



Label Perfection! How Can I Say That on My Wine Label?

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Wine Labeling Topics

- Mandatory Information
- Additional Information
- Prohibited Practices
- EU/U.S. Wine Agreement
- Certificate of Label Approval
- Helpful Hints
- Resources

27 CFR Part 4

Alcohol and Tobacco Tax and Trade Bureau



TTB's Mission

- TTB's statutory mandate is to prevent consumer deception and ensure that alcoholic beverage labels provide consumers with adequate information as to the identity and quality of the product.

Alcohol and Tobacco Tax and Trade Bureau

Mandatory Information



Mandatory Label Information

On Brand Label

- Brand name
- Class/Type
- Alcohol content
- Appellation
(under certain circumstances)

On Any Label

- Bottler's or importer's name and address
- Net contents
- Sulfite declaration
- Health warning statement
- Country of origin (imported wine)

Alcohol and Tobacco Tax and Trade Bureau



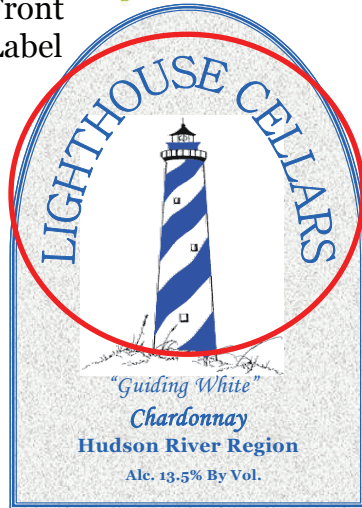
Brand Name

- Name under which the product is sold
- If there is no brand name, name of the bottler, packer, or importer as shown on the brand label
- May not create misleading impression
- Must appear on the Brand Label

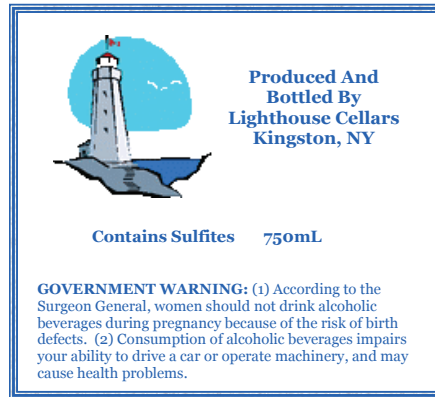
27 CFR 4.33

Alcohol and Tobacco Tax and Trade Bureau

Front Label



Back Label



Alcohol and Tobacco Tax and Trade Bureau

Nine Classes:

- Grape wine
- Sparkling grape wine
- Carbonated grape wine
- Citrus wine
- Fruit wine
- Wine from other agricultural products
- Aperitif wine
- Imitation and substandard or other than standard wine
- Retsina wine **

27 CFR 4.21

Alcohol and Tobacco Tax and Trade Bureau



Class and Type

- “Red Wine”, “White Wine”, “Sparkling Wine”, “Peach Wine”, “Honey Wine”
- “Table wine” and “Dessert wine” may appear in lieu of the class designation for grape wine
 - Table wine: 7% – 14% alc/vol
 - Dessert wine: 14.1% – 24% alc/vol
- Truthful and adequate statement of composition must be used in as the designation for most “wine specialty products”

27 CFR 4.34

Alcohol and Tobacco Tax and Trade Bureau

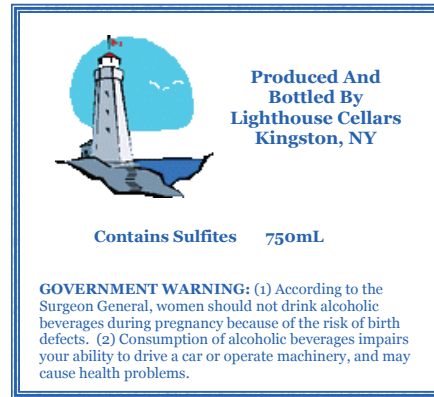
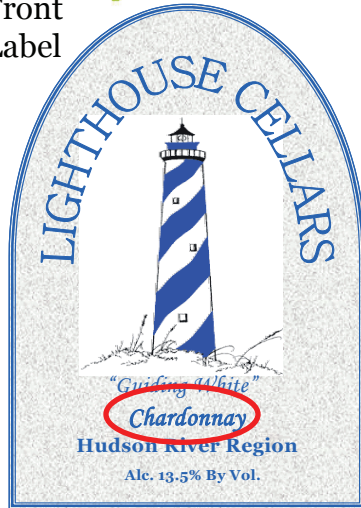


