



Label Perfection! How Can I Say That on My Malt Beverage Label?

Presented by
Battle Martin, Labeling Specialist



5/2008



Overview

- Current Issues
- Laws and Regulations
- Malt Beverage and Formulation Team
- TTB Form 5100.51
- Label Approval
- COLAs Online

Alcohol and Tobacco Tax and Trade Bureau



Current Issues

- Flavored Malt Beverage Ruling
 - Treasury Decision 21
- Advertising Program
 - Industry Circular 2004-6
- Voluntary Disclosure
 - Industry Circular 2004-5
- TTB Form 5100.51
- Allergen Labeling

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Legal Authority

- Federal Alcohol Administration Act
- Alcohol Beverage Labeling Act of 1988
- Webb-Kenyon Act
- Internal Revenue Code
 - Chapter 51
 - Section 5051

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Specific Regulatory Authority for Malt Beverages

- Alcohol Beverage Labeling Act of 1988 –
27 U.S.C. 213 et. Seq.
 - 27 CFR part 16
- Federal Alcohol Administration Act –
27 U.S.C. 205
 - 27 CFR part 7 – Malt Beverages
- Internal Revenue Code – 26 U.S.C. Chapter 51
 - 27 CFR part 25 – Beer

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Advertising, Labeling and Formulation Division

- ALFD Workload for FY 2007
 - Formulas: 856
 - Certificates of Label Approval (COLAs):
125,117
 - Malt Beverage COLAs Only: 7,997

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Malt Beverage, Distilled Spirits, and Formulation Team

- Gracie Joy, Assistant Director
- Roberta Sanders, Program Manager
- Shelia Taylor, Quality Assurance Coordinator

Formula Specialists

Shonda Geddie

Stephen Robey

Michael Warren

Label Specialists

Battle Martin

Sarah Johnson

Angela McLeod-Cooper

Customer Service Specialist

Tracy Harmon

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Certificates of Label Approval (COLAs)

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

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Mandatory Label Information

Brand Label

- Brand Name
- Class
- Name and Address (domestic)
- Net Contents
- Alcohol Content (for FMBs)

Any Label

- Government Warning Statement
- FD&C Yellow #5
- Declaration of Sulfites
- Declaration of Aspartame
- Name and Address (imported)

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Mandatory Label Information (Cont'd)

- **Brand Name** — name under which the malt beverage is marketed
- **Class and Type** — the specific identity of the malt beverage, e.g., beer, ale, porter
- **Name and Address** — city and State of the bottler/packer

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Mandatory Label Information (Cont'd)

- **Net Contents** — must be expressed in English units of measure, e.g., fluid ounces, pints
- **Alcohol Content** — optional unless required or prohibited by State law. Mandatory when any alcohol comes from added flavors

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Government Warning Statement

- Must be legible and on contrasting background
- Must be separate and apart from all other label text
- The words "GOVERNMENT WARNING" must appear in capital letters and type that is bolder than the rest of 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.

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Prohibited Information

- Labels/cartons/cases shall not contain:
 - Any false or misleading information, especially relating to:
 - Irrelevant, scientific, or technical matters
 - Analyses or tests
 - Guarantees
 - Curative or therapeutic claims

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Prohibited Information (Cont'd)

- Labels/cartons/cases shall not contain:
 - Obscene or indecent material
 - The U.S. flag or U.S. military or Government seals or emblems
 - The words “strong,” “full strength,” etc.
 - Numbers which may be construed to be alcohol content

NOTE: This is not an all-inclusive list.

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Alcohol Content

- Alcohol content statements may appear as:
 - ALCOHOL (ALC) __% by VOLUME (VOL) **or**
 - ALCOHOL (ALC) by VOLUME (VOL) __% **or**
 - __% ALCOHOL (ALC) by VOLUME (VOL) **or**
 - __% ALCOHOL (ALC) / VOLUME (VOL)
- “ABV” is not acceptable

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Label Information

- For lite/light beer, a Statement of Average Analysis is required and must include:
 - Serving size
 - Protein
 - Carbohydrates
 - Fat
 - Calories

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Label Information (Cont'd)

- **Low Carb Claim:**

- Must contain no more than 7 grams per serving and label must contain a Statement of Average Analysis:
 - Serving size
 - Protein
 - Carbohydrates
 - Fat
 - Calories

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841000-SBR
08400004000001

ABC Company, LLC
123 Main Street
Beverly Hills, CA 90210

Dear Industry Member:

This letter is in regard your Statement of Process for “BELGIAN STYLE ALE” **serial number 1** submitted to this office for review.

All ingredients are approved for use and acceptable for the production of a Flavored Malt Beverage product.

Please be advised that the labels for this product must include a fanciful name with statement of composition. The suggested statement is as follows:

“MALT BEVERAGE BREWED WITH SPICES (CORIANDER, LEMON PEEL, ORANGE PEEL).”

Every Statement of Process for a malt beverage specialty or flavored malt beverage filed must be identified in ascending numerical order.

A copy of this letter must accompany all future correspondence (including label applications) regarding this product. If we can be of further assistance, please contact me at (202) 927-8111.

