



TTB Boot Camp

Webinar Series for Brewers

LABELING



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.



Agenda

In this session we'll cover:

- COLA basics
- Mandatory label information
- Keg collars
- Prohibited labeling practices
- Optional label claims



COLAs: What, Who, Why, When, and How?



What is a COLA?

- **Certificate Of Label Approval**
- Authorizes:
 - The bottling of malt beverages, or
 - The removal of bottled malt beverages from customs custody (imports)
 - The product must bear labels identical to the labels affixed to the face of the certificate, or labels with changes authorized by the certificate or other public guidance
- TTB's approval of a COLA does not constitute trademark protection
- See [TTB Form 5100.31](#)

27 CFR 7.22, 7.25, and 13.11



Who Can File an Application for a COLA?

- To file an application for label approval, you must have either:
 - A Brewer's Notice, or
 - A Basic Permit (Importer)
- Permits and Brewer's Notices are issued by the TTB National Revenue Center in Cincinnati, Ohio
 - [Permits Online](#)
 - [\(877\) 882-3277 or TTBGov - Contact NRC](#)



Why Do I Need a COLA?

- The FAA Act generally requires bottlers and importers of malt beverages to obtain a COLA in order to prevent the sale or other introduction of products that are bottled, packaged, or labeled in violation of law



At What Stage Do I Apply for Label Approval?

- The COLA must be obtained **prior to bottling** (domestically bottled) or **prior to removal from customs custody** (imported in containers)
 - Bottling includes cans and kegs
- See TTB website for average processing times for COLA applications
 - <https://www.ttb.gov/main-pages/processing-times>

27 CFR 7.22 and 7.25



When is a COLA Not Required?

1. When a beer is not a malt beverage under the FAA Act:

- Usually because it is not made with both malted barley and hops (See [TTB Ruling 2008-3](#))
- Special rules apply to saké, which is labeled as a wine under the FAA Act if it has at least 7 percent alcohol by volume

27 CFR 7.6



When is a COLA Not Required? (Cont.)

- 2. When a malt beverage will be sold exclusively in the state in which it was bottled:**
 - Unless the state where the malt beverage is bottled requires an approved COLA from TTB

27 CFR 7.4 and 7.21



Even if a COLA is Not Required...

- The following regulatory requirements apply regardless of COLA requirements:
 - **Government Health Warning** Statement per 27 CFR part 16
 - **Markings** per 27 CFR part 25, Subpart J (for domestic brewers)
 - **Formulas** (when required)



How Do I Apply for Label Approval?

- COLAs Online
 - Step-by-step guidance
 - Validation checks along the way
 - Application status updates via email
- COLAs Online Customer Page
- You must register for a COLAs Online account before you can use it





Can I Change My Approved Label Without Getting a New COLA?

- Review [List of Allowable COLA Revisions](#)
 - After receiving TTB approval, specific label changes can be made without obtaining a new COLA
 - Ensure that any changes to approved labels are in line with applicable regulations
- Maintain a record of the COLA associated with each label, in the event TTB requests evidence that the label is covered by a COLA



Mandatory Label Information



Mandatory Label Information

The following label information is mandatory:

- Brand name (27 CFR 7.64)
- Alcohol content* (27 CFR 7.65)
- Name and address (27 CFR 7.66 - 7.68)
- Country of origin (Imported) (27 CFR 7.69)
- Net contents (27 CFR 7.70)
- Class and Type (27 CFR 7.141 - 7.147)
- Government Health Warning (27 CFR 16.21 - 22)
- Ingredient Declarations (if used): (27 CFR 7.63)
 - Aspartame
 - Sulfites
 - FD&C Yellow #5
 - Cochineal Extract or Carmine

***Note:**

Alcohol content is only required for malt beverages containing alcohol derived from added flavors or other non-beverage ingredients (other than hops extract) containing alcohol.

