



**CRAFT  
BREWERS  
CONFERENCE**  
& BrewExpo America

# TTB Bootcamp: Labeling

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# 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.

# 2021 TTB Bootcamp Schedule

Time	Subject	Speaker
8–8:45 a.m.	Introduction to TTB Bootcamp: The Basics	Janelle Christian
8:45–9:30 a.m.	Low and No Alcohol Beers and Malt Beverages	Susan Evans
<i>9:30–10 a.m.</i>	<b><i>Break #1</i></b>	
10–10:45 a.m.	Taxes, Returns, and Operational Reports	Missy Keller
10:45–11:30 a.m.	Formulas	Stacey Cochiara
<i>11:30 a.m.–Noon</i>	<b><i>Break #2</i></b>	
Noon–1 p.m.	Labeling	Paula Landsberger



# Agenda

In this session we'll cover:

- Mandatory label information
- Keg collars
- Prohibited labeling practices
- Optional label claims
- “Hard Seltzers”
- COLA basics



# Mandatory Label Information



# Mandatory Label Information

## Must be on the 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)

## May be on Any Label:

- **Government Health Warning** (27 CFR 16.21-22)
- **Name and address** (Imported) (27 CFR 7.25)
- **Country of origin** (Imported)
- **Declaration of certain ingredients** (when used): (27 CFR 7.22)
  - Aspartame
  - Sulfites
  - FD&C yellow #5
  - Cochineal extract or carmine



# 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 7.28 General Requirements, or
  - TTB [Malt Beverage BAM \(Beverage Alcohol Manual\)](#)

27 CFR 7.28

PART I - APPLICATION

<p>2. PLANT REGISTRY/BASIC PERMIT/BREWER'S NO. (Required)</p>	<p>3. SOURCE OF PRODUCT (Required)</p> <p><input checked="" type="checkbox"/> Domestic</p> <p><input type="checkbox"/> Imported</p>
<p>4. SERIAL NUMBER (Required)</p>	<p>5. TYPE OF PRODUCT (Required)</p> <p><input type="checkbox"/> WINE</p> <p><input type="checkbox"/> DISTILLED SPIRITS</p> <p><input checked="" type="checkbox"/> MALT BEVERAGE</p>
<p>6. BRAND NAME (Required)</p> <p>Example</p>	

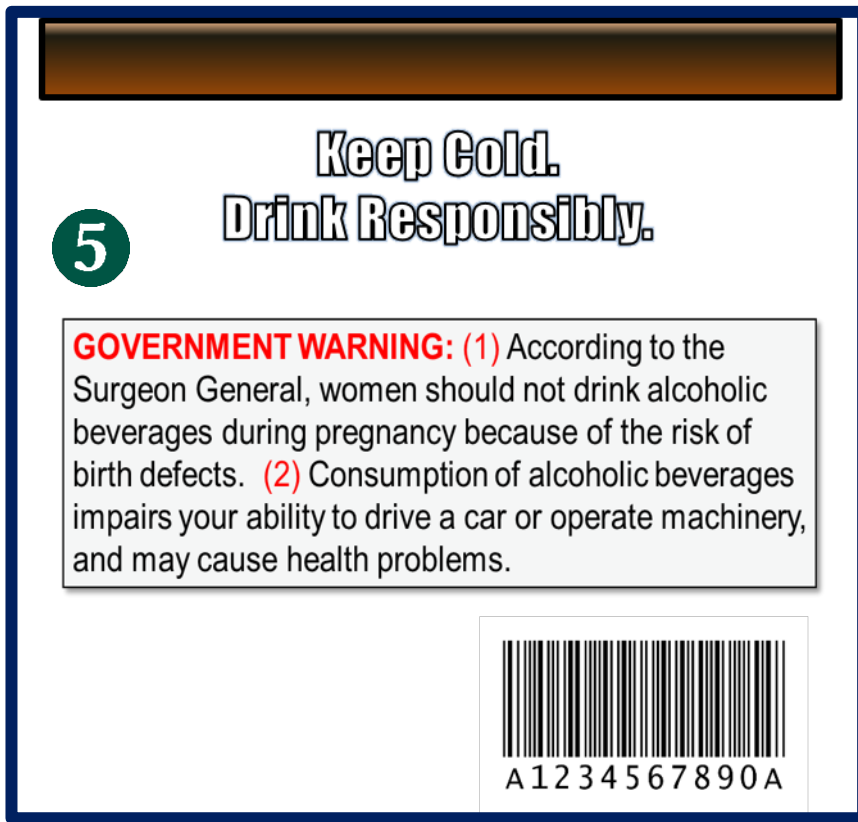
8. NAME AND ADDRESS OF APPLICANT AS SHOWN ON PLANT REGISTRY, BASIC PERMIT OR BREWER'S NOTICE. INCLUDE APPROVED DBA OR TRADENAME IF USED ON LABEL (Required)