Class and Type (Cont'd)

- A varietal (grape type) designation may be used under the provisions of 27 CFR 4.23
 - One variety — 75% of content
 - Two or more — percentage of each
 - For domestic wines, only approved grape names can be used (listed in 27 CFR 4.91)
- Must appear on the Brand Label

27 CFR 4.34

Alcohol and Tobacco Tax and Trade Bureau



Alcohol and Tobacco Tax and Trade Bureau

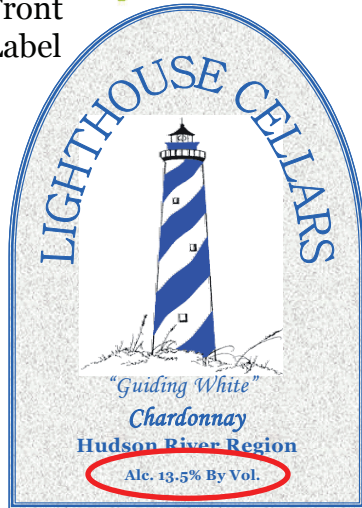
- “Table Wine” may be used for wine with 14% or less alcohol by volume
- Alcohol __% by volume
- Alcohol __% to __% by volume, for ranges
- “Alc.” and “Vol.”
- Tolerances; rounding off
- Must appear on the Brand Label

27 CFR 4.36

Alcohol and Tobacco Tax and Trade Bureau

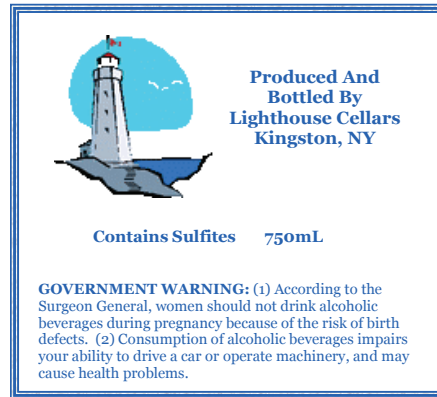
TTB Expo Alcohol Content (Cont'd)

Front Label



Alcohol and Tobacco Tax and Trade Bureau

Back Label



TTB Expo Appellation of Origin

- Mandatory if any of the following appear on the label:
 - Grape varietal
 - Vintage date
 - Semi-generic designation
 - Domestic wine, if grandfathered
 - Estate bottled/grown
 - Must appear on the Brand Label

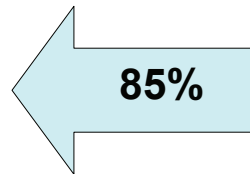
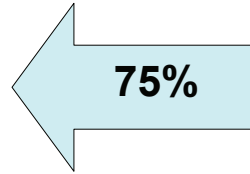
27 CFR 4.25, 4.23, 4.24, 4.26, 4.27

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Appellation of Origin (Cont'd)

- Political subdivision:
 - Country
 - State
 - County
 - Foreign equivalent
- Viticultural Area:
 - American viticultural areas (27 CFR part 9)
 - Foreign designations and non-generic names (27 CFR part 12)



27 CFR 4.25

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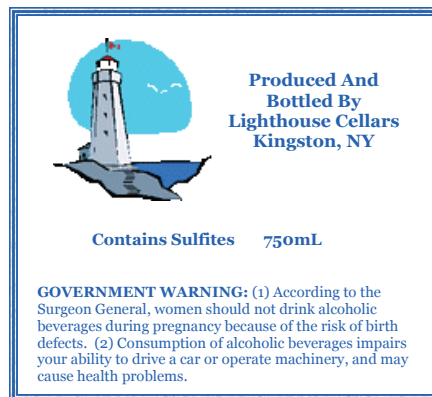
Appellation of Origin (Cont'd)

Front Label



Alcohol and Tobacco Tax and Trade Bureau

Back Label





Bottler's and/or Importer's Name and Address

- Name or trade name of the bottler/ importer as listed on the permit
- Address (city and State) of the bottler/ importer as listed on the permit
- “Bottled by” or “Packed by” for domestic wine
- “Imported by” or similar phrase for imported wine
- May appear on any label