27 CFR 7.63



Mandatory Label Information

General Requirements

- Must be readily legible under ordinary conditions, and must appear on a contrasting background
- 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 7.53 or
 - TTB Malt Beverage BAM (Beverage Alcohol Manual)

27 CFR 7.52-7.55

Mandatory Label Information | Label Example

COLA Application:

Brand Name: **Name and Address:**
Example **Fake Brewery Name**
1234 Road
Arlington, VA

Mandatory Label Information:

- 1 Brand Name
- 2 Name and Address
- 3 Class and Type
- 4 Net Contents
- 5 Government Warning Statement
- 6 Alcohol Content* (as applicable)



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Mandatory Label Information

Brand Name

- Name under which the malt beverage is marketed
- If you do not identify a brand name, then the name of the bottler or importer is considered the brand name
- Common Mistakes:
 - Brand name on the label is not correctly entered on the application
 - Class/type is entered in the brand name field on the application

Example

Brand Name ?

Ale



27 CFR 7.64



COLAs Online

Conditionally Approved Status

- Under limited circumstances, TTB may propose changes to the information you entered in the application to make it match the label you submitted
- After the specialist proposes the changes, the status is **Conditionally Approved**



COLAs Online

Conditionally Approved Status (Cont.)

- Review the proposed changes carefully.
- Decide on the action:
 - **Accept** the changes for immediate COLA approval.
 - **Decline** the changes, then make necessary changes yourself and resubmit for review.
- Which application fields are involved?
 - Brand name
 - Fanciful name



Mandatory Label Information

Name and Address

- City and State of bottler
- Trade name or DBA (doing business as) is allowed
- Principal place of business of the producing brewer may be used in lieu of listing all brewing locations when owning multiple brewing locations
- The place of bottling may also appear in a listing of all breweries owned by the bottler, if the place of bottling is not given less emphasis and the coding requirements of [27 CFR 25.141](#) and [25.142](#) are met

27 CFR 7.66-7.68



Name and Address | Common Mistakes

- Name and address are missing from the label
- City and State on label do not match the address on the Brewer's Notice
- Contract brewer/producer has not added the contractee's DBA/trade name to their Brewer's Notice
- Label contains name and address of the contractee and not the contract brewer/producer



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

Example



1 pint 9.4 fl. oz. (750 mL)

| CONTENTS OF CONTAINER | NET CONTENTS MUST BE SHOWN IN... | EXAMPLES | |
|--|---|----------------|---|
| | | CONTAINER SIZE | LABEL NET CONTENTS STATEMENT MUST BE... |
| Less than 1 pint | Fluid ounces or fractions of a pint | 8 ounces | 8 fluid ounces (fl. oz.) or $\frac{1}{2}$ pint (pt.) or 0.5 pint (pt.) |
| 1 pint | Pints | 16 ounces | 1 pint (pt.) |
| More than 1 pint but less than 1 quart | Pints and fluid ounces or fractions of a quart | 20 ounces | 1 pint (pt.), 4 fluid ounces (fl. oz.) or $\frac{5}{8}$ quart (qt.) or 0.63 quart (qt.) |
| 1 quart | Quarts | 32 ounces | 1 quart (qt.) |
| More than 1 quart but less than 1 gallon | Quarts, pints and fluid ounces or fractions of a gallon | 60 ounces | 1 quart (qt.), 1 pint (pt.), 12 fluid ounces (fl. oz.) or $\frac{15}{32}$ gallon (gal.) or 0.47 gallon (gal.) |
| 1 gallon | Gallons | 128 ounces | 1 gallon (gal.) |
| More than 1 gallon | Gallons and fractions of gallons | 166 ounces | 1 $\frac{1}{8}$ gallons (gals.) or 1.25 gallons (gals.) |

27 CFR 7.70



Net Contents | Common Mistakes

- Stating just **oz.** instead of **fl. oz.**
- Stating **16 fl. oz.** instead of **1 pint** (may list both)

| Acceptable Formats: | Needs Correction: |
|---|---|
| 1 Pint 1 Pint (473 mL) | 16 FL OZ or 16 OZ 473 mL |