Fake Brewery Name  
1234 Road  
Arlington, VA

BRAND LABEL:



BACK LABEL:



# Mandatory Label Information | Example

Mandatory Label Information:

- 1) Brand Name
- 2) Name and Address
- 3) Class/Type
- 4) Net Contents
- 5) Government Warning
- 6) Alcohol Content (Optional)

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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:

6. BRAND NAME (Required) <b>ALE</b>	✘
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27 CFR 7.23



# Mandatory Label Information

## Name and Address

- City and state of bottler/packer
- 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

27 CFR 7.25



# 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
  - 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 ½ 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 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 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 ¼ gallons (gals.) or 1.25 gallons (gals.)

27 CFR 7.27



# Net Contents | Common Mistakes

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

 <b>Acceptable Formats:</b>	 <b>Needs Correction:</b>
<ul style="list-style-type: none"><li>• 1 Pint</li><li>• 1 Pint (473 mL)</li></ul>	<ul style="list-style-type: none"><li>• 16 OZ</li><li>• 16 FL OZ</li><li>• 473 mL</li></ul>

- 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 7.71



# 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 7.71(b)(3)  
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, Ice Beer, Porter, and India Pale Ale are all acceptable as the class designation of a malt beverage

27 CFR 7.24



# Class/Type | Common Mistakes

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

**Dunkelweizen** and styles, such as **Hefeweizen, 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.

EXAMPLE BREWING COMPANY

**1**

**IPA**

LOCALLY BREWED & BOTTLED IN 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.

1 PINT

EXAMPLE BREWING COMPANY  
ARLINGTON, VIRGINIA

NET CONTENTS:  
5.2 GAL  
GAL

**2**

BEER: \_\_\_\_\_

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.

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

EXAMPLE BREWING COMPANY  
ARLINGTON, VIRGINIA

**3**

**DUNKELWEIZEN**

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  
5% ALC/VOL

Image from [canva.com/templates/labels](https://www.canva.com/templates/labels)



# 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 require formula approval prior to applying for label approval, unless they have been specifically exempted from formula approval

27 CFR 7.24(a)



# Mandatory Label Information

## Class and Type – Formulated Specialty Products

- If formula approval is required, the product must be labeled with a distinctive or fanciful name, together with an adequate and truthful statement of the composition

Hazelnut Porter – Porter Brewed with Hazelnuts

Fanciful name

Statement of Composition

27 CFR 7.24(a)



# MB Specialties that Require Formulas | 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
  - For example, Made with Vanilla Extract vs. Ale with Vanilla Extract



# Class and Type | Formulated MB Specialty Product

**6. BRAND NAME (Required)**  
Example Brewing Company

**7. FANCIFUL NAME (If any)**  
Happily Elder After

The fanciful name is missing. On formulated malt beverages, a fanciful name is required to appear on the brand label

The label must have a statement of composition that identifies the products class and type, which is currently missing. A designation does not satisfy this requirement because the product is formulated

**BREWED & BOTTLED IN ARLINGTON, VA**

EXAMPLE BREWING COMPANY

1

SINCE 1985

ELDERBERRY ALE

2

1 PINT  
5% Alc/Vol

**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.

**BREWED & BOTTLED IN ARLINGTON, VA**

• EXAMPLE BREWING COMPANY •

HAPPILY ELDER AFTER

ALE WITH ELDERBERRIES

SINCE 1985

5% ALC/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.