Alcohol and Tobacco Tax and Trade Bureau

27 CFR 4.35



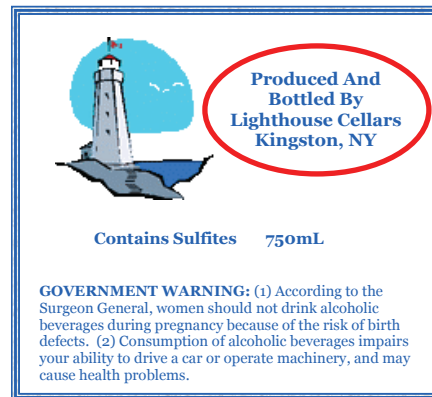
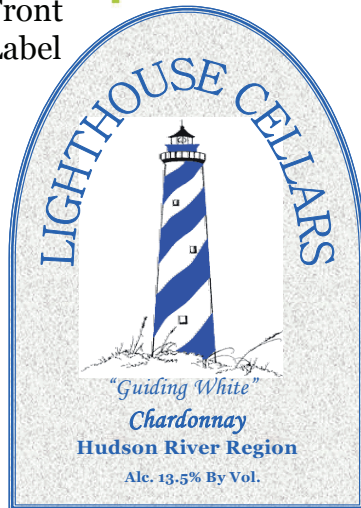
Optional Statements

- Produced by or made by:
 - Named winery fermented not less than 75% of wine or changed the class/type or produced sparkling wine by secondary fermentation at stated address
- Blended:
 - Named winery mixed wine with other wines of same class and type at stated address
- Cellared, vinted, or prepared:
 - Named winery subjected wine to cellar treatments

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27 CFR 4.35

Name and Address



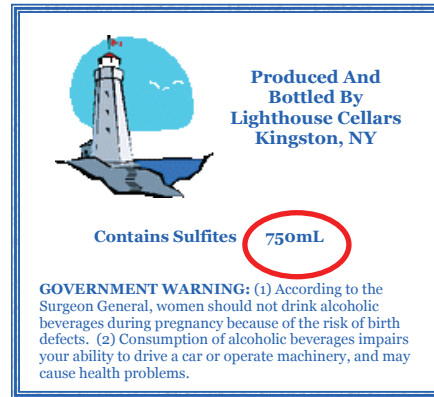
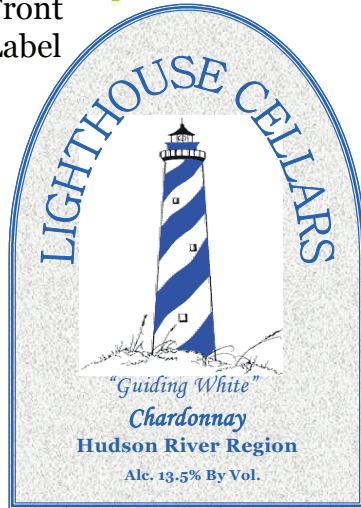
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Net Contents

- Metric standards of fill; authorized sizes per 27 CFR 4.72
- May be on label or etched/blown into the container
- “ml” on containers of less than 1 liter; “L” and decimal portions on containers of one liter or more
- May appear on any label

27 CFR 4.37, 4.72

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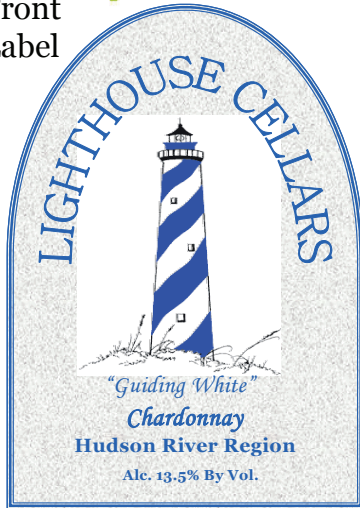


- Must declare if 10 ppm or more
- “Contains sulfites”
- Statement may appear on any label
- If less than 10 ppm, may be omitted:
 - Obtain lab analysis
 - Attach analysis to COLA

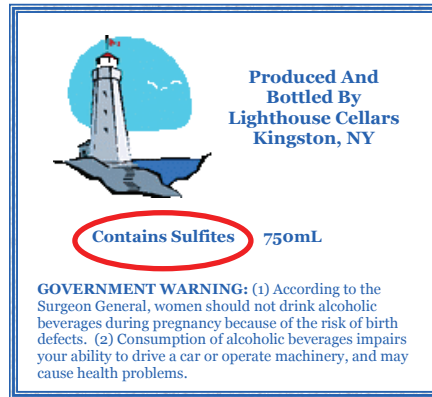
27 CFR 4.32(e)

TTB Expo **Sulfite Declaration (Cont'd)**

Front Label



Back Label



Alcohol and Tobacco Tax and Trade Bureau

TTB Expo **Health Warning Statement**

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.