- Not converting measurements into pints and fluid ounces (22 fl. oz. vs. 1 pint 6 fl. oz.)
- Showing only metric units (750 mL)



Mandatory Label Information

Alcohol Content

- **Alcohol By Volume:**
 - Mandatory if any alcohol is derived from added flavors or other added nonbeverage ingredients (other than hops extract) containing alcohol
 - Otherwise, it is optional (unless required by state law)
- **Alcohol By Weight:**
 - You may optionally include alcohol by weight together with the statement of alcohol by volume

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

27 CFR 7.65



Alcohol Content | Common Mistakes

- Using an incorrect format
 - **ABV** and **ABW** are not permitted - you must spell out the words or use the abbreviations allowed by 27 CFR 7.65(b)(4)

Example

5% ABV vs. 5% ALC./VOL.

- Leaving off part of the phrase or the percent symbol (%)
- Not listing alcohol content on the label for products that contain added alcohol from a flavor



Mandatory Label Information

Health Warning Statement

- Must be readily legible under ordinary conditions and on a contrasting background
- Must be separate and apart from all other label text
- The words **GOVERNMENT WARNING** must appear in capital letters and bold type

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.

27 CFR part 16



Mandatory Label Information

Class and Type - General

- The specific identity of a malt beverage
- The designation of malt beverages is based on trade understandings of the characteristics generally attributed to the particular malt beverage
 - Ale, Beer, Malt Liquor, Stout, and Porter are all acceptable as the class designation of a malt beverage

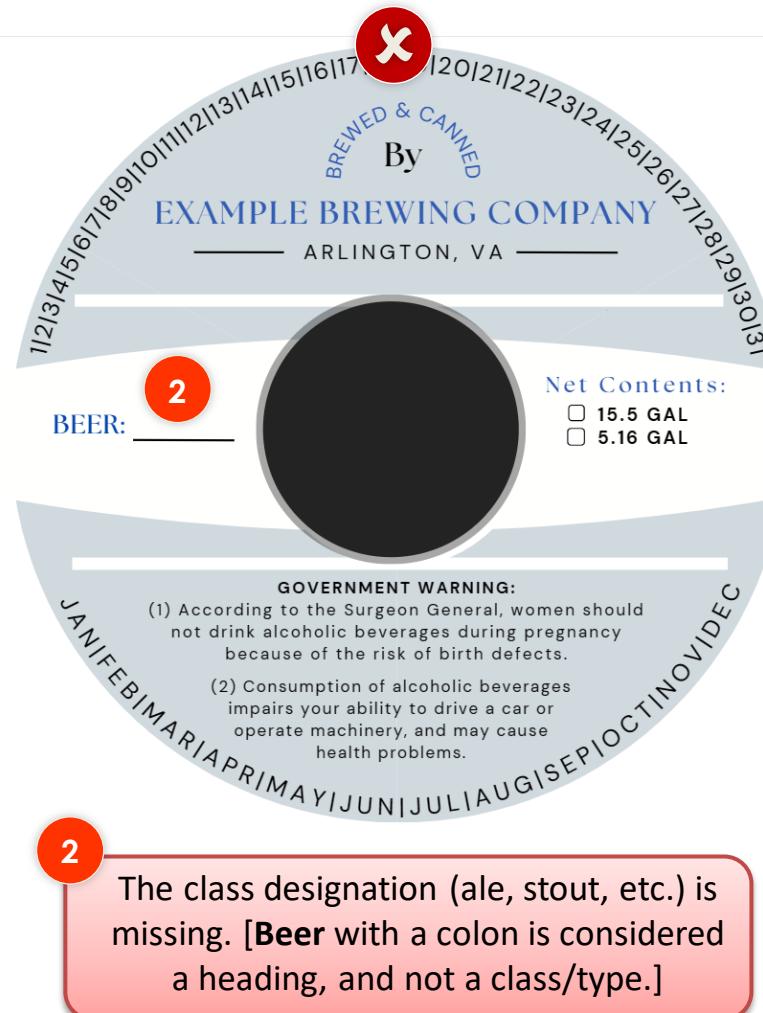
27 CFR 7.141



Class/Type | Common Mistakes

1

IPA is not sufficient as a class/type statement. **Ale** or **India Pale Ale** must appear on the label.