BOTTLED ON 12/01/19

BEST BEFORE 08/01/20

**DRINK RESPONSIBLY**

Image from [canva.com/templates/labels](https://www.canva.com/templates/labels)



# Mandatory Information

## Class and Type – Formula Exempt MB Specialties

- Specific malt beverage ingredients and processes are exempt from formulas under [TTB Ruling 2015-1](#)
- The process of aging beer is exempt, however DS or wine barrels, woodchips, or staves should have no discernible quantity of spirits or wine
- **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

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



# 2015-1 Examples of Designations – Attachment 2

Examples of Adequate and Inadequate Designations in Accordance with Trade Understanding

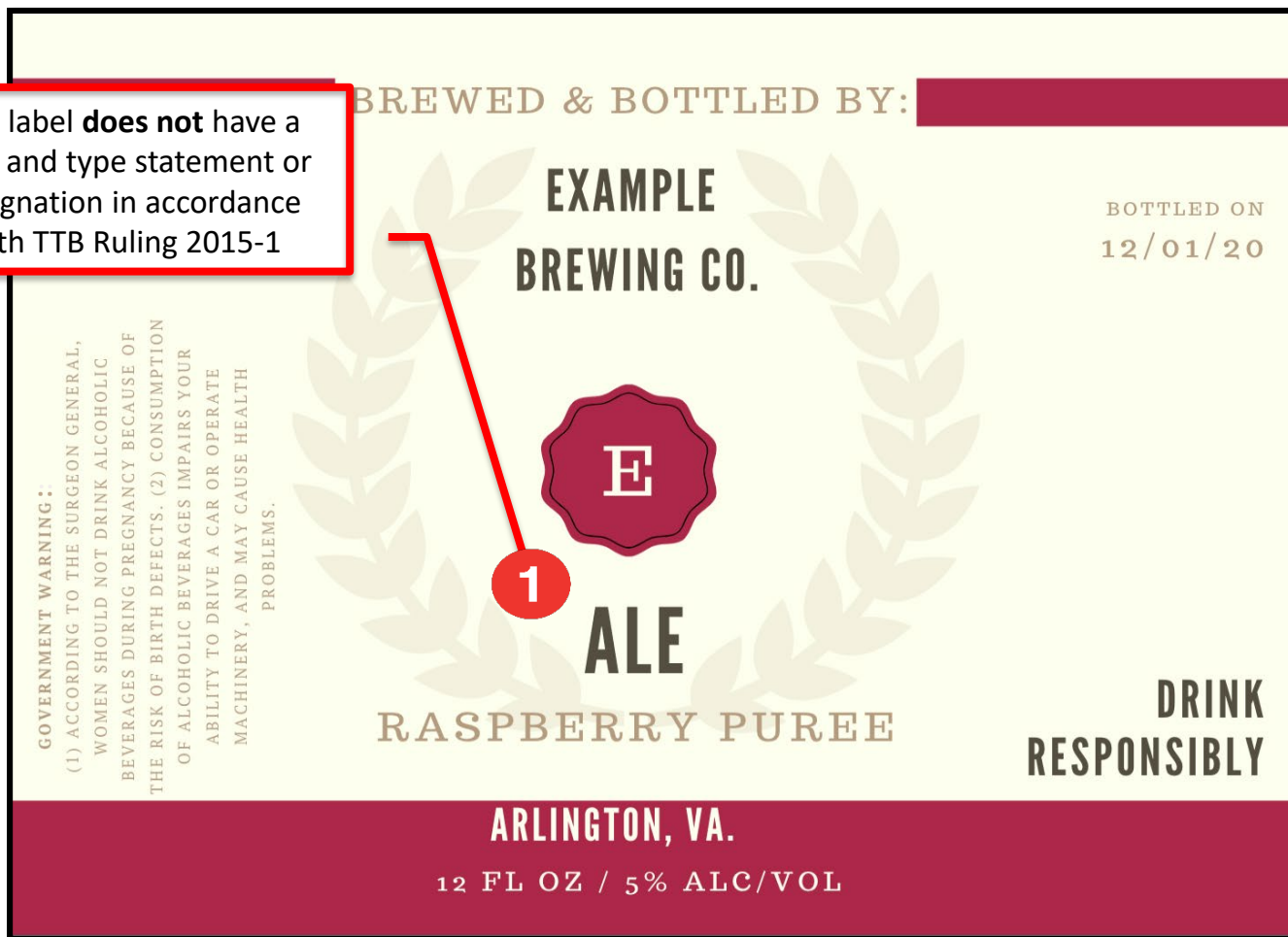
Description of product	Examples of statements of composition that will continue to be allowed as designations in accordance with trade understanding under this ruling.	Examples of adequate designations in accordance with trade understanding.	Examples of inadequate and misleading designations.* (Examples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





