

CHAPTER 7

COLORING/FLAVORING/BLENDING MATERIALS

GENERAL

- Coloring/ flavoring/blending materials may be used in or added to any class and/or type of distilled spirits. However, the use or addition of these materials may change the class and/or type of the distilled spirits

Example: FD&C Yellow #5 is added to straight bourbon whisky. The resulting product is no longer “straight bourbon whisky.” The product is now a distilled spirits specialty and must be labeled with a statement of composition such as “STRAIGHT BOURBON WHISKY WITH FD&C YELLOW #5 ADDED”

- The use or addition of coloring/ flavoring/blending materials will not cause a change in the class and/or type if the materials used or added can be considered “harmless.” (See “HARMLESS COLORING/FLAVORING/BLENDING MATERIALS” section of this chapter)

COLORING MATERIALS

- STATUS

- Coloring materials must be approved by the U.S. Food and Drug Administration (FDA)

- Approved coloring materials are categorized as “certified” or “non-certified”

- APPROVED COLORING MATERIALS

All coloring materials approved for use in distilled spirits are listed below:

- Certified Colors

- FD&C Blue #1
- FD&C Blue #2
- FD&C Green #3
- FD&C Red #3
- FD&C Red #40
- FD&C Yellow #5
- FD&C Yellow #6

NOTE: The lake of each certified color, **except for FD&C Red #3**, listed above is an approved coloring material

■Non-certified Colors

Annatto Extract
Beet Extract
Beta Carotene
Caramel
Carmine (Cochineal Extract)
Elderberry Extract
Grapeskin Extract (Enocianina)
Paprika
Saffron
Titanium Dioxide
Turmeric

FLAVORING MATERIALS

- GENERAL DESCRIPTION

Flavoring materials include:

- Essential oils
- Oleoresins
- Spices
- Herbs
- Fruit Juices/Concentrates
- Commercially prepared flavors including essences, extracts, blenders, infusions, etc.

- STATUS

All flavoring materials used in alcohol beverages must be:

- Approved by FDA under a specific regulation

OR

- Affirmed as GRAS (generally recognized as safe) by FDA

OR

- Self-affirmed as GRAS with no FDA objection

- **FLAVOR CATEGORIZATION**

- **Categories**

For labeling purposes, all flavoring materials are categorized as:

All natural OR

Natural and artificial containing not more than 0.1% artificial topnote (i.e., an artificial material added to enhance the flavor, essence, extract, blender, etc., or replace a flavor note lost in processing) OR

Natural and artificial containing greater than 0.1% artificial topnote OR

All artificial

- **Nomenclature**

Flavors categorized as “all natural” or “natural and artificial containing not more than 0.1% artificial topnote” are “natural” for labeling purposes

Flavors categorized as “natural and artificial containing greater than 0.1% artificial topnote” or “artificial” are categorized as “artificial” for labeling purposes

BLENDING MATERIALS

GENERAL DESCRIPTION

Blending materials include:

- Wine

- Sugar

HARMLESS COLORING/FLAVORING/BLENDING MATERIALS

- **DEFINITION**

Harmless coloring/flavoring/blending materials are coloring materials, flavoring materials or blending materials that:

- Are an essential component of the particular class and/or type of distilled spirits

Example: By definition, a liqueur/cordial must contain flavoring material. Therefore, flavoring material is an essential component of this class/type of distilled spirits

- Are **not** an essential component but are, through established trade practice, customarily used in the particular class and/or type of distilled spirits
PROVIDED THAT the total addition of coloring/flavoring/blending materials does not exceed 2½% by volume of the finished product

Example: Traditionally, to ensure consistency in color and smoothness, caramel color and blending sherry are added to blended whisky. Consequently, provided the total addition of caramel and blending sherry does not exceed 2½% by volume of the blended whisky, these coloring and blending materials are considered “harmless”

NOTE: In the category of “non-essential but customarily used coloring/flavoring/blending materials,” caramel is the only coloring material permitted

- USE CHART

- Purpose

The chart below specifies:

Whether harmless coloring/flavoring/blending materials may be used in or added to each listed class/type, **AND**

IF harmless coloring/flavoring/blending materials may be used or added:

- Whether the use or addition of harmless coloring/flavoring/blending materials is limited to or may exceed 2½% by volume of the finished product
- What category or type of flavoring materials may be used or added
- Whether the use or addition of harmless coloring/flavoring/blending materials must be disclosed on the label
- Whether there are any additional or specific limitations or restrictions that apply

■Glossary

A number of abbreviated references (both alpha and numeric) are used in the chart below. A glossary of these abbreviations follows:

HCFBM = HARMLESS COLORING/FLAVORING/BLENDING MATERIALS

NTE 2½% = NOT TO EXCEED 2½% [i.e., harmless coloring/flavoring/blending materials may not exceed 2½% by volume of the finished product]

ME 2½% = MAY EXCEED 2½% [i.e., harmless coloring/flavoring/blending materials may exceed 2½% by volume of the finished product]

CFA = CATEGORY OF FLAVOR ALLOWED

The category of flavor is indicated by number:

- 1 = All natural
- 2 = Natural and artificial containing not more than 0.1% artificial topnote
- 3 = Natural and artificial containing greater than 0.1% artificial topnote
- 4 = All artificial

CM = COLORING MATERIALS [if this column is marked, the use of coloring materials must be disclosed on the label]

FM = FLAVORING MATERIALS [if this column is marked, the use of flavoring materials must be disclosed on the label]

BM = BLENDING MATERIALS [if this column is marked, the use of blending materials must be disclosed on the label]

USE OF HARMLESS COLORING/FLAVORING/BLENDING MATERIALS

CLASS/TYPE	HCFBM ALLOWED			CFA	LABEL DISCLOSURE REQUIRED				QUALIFICATION
	YES NTE 2½%	YES ME 2½%	NO		YES			NO	
					CM	FM	BM		
ALEXANDER		X		1, 2	X				
ADVOCAAT		X		1, 2	X				
AMARETTO		X		1, 2	X				
ANISETTE		X		1, 2	X				
APPLEJACK- A BLEND	X			1, 2				X	
APRICOT SOUR		X		1, 2	X				

CLASS/TYPE	HCFBM ALLOWED			CFA	LABEL DISCLOSURE REQUIRED				QUALIFICATION
	YES NTE 2½%	YES ME 2½%	NO		YES			NO	
					CM	FM	BM		
AQUAVIT		X		1, 2	X				
ARAK		X		1, 2	X				
ARMAGNAC	X			1, 2				X	
BITTERS		X		1, 2	X				
BLACK RUSSIAN		X		1, 2	X				
BLOODY MARY		X		1, 2	X				
BOURBON LIQUEUR/ CORDIAL		*		1, 2	X				*Wine, if used, may not exceed 2½% by volume of the finished product
BRANDY (DRIED FRUIT)	X			1, 2				X	
BRANDY (FRUIT)	X			1, 2				X	
BRANDY (GRAPE)	X			1, 2				X	
BRANDY (IMMATURE)	X			1, 2				X	
BRANDY (LEES)	X			1, 2				X	
BRANDY (NEUTRAL)	X			1, 2				X	
BRANDY (POMACE/MARC)	X			1, 2				X	
BRANDY (RAISIN)	X			1, 2				X	
BRANDY (RESIDUE)	X			1, 2				X	
BRANDY (SUBSTANDARD)	X			1, 2				X	
BRANDY LIQUEUR/ CORDIAL		*		1, 2	X				*Wine, if used, may not exceed 2½% by volume of the finished product
CALVADOS	X			1, 2				X	
CANADIAN WHISKY			X						
CANADIAN WHISKY- A BLEND			X						
COGNAC	*			1				X	*HCFBM is limited to sugar, caramel and oak chip infusion
CRÈME DE		X		1, 2	X				
CURACAO		X		1, 2	X				
DAQUIRI		X		1, 2	X				
DISTILLED SPIRITS SPECIALTY		X		1, 2, 3, 4	X	X	*		*The use or addition of sugar does not require label disclosure
EGG NOG		X		1, 2	X				

CLASS/TYPE	HCFBM ALLOWED			CFA	LABEL DISCLOSURE REQUIRED				QUALIFICATION
	YES NTE 2½%	YES ME 2½%	NO		YES			NO	
					CM	FM	BM		
FLAVORED BRANDY		X		1, 2	X		*		*Wine may be added up to 15% by volume of the finished product provided at least 12½% of the wine is derived from the base commodity that corresponds to the labeled flavor of the product. If not, or if the wine addition exceeds 15% by volume of the finished product, the percentages and classes/types of wine must also be disclosed on the label (as part of the class/type designation)
FLAVORED GIN		X		1, 2	X		*		*If wine is used and exceeds 2½% by volume of the finished product, the percentages and classes/types of wine must also be disclosed on the label (as part of the class/type designation)
FLAVORED RUM		X		1, 2	X		*		*If wine is used and exceeds 2½% by volume of the finished product, the percentages and classes/types of wine must also be disclosed on the label (as part of the class/type designation)
FLAVORED VODKA		X		1, 2	X		*		*If wine is used and exceeds 2½% by volume of the finished product, the percentages and classes/types of wine must also be disclosed on the label (as part of the class/type designation)