2

The class designation (ale, stout, etc.) is missing. [Beer with a colon is considered a heading, and not a class/type.]

3

Hefeweizen and styles, such as Dunkelweizen, Bock, Tripel, Bier, etc. are not sufficient class designations in and of themselves, and need to be further qualified by adding Ale, Beer etc. afterwards.





Mandatory Information

Class and Type – Formula-Exempt MB Products

- Specific malt beverage ingredients are exempt from formulas under [TTB Ruling 2015-1](#)
- Also under this ruling, aging beer in barrels or with wood previously used in the production or storage of wine or distilled spirits is exempt under certain conditions
- **Labeling Requirements:**
 - Class/type may be stated as **either a Designation or Statement of Composition**
 - Fanciful Names are not required
 - Aging of a product does not need to be called out as part of the class/type

| | |
|--|---|
| Flavoring Ingredient used: | Raspberry puree |
| Is a formula required? | NO (exempt under 2015-1) |
| Labeling options: <ul style="list-style-type: none">• in accordance with trade understanding• Statement of Composition | Fruit Ale Raspberry Ale Ale with Natural Flavor Ale with Raspberries |



2015-1 Examples of Designations

TTB Ruling 2015-1 - Attachment 2

Examples of Adequate and Inadequate Designations in Accordance with Trade Understanding

| Description of product | Examples of statements of composition that will continue to be allowed as designations in accordance with trade understanding under this ruling. | Examples of adequate designations in accordance with trade understanding. | Examples of inadequate and misleading designations.* (Examples of inadequate designations are in black and misleading designations are designated as such and appear in red.) |
|---|--|---|--|
| Beer brewed with cherry juice | <ul style="list-style-type: none">Beer brewed with cherry juiceMalt beverage fermented with natural flavor <p><i>(Kriek may be added as optional additional information.)</i></p> | <ul style="list-style-type: none">Fruit beerCherry beer <p><i>(Kriek may be added as optional additional information.)</i></p> | <ul style="list-style-type: none">Cherry delight<i>Kriek</i>Bob's BeerBeerMalt beverage |
| Beer with cherry juice added after fermentation | <ul style="list-style-type: none">Beer flavored with cherry juiceMalt beverage with natural flavor added <p><i>(Kriek may be added as optional additional information.)</i></p> | <ul style="list-style-type: none">Fruit beerCherry beer <p><i>(Kriek may be added as optional additional information.)</i></p> | <ul style="list-style-type: none">Cherry delight<i>Kriek</i>Bob's Beer <p>Misleading designation:</p> <ul style="list-style-type: none">Beer brewed with cherry juice |



Formula-Exempt MB Products | Label Example



1

This label **does not** have a class and type statement or designation in accordance with TTB Ruling 2015-1.



EXAMPLES OF ACCEPTABLE DESIGNATIONS AND STATEMENTS OF COMPOSITION:

ALE WITH RASPBERRIES



FRUIT ALE



RASPBERRY ALE



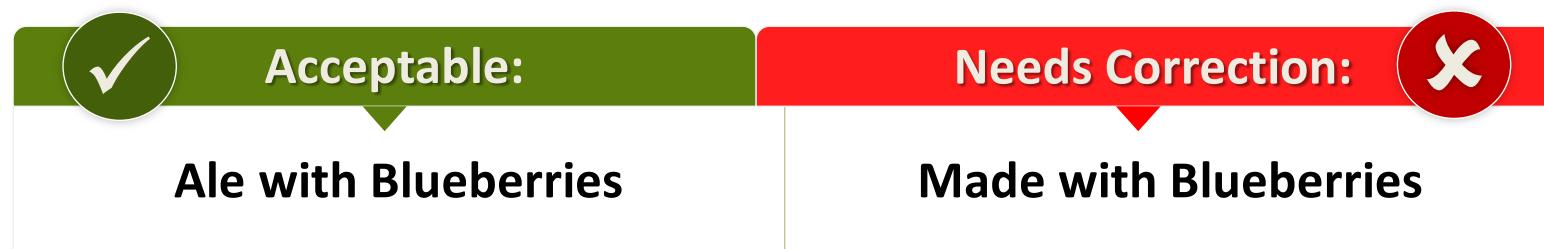
Image from canva.com/templates/labels



MB Products Exempt from Formulas |

Common Mistakes

- Product ingredients are not sufficiently conveyed by the style's name, for example, as **gose** or **wit**
- Statement of composition or designation is missing
- Class designation of base product is missing in the statement of composition





Mandatory Label Information

Class and Type – Malt Beverage Specialty Products

- Products not known to the trade under a particular designation are commonly called **malt beverage specialty products**
- MB specialty products generally require formula approval prior to applying for label approval, due to the presence of flavors, colors, or non-exempt ingredients

27 CFR 7.141 and 25.55



Mandatory Label Information

Class and Type – Specialty Products

- Specialty products must be labeled with a distinctive or fanciful name, together with an adequate and truthful statement of the composition

Example

Hazelnut Delight – Porter Brewed with Hazelnuts

Fanciful Name

Statement of Composition (SOC)

27 CFR 7.147



MB Specialties | Common Mistakes

- Fanciful name is missing on the label and/or application
- Statement of composition does not accurately reflect the flavoring materials in the product as per the formula
- Statement of composition is missing the base beer





MB Specialties | Label Example

COLA
Application:

Fanciful Name:

Happily Elder
After



1

The statement of composition is missing the base beer on the label.
[7.147](#)

2

The fanciful name is missing from the label.



Specialty products must bear a distinctive or fanciful name together with an adequate and truthful statement of composition of the product, which is deemed to be the class and type designation. All parts of the designation must appear together. See [7.147](#)



Geographical Names

Class and Type

- Geographical 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** appearing without qualifiers (such as **Style** or **Product of USA**)
 - **Product of the USA** does not appear in direct conjunction with the geographically significant reference (text or imagery)

27 CFR 7.146



Geographical Names of Distinctive Types

Class and Type

| Names that have lost Geographic Significance | Names that still have Geographic Significance* |
|---|--|
| No Qualifier Required | Qualifier Required |
| <ul style="list-style-type: none">• India Pale Ale• Baltic Porter• Bohemian• Russian Imperial Stout• Imperial Russian Stout• Scotch Ale• Scottish Ale | <ul style="list-style-type: none">• Belgian• Berliner• English• Irish• Kolsch• Mexican• Vienna• New England• West Coast (or similar) |



***Note:**
Not a
Complete
List



Geographic Significance | Label Example



EXAMPLE BREWING CO.

ARLINGTON VIRGINIA



INDIA PALE LAGER

ALC. 7% BY VOL

1 PINT

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.

(01)01234567890123



EXAMPLE BREWING CO.

ARLINGTON VIRGINIA



INDIA PALE LAGER

ALC. 7% BY VOL

1 PINT

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.

(01)01234567890123

1

Geographically significant malt beverage styles produced in a country other than the one indicated must be properly qualified with **Style** or a phrase such as **Product of USA**

Keg Collars





Kegs

- Kegs are consumer containers, just like bottles or cans
- When a COLA is required, mandatory labeling requirements must be met
- Labels bearing mandatory information may include:
 - Keg caps
 - Collars
 - Stickers
 - Combination of formats
- Information can be handwritten on the label
 - Except for **GOVERNMENT WARNING**





Kegs | Requirement for Firmly Affixed Labels

- Generally, keg labels must be firmly affixed such that they can't be removed without the application of water or other solvents
- For kegs with a capacity of at least 5.16 gallons:
 - labels are also considered firmly affixed when they would be broken or otherwise rendered not reusable upon removal
 - labels need not be firmly affixed if the name of the bottler or importer is permanently or semi-permanently stated on the keg (i.e., via embossing, engraving, stamping, or a sticker or ink jet printing)



Note: There is no exception for firmly affixing the **GOVERNMENT WARNING**.