# Class and Type | Formula Exempt MB Specialties

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



Examples of acceptable designations/statement of composition:

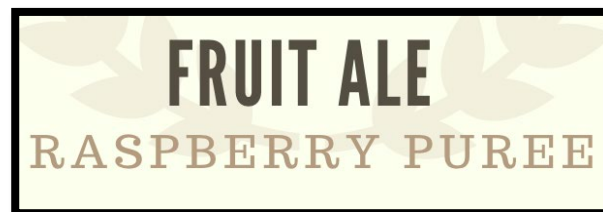


Image from [canva.com/templates/labels](https://www.canva.com/templates/labels)



# MB Specialties 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

**Acceptable:** 

**Ale with Blueberries**

**Needs Correction:** 

**Made with Blueberries**



# 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 7.24(f)-(h)



# Geographical Names of Distinctive Types

## Class and Type

### 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 required)

- Belgian
- Berliner
- English
- Irish
- Kolsch
- Mexican
- Vienna
- New England
- West Coast (or similar) \*Not a Complete List



# Geographic Significance | Example

Unlike **India Pale Ale**, **India Pale Lager** has not lost its geographic significance

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**



**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**

**Example**  
BREWING COMPANY

**India Pale Lager**

**keep cold**  
**drink fresh**

**1 PINT • 7.5% ALC/VOL**  
BREWED & BOTTLED  
IN ARLINGTON, VA

**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.

**Example**  
BREWING COMPANY

**India Pale Lager**  
**Product of USA**

**keep cold**  
**drink fresh**

**1 PINT • 7.5% ALC/VOL**  
BREWED & BOTTLED  
IN ARLINGTON, VA

# 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 must be firmly affixed and may include:
  - Keg caps
  - Collars
  - Stickers
  - Combination of formats
- Information can be handwritten on the label
  - Except for **GOVERNMENT WARNING**



# Keg Label Common Mistakes | Example

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

**EXAMPLE BREWING COMPANY**  
ARLINGTON, VA

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

1

**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.

3

**ALC/VOL:**

**NET CONTENTS**  
 15.5 GAL  
 5.16 GAL

2

- BELL'S IRISH ALE**
- AXEL CREAM**
- PLAIN WIT**
- \_\_\_\_\_

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.



**EXAMPLE BREWING COMPANY**  
ARLINGTON, VA

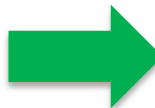
**GOVERNMENT WARNING:**

(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.

**ALC/VOL: 5%**

**NET CONTENTS**  
 15.5 GAL  
 5.16 GAL

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



When multiple class and type designations are present on keg labels, you are required to designate the product to which the application applies.





# Prohibited Labeling Practices



# Examples of Things Prohibited from Appearing on Malt Beverage Labels

- Any statement that is false or untrue
- Any statement ... relating to any guarantee
- Any misleading information, such as:
  - Text that implies that the product is a distilled spirit or contains a distilled spirit
  - Misleading health-related claims
  - Implied government endorsements

27 CFR 7.29

# 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?

# “Hard Seltzers”

## What are the TTB Rules?





# Terms Not Defined by TTB

- TTB regulations do not define any of these terms:
  - Hard seltzer
  - Alcoholic seltzer
  - Spiked seltzer
  - Hard sparkling water



# According to Trade Press

- Based on industry publications, hard seltzers are most commonly:
  - Carbonated water, flavoring, and alcohol
  - Made from fermented sugar or malted barley
  - About 4-6% alcohol by volume
  - Low in calories



# How are They Regulated by TTB?

- Frequently, products sold as hard seltzer or similar names are classified as beer (vs. wine or distilled spirits)
  - If **made with both malted barley and hops** they are classified as beer under the Internal Revenue Code and malt beverages under the Federal Alcohol Administration Act
  - If **not made with both malted barley and hops** they are classified as beers that are not malt beverages
    - For example, products made from fermented sugar or from malted barley but not hops