May appear on any label

27 CFR Part 16

Alcohol and Tobacco Tax and Trade Bureau



Health Warning Statement (Cont'd)

- The words “**GOVERNMENT WARNING**” must be in all capital letters and bold type
- The “S” in Surgeon and “G” in General must be capitalized
- Must appear as one statement
- Legible on contrasting background
- Separate and apart

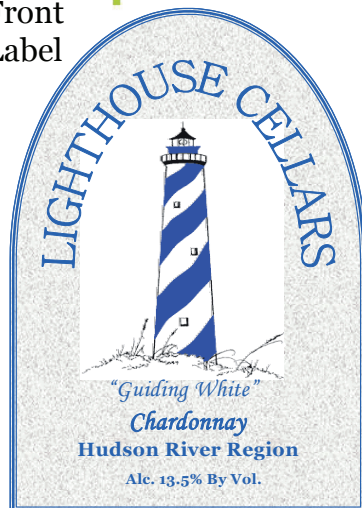
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27 CFR Part 16



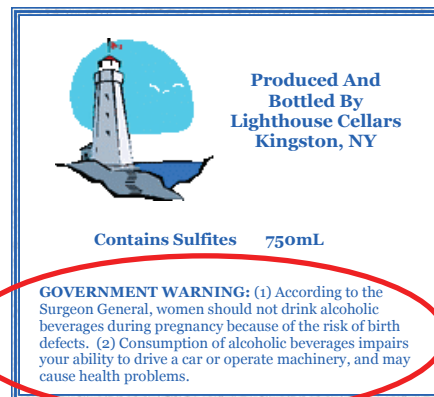
Health Warning Statement (Cont'd)

Front Label



Alcohol and Tobacco Tax and Trade Bureau

Back Label





Country of Origin

- U.S. Customs and Border Protection requires a statement of origin on all imported alcohol beverages
- Acceptable formats:
 - Product of Italy
 - Produced by XYZ, Bordeaux, France
 - Made in Spain
 - Australian Wine
- Must be in English
- May appear on any label

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Type Size Requirements

Brand name, Class/Type, Appellation, Net contents, Name and Address statement, Sulfite declaration

| Container Size | Minimum Print Size |
|-------------------|--------------------|
| 187ml or less | 1mm |
| Larger than 187ml | 2mm |

Alcohol and Tobacco Tax and Trade Bureau

27 CFR 4.38(b)



Type Size Requirements (Cont'd)

Alcohol content

| Container Size | Print Size |
|----------------|---|
| 5L or less | Not smaller than 1mm Not larger than 3mm |

Alcohol and Tobacco Tax and Trade Bureau

27 CFR 4.38(b)



Type Size Requirements (Cont'd)

Health Warning Statement

| Container Size | Minimum Size |
|---------------------|--------------|
| 237ml or less | 1mm |
| Over 237ml up to 3L | 2mm |
| Over 3L | 3mm |

| Print Size | Characters Per Inch |
|------------|---------------------|
| 1mm | 40 |
| 2mm | 25 |
| 3mm | 12 |

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27 CFR 16.22

Additional Information



Additional Label Information

- Must be truthful, accurate, and specific and not misleading
- May not conflict with or qualify other mandatory information
- Must comply with the corresponding sections of the regulations
- Statements must be substantiated by production records

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27 CFR 4.38(f)



Estate Bottled

- 100% grown, produced, and bottled by the bottling winery
- Bottling winery is in the same viticultural area used as the appellation
- Grew all the grapes on land owned or controlled by bottling winery
- Produced all the wine in a continuous process, never leaving the premises

27 CFR 4.26

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Vintage Date

- Amount harvested in labeled calendar year:
 - **95%** if appellation is a viticultural area
 - **85%** if NOT a viticultural area
- Must include an appellation smaller than a country

27 CFR 4.27

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Vineyard, Orchard, Farm, or Ranch Name

- 95% was produced from material grown on the named vineyard, orchard, farm, or ranch
- If showing multiple vineyards, percentages must be shown and must equal 100%

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27 CFR 4.39(m)