27 CFR 7.51 and 7.61(a)(5)

Keg Label | Common Mistakes | Label Example

The Government Warning statement is not compliant. The **S** and **G** in Surgeon General must be capitalized. Also, a comma must appear after **General** and after **machinery**.

Example Brewing Company ARLINGTON, VIRGINIA

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.



NET CONTENTS:
 15.5 GAL
 5.6 GAL

ALC/VOL:

3

The alcohol content cannot be left blank and must be listed in the identified section. However, it is an allowable revision post approval.

2
When multiple Class/Type designations are present on keg labels, you are required to designate the product to which the application applies.

AXEL CREAM
 PLAIN WIT
 BELL'S IRISH ALE

4
Irish is geographically significant and must be further qualified (e.g., Irish-Style). Cream and Wit are missing the Class/Type designation at the end.

X

✓

Example Brewing Company ARLINGTON, VIRGINIA

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.



NET CONTENTS:
 15.5 GAL
 5.6 GAL

ALC/VOL: 5%

AXEL CREAM ALE
 PLAIN WIT BEER
 BELL'S IRISH-STYLE ALE

JAN/FEB/MAR/APR/MAY/JUN/JUL/AUG/SEP/OCT/NOV/DEC



Prohibited Labeling Practices



Examples of Things Prohibited from Appearing on Malt Beverage Labels

- Any statement that is false or untrue, including:
 - Misleading statements relating to guarantees (except money-back guarantees are permitted)
 - Misleading statements that disparage a competitor's product
 - Misleading health-related claims
 - Implied government endorsements
 - Text that implies that the product is a distilled spirit or contains a distilled spirit (with certain exceptions)
- Any obscene or indecent content

27 CFR 7.102-7.103, and 7.123-7.130

Optional Label Claims





Commonly Used Optional Information

Rulings of Interest:

- [2004-1](#) Caloric and Carbohydrate Representations
- [2020-2](#) Gluten Content Statements
- [2013-2](#) Voluntary Nutrient Content Statements

Frequently Asked Questions (FAQs) of Interest:

- [FAQs on TTB Ruling 2013-2 \(Serving Facts Statements\)](#)
- [FAQs on Sugar Content Statements](#)
- [FAQs on Major Food Allergen Labeling](#)
- [FAQs on Organic Labeling](#)
- [FAQs on Alcohol](#)
- [FAQ \[AF3\]: How do I calculate the number of servings per container?](#)

Please take a few minutes to provide feedback on this session:

<https://www.ttb.gov/survey>





Labeling Resources

Beer Resources

TTB Beer Rulings

www.ttb.gov/beer/rulings

Beer-Beverage Alcohol Manual (BAM)

www.ttb.gov/beer/beverage-alcohol-manual

TTB Beer Industry Circulars

www.ttb.gov/beer/industry-circulars

Do I Need a Formula? Tool

www.ttb.gov/formulation/mbev

TTB Beer Frequently Asked Questions (FAQs)

www.ttb.gov/beer/beer-faqs

TTB G 2016-1A –Beer/Malt Beverages Requiring Formula Approval or Laboratory Sample Analysis Chart

www.ttb.gov/public-guidance/ttb-g-2016-1a

Allowable Revisions to Approved Labels

www.ttb.gov/labeling/allowable-revisions

Labeling Laws and Regulations

www.ttb.gov/labeling/laws-and-regulations



Contact Us

Questions?

Contact the Alcohol Labeling and Formulation Division at:

- Toll Free at 866-927-ALFD (2533), OR
- Use our [Alcohol Labeling and Formulation Division \(ALFD\) Contact Form](#)

Representatives are Available:

8 a.m. to 4:30 p.m. ET Monday - Friday (except on federal holidays)