Information:
1) Class/type (ALL)
2) Net contents
3) Alcohol content
4) Checkmark for product
5) “Irish” requires a qualification
6) “Wit,” by itself, is not an adequate designation
Growlers

TTB Beer FAQ B9

Determine the container type

- A growler is a large serving glass when a consumer uses the container to make a purchase and the brewer then fills the container. Consumers may furnish their own growler or may purchase it from the brewer.

- A growler is a bottle and requires labeling when the brewer fills the container in advance of sale. The brewer may fill the growler prior to removal, on the brewery premises, or after tax determination on the brewpub premises.
Thank you for attending