Allergen Disclosures

- Food Allergen Labeling and Consumer Protection Act of 2004, signed into law July 20, 2004 (effective January 1, 2006)
- Under TTB's proposed regulations, producers, bottlers and importers of alcohol beverages must declare on a product label the use of:

| | | |
|-----------|----------|----------------------|
| Milk | Eggs | Fish |
| Tree Nuts | Wheat | Crustacean Shellfish |
| Peanuts | Soybeans | |

(as well as ingredients that contain protein derived from these foods)

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Allergen Disclosures (Cont'd)

- Under Interim Ruling, effective July 26, 2006, **voluntary** labeling of major food allergens is allowed on the labels of alcohol beverages
- Allowed statement must read:
 - Contains: Milk, eggs, and fish
- If one allergen is disclosed, then all allergens used in the production of the wine must be disclosed

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Organic Labeling

- The National Organic Program (NOP) is administered by the U.S. Dept. of Agriculture (USDA) under 7 CFR Part 205
- Effective October 21, 2002
- Added Subpart K to Part 4 to cross-reference USDA's NOP rules

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Organic Labeling (Cont'd)

- Must be certified to USDA NOP standards
- Must obtain their USDA-accredited certifying agent's (ACA) review and approval of organic labels prior to submission to TTB
- For more information visit our Web site www.ttb.gov, click on the WINE tab and look for the "Organic" link under LABELING

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Prohibited Practices



Prohibited Practices

- False, untrue, or misleading
- Statements disparaging to competitors
- Obscene or indecent
- Intoxicating qualities or implications that the product contains distilled spirits or is comparable to a distilled spirits product

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27 CFR 4.39



Prohibited Practices (Cont'd)

- Statement of age, unless vintage or storage reference
- Misleading or untrue curative and/or therapeutic
- Statements suggesting the product is endorsed by the Government
- Foreign terms
- Geographic brand names

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27 CFR 4.39

EU/U.S. Wine Agreement

Domestic Labels



Semi-Generic or Retsina

- EU/U.S. Wine Agreement signed on March 10, 2006
- Semi-generic names listed in 26 U.S.C. 5388(c):
 - Burgundy, Chablis, Champagne, Chianti, Claret, Haute Sauterne, Hock, Madeira, Malaga, Marsala, Moselle, Port, Rhine, Sauterne, Sherry, Tokay
- Retsina is a class of wine, 27 CFR 4.21(i)

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Semi-Generic or Retsina (Cont'd)

- Tax Relief and Health Care Act of 2006, signed December 20, 2006
- The law change disallows use of semi-generic names or Retsina on new labels
- Grandfathered labels will be permitted

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Semi-Generic or Retsina (Cont'd)

- Grandfather provisions:
 - Semi-generic names and Retsina may continue to be used on labels which were approved prior to March 10, 2006
 - Brand or fanciful name cannot be changed
 - Appellation can be changed
 - Attach copy of the previously approved COLA

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Certificate of Label Approval (COLA)



Who Must Apply?

- For domestic wines, the bottler must apply for label approval:
 - Must obtain label approval prior to bottling, and labels must be affixed prior to removal from bonded wine premises
- For imported wines, the importer must apply for label approval:
 - Must obtain label approval prior to removal of wine from U.S. Customs' custody

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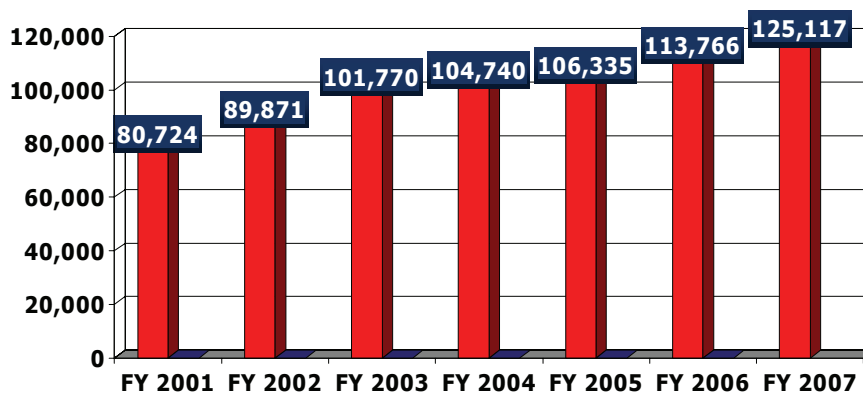