[TTB Ruling 2008-3](#)





# Formula Requirements

- Most brewery products sold as hard seltzer or similar names **require formula approval** due to the addition of flavoring or coloring materials
- Use our online tool to find out if yours does:

[Which Alcohol Beverages Require Formula Approval > Beer and Malt Beverages](#)

27 CFR 25.55 & 27 CFR 7.31(d)



# Labeling Requirements

## Products w/o Both Malted Barley and Hops

- Brewery products must meet the Internal Revenue Code (IRC) labeling requirements of [27 CFR part 25](#):
  - Name or trade name of the brewer
  - Net contents (not required on kegs)
  - Kind, such as beer, ale, porter, stout, etc. (not required on kegs)
    - Note: “hard seltzer” or similar terms **DO NOT** meet this requirement and may only be used in addition to one of the terms above
  - Place of production (city and State)

27 CFR 25.141 & 27 CFR 25.142



# Labeling Requirements

## Products w/o Both Malted Barley and Hops (Cont.)

- Must be labeled with the **Government Health Warning Statement** ([27 CFR part 16](#))
- Also subject to **FDA food labeling** regulations under the Federal Food, Drug, and Cosmetic Act ([21 CFR part 101](#))
- Label approval (**COLA**) is not required by TTB



# Labeling Requirements

## Products with Both Malted Barley and Hops

- Generally, must meet the Federal Alcohol Administration Act (FAA Act) labeling requirements of [27 CFR part 7](#) including:
  - Brand name
  - Class such as malt beverage, beer, ale, porter, stout, etc.
    - Note: “hard seltzer” or similar terms **DO NOT** meet this requirement and may only be used in addition to one of the above terms
  - Name and address of the bottler
  - Net contents
  - Alcohol content (if made with flavors containing alcohol)
  - Declaration of certain ingredients such as FD&C yellow #5

27 CFR part 7 Subpart C



# Labeling Requirements

## Products with Both Malted Barley and Hops (Cont.)

- Must be labeled with the **Government Health Warning Statement** ([27 CFR part 16](#))
- Label approval (**COLA**) is generally required if the product will be sold across state lines

27 CFR 7.30, 7.31, 7.40, 7.41



# COLAs:

# What, Who, Why, When, and How?



# What is a COLA?

- **Certificate Of Label Approval**
- **Authorizes:**
  - The bottling or packing 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 13.11



# Who Can File an Application for a COLA?

- In order 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>



# 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



# 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
- See [TTB Ruling 2013-1](#)



# 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





# 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.)

- You must review the proposed changes and then either **accept** them, which results in immediate approval of the COLA, or **decline** them, in which case you can make any necessary changes yourself and return
- Which application fields are involved?
  - Brand name
  - Fanciful name





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

- Review [List of Allowable COLA Revisions](#)
  - Once a label receives TTB approval, you can make certain changes to that label without obtaining a new COLA
  - Any revisions you make to your approved labels must be in compliance with the applicable regulations
- You must be able to identify the COLA you are relying on to bottle a malt beverage in the event that TTB asks you to provide evidence that the label is covered by a COLA



# Labeling Resources

## Beer Resources

### TTB Beer Rulings

[www.ttb.gov/beer/rulings](http://www.ttb.gov/beer/rulings)

### Beer-Beverage Alcohol Manual (BAM)

[www.ttb.gov/beer/beverage-alcohol-manual](http://www.ttb.gov/beer/beverage-alcohol-manual)

### TTB Beer Industry Circulars

[www.ttb.gov/beer/industry-circulars](http://www.ttb.gov/beer/industry-circulars)

### Do I Need a Formula? Tool

[www.ttb.gov/formulation/mbev](http://www.ttb.gov/formulation/mbev)

### TTB Beer Frequently Asked Questions (FAQs)

[www.ttb.gov/beer/beer-faqs](http://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](http://www.ttb.gov/public-guidance/ttb-g-2016-1a)

### Allowable Revisions to Approved Labels

[www.ttb.gov/labeling/allowable-revisions](http://www.ttb.gov/labeling/allowable-revisions)

### Labeling Laws and Regulations

[www.ttb.gov/labeling/laws-and-regulations](http://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)