Sincerely yours,

Stephen B. Robey
Specialist, Advertising, Labeling, and Formulation Division



Examples of Statements of Composition

- Malt Beverage With Natural Flavor, Certified Color and Contains FD&C Yellow #5
- Ale with natural vanilla flavor
- Malt Beverage brewed with spices
- Malt Beverage with natural flavors, artificial colors

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TTB Form 5100.51

- Must be printed on legal size paper
- May be downloaded from our Web site (<http://www.ttb.gov/forms/f510051.pdf>)
- Is currently voluntary, but will be mandatory once the regulations have been changed

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FOR TTB USE ONLY			
TTB ID			
1. REP. ID. NO. (If any)	CT	OR	
2. PLANT REGISTRY/BASIC PERMIT/BREWER'S NO. (Required)	3. SOURCE OF PRODUCT (Required)		
	<input type="checkbox"/> Domestic <input type="checkbox"/> Imported		
4. SERIAL NUMBER (Required)	5. TYPE OF PRODUCT (Required)		
	<input type="checkbox"/> WINE <input type="checkbox"/> DISTILLED SPIRITS <input type="checkbox"/> MALT BEVERAGES		
6. BRAND NAME (Required)		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 THE LABEL. (Required)	
7. FANCIFUL NAME (If any)		8a. MAILING ADDRESS, IF DIFFERENT	
9. E-MAIL ADDRESS		10. FORMULA/SOP NO. (If any)	11. LAB. NO. & DATE/PRE-IMPORT NO. & DATE (If any)
12. NET CONTENTS		13. ALCOHOL CONTENT	14. WINE APPELLATION (If on label)
15. WINE VINTAGE DATE (If on label)	16. PHONE NUMBER		17. FAX NUMBER
18. TYPE OF APPLICATION (Check applicable box(es)) a. <input type="checkbox"/> CERTIFICATE OF LABEL APPROVAL b. <input type="checkbox"/> CERTIFICATE OF EXEMPTION FROM LABEL APPROVAL "For sale in _____ only" (Fill in State abbreviation) c. <input type="checkbox"/> DISTINCTIVE LIQUOR BOTTLE APPROVAL. TOTAL BOTTLE CAPACITY BEFORE CLOSURE (Fill in amount) d. <input type="checkbox"/> RESUBMISSION AFTER REJECTION TTB ID _____			
19. SHOW ANY WORDING (a) APPEARING ON MATERIALS FIRMLY AFFIXED TO THE CONTAINER (e.g., caps, cellophane, corks, etc.) OTHER THAN THE LABELS AFFIXED BELOW, OR (b) BLOWN, BRANDED, OR EMBOSSED ON THE CONTAINER (e.g., net contents, etc.). THIS WORDING MUST BE NOTED HERE EVEN IF IT DUPLICATES PORTIONS OF THE LABELS AFFIXED BELOW. ALSO, PROVIDE TRANSLATIONS OF FOREIGN LANGUAGE TEXT APPEARING ON LABELS.			


PART II - APPLICANT'S CERTIFICATION		
Under the penalties of perjury, I declare: that all statements appearing on this application are true and correct to the best of my knowledge and belief, and, that the representations on the labels attached to this form, including supplemental documents, truly and correctly represent the content of the containers to which these labels will be applied. I also certify that I have read, understood, and complied with the conditions and instructions which are attached to an original TTB F 5100.31, Certificate/Exemption of Label/Bottle Approval.		
20. DATE OF APPLICATION	21. SIGNATURE OF APPLICANT OR AUTHORIZED AGENT	22. PRINT NAME OF APPLICANT OR AUTHORIZED AGENT
PART III - TTB CERTIFICATE		
This certificate is issued subject to applicable laws, regulations, and conditions as set forth in the instructions portion of this form.		
23. DATE ISSUED	24. AUTHORIZED SIGNATURE, ALCOHOL AND TOBACCO TAX AND TRADE BUREAU	
FOR TTB USE ONLY		
QUALIFICATIONS		EXPIRATION DATE (If any)
AFFIX COMPLETE SET OF LABELS BELOW (See General Instructions 4, 6, and 7)		
TTB F 5100.31 (10/2007) PREVIOUS EDITIONS ARE OBSOLETE		



COLAs Online



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 U.S. Department of the Treasury



COLAs Online

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

TTB F 5100.31: Application For and Certification/
Exemption of Label/Bottle Approval

Welcome to COLAs Online

To begin, please Log On:

User Name:


Password:

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To view publicly available information about COLAs (both those filed via paper form and online), you may visit the [Public COLA Registry](#).


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Public COLA Registry



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COLA Registry

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Search for COLAs

Note: Certain generic searches, especially searches on Product/Fanciful Name without date parameters, can take several minutes to process. Whenever possible, a date range should be supplied.

Basic Search | [Advanced Search](#)

Basic Search Criteria

Note: Wild card character for a search is represented by a "%"

Date Completed:

From MM/DD/YYYY To MM/DD/YYYY

Product Name:

[Search Public COLA Registry](#)

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- www.ttb.gov
- T.D. 21
- TTB Ruling 2004-1 (Low carb)
- TTB Procedure 2004-1 (lab methods)
- Beverage Alcohol Manual (BAM)
- www.fda.gov

- **Customer Service**
Toll Free: 1-866-927-ALFD or
202-927-8140
- **E-mail**
afd@ttb.gov