COLA Submissions and Forms

- Two ways to submit:
 - Paper application submitted in duplicate
 - Internet-based application through COLAs Online
- Forms available at www.ttb.gov, click on link for Forms:
 - TTB Form 5100.31, for paper application
 - TTB Form 5013.2, for application to access COLAs Online

Alcohol and Tobacco Tax and Trade Bureau

COLA Application Growth

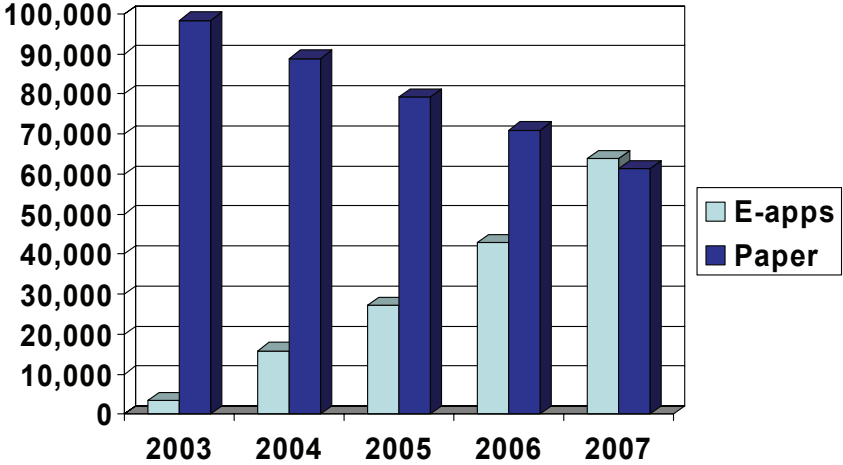


Since 2001, the number of applications received has increased 55%.

Label Applications by Commodity FY 2007



Application Submissions



In FY 2007, 51% of applications were filed electronically.

Helpful Hints



Helpful Hints

- Paper applications must be printed on legal-size paper
- Applications must be signed
- Do not make pen or ink changes, or use white out, on the labels
- If submitting labels for clear, acetate, etched or painted labels, include a picture of a filled sample bottle

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Helpful Hints (Cont'd)

- Include copies of any formulas, pre-import letters, or lab analysis results that may pertain to the label
- Include copies of prior approvals (prior to March 10, 2006) for domestic labels using semi-generic designations
- Include supporting documentation for organic labels or labels with biodynamic and/or agriculture biologique claims

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Helpful Hints (Cont'd)

- Labels must be completely legible
- Labels must be affixed to the front of the form; if labels do not fit in space provided, they may be reduced, but copies must be legible
- Provide translations for any foreign text on labels or on supporting documentation

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Helpful Hints (Cont'd)

- Check list of allowable revisions to approved labels before resubmitting
 - List can be found on page 3 of TTB Form 5100.31
- Sign up for COLAs Online!
- We suggest that you do not print your labels prior to receiving label approval

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Resources



Resources

- Labeling:
 - 27 CFR Part 4
 - Beverage Alcohol Manual (BAM)
- EU/U.S. Wine Agreement:
 - TTB I.C. 2006-1
 - U.S./EC Wine Agreement Article and Q&As
 - U.S. Trade Representative Press Release
 - Tax Relief and Health Care Act of 2006

www.ttb.gov

Alcohol and Tobacco Tax and Trade Bureau



Governing Laws and Regulations

| Law | Implementing Regulation | Regulation Title |
|--|-------------------------|---|
| Federal Alcohol Administration Act (FAA Act) 27 U.S.C. 201 et seq. | 27 CFR part 4 | Labeling and advertising of wine |
| | 27 CFR part 9 | American viticultural areas |
| | 27 CFR part 12 | Foreign nongeneric names of geographic significance used in the designation of wine |
| Alcoholic Beverage Labeling Act of 1988 27 U.S.C. 213 | 27 CFR part 16 | Alcoholic beverage health warning statement |
| Internal Revenue Code (IRC) 26 U.S.C. Chapter 51 | 27 CFR part 24 | Wine |
| | 27 CFR part 27 | Importation of distilled spirits, wines, and beer |

Alcohol and Tobacco Tax and Trade Bureau



ALFD Contact Information

ALFD Customer Service:

- 866-927-2533 or 202-927-8140
 - Option 2 – COLAs Online technical assistance
 - Option 3 – COLAs Online registration
 - Option 4 – formulation, distilled spirits, and malt beverages
 - Option 6 – wine labeling
- E-mail: alfd@ttb.gov

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