CLASS/TYPE	HCFBM ALLOWED			CFA	LABEL DISCLOSURE REQUIRED				QUALIFICATION
	YES NTE 2½%	YES ME 2½%	NO		YES			NO	
					CM	FM	BM		
FLAVORED WHISKY		X		1, 2	X		*		*If wine is used and exceeds 2½% by volume of the finished product, the percentages and classes/types of wine must also be disclosed on the label (as part of the class/type designation)
GIMLET		X		1, 2	X				
GIN (COMPOUNDED)		*		1, 2				X	*HCFBM is juniper berries and (optionally) other aromatics or their extracts, essences or flavors blended with neutral spirits
GIN (DISTILLED)		*		1, 2				X	*HCFBM is juniper berries and (optionally) other aromatics or their extracts, essences or flavors added to mash prior to distillation
GIN (REDISTILLED)		*		1, 2				X	*HCFBM is juniper berries and (optionally) other aromatics or their extracts, essences or flavors added to distilled spirits prior to redistillation
GIN LIQUEUR/ CORDIAL		*		1, 2	X				*Wine, if used, may not exceed 2½% by volume of the finished product
GOLDWASSER		X		1, 2	X				
GRAIN SPIRITS			X						
GRAPPA	X			1, 2				X	
GRASSHOPPER		X		1, 2	X				
IMITATION DISTILLED SPIRITS		X		1, 2, 3, 4	X				
IRISH WHISKY			X						
IRISH WHISKY- A BLEND			X						
KIRSCHWASSER	X			1, 2				X	
KUMMEL		X		1, 2	X				
LIQUEUR/ CORDIAL		X		1, 2	X				
MAI TAI		X		1, 2	X				
MANHATTAN		X		1, 2	X				
MARGARITA		X		1, 2	X				
MARTINI		X		1, 2	X				
MESCAL			X						
MINT JULEP		X		1, 2	X				
NEUTRAL SPIRITS OR ALCOHOL			X						
OLD FASHIONED		X		1, 2	X				
OUZO		X		1, 2	X				

CLASS/TYPE	HCFBM ALLOWED			CFA	LABEL DISCLOSURE REQUIRED				QUALIFICATION
	YES NTE 2½%	YES ME 2½%	NO		YES			NO	
					CM	FM	BM		
PEPPERMINT SCHNAPPS		X		1, 2	X				
PINK SQUIRREL		X		1, 2	X				
PISCO	X			1, 2				X	
ROCK AND BOURBON		*		1, 2	X				*Wine, if used, may not exceed 2½% by volume of the finished product
ROCK AND BRANDY		*		1, 2	X				*Wine, if used, may not exceed 2½% by volume of the finished product
ROCK AND RUM		*		1, 2	X				*Wine, if used, may not exceed 2½% by volume of the finished product
ROCK AND RYE		*		1, 2	X				*Wine, if used, may not exceed 2½% by volume of the finished product
RUM	X			1, 2				X	
RUM LIQUEUR/ CORDIAL		*		1, 2	X				*Wine, if used, may not exceed 2½% by volume of the finished product
RYE LIQUEUR/ CORDIAL		*		1, 2	X				*Wine, if used, may not exceed 2½% by volume of the finished product
SAMBUCA		X		1, 2	X				
SCOTCH WHISKY			X						
SCOTCH WHISKY- A BLEND			X						
SCREWDRIVER		X		1, 2	X				
SLIVOVITZ	X			1, 2				X	
SLOE GIN		X		1, 2	X				
SLOE GIN FIZZ		X		1, 2	X				
TEQUILA			X						
TOM COLLINS		X		1, 2	X				
TRIPLE SEC		X		1, 2	X				
VODKA	*			1				X	*HCFBM limited to citric acid (maximum of 0.1% by volume of the finished product) and sugar (maximum of 0.2% by volume of the finished product) added directly or by addition of a citric acid/sugar blender
WALLBANGER		X		1, 2	X				
WHISKIES (A BLEND OF STRAIGHT BOURBON)	X			1, 2				X	
WHISKIES (A BLEND OF STRAIGHT CORN)	X			1, 2				X	
WHISKIES (A BLEND OF STRAIGHT MALT)	X			1, 2				X	

CLASS/TYPE	HCFBM ALLOWED			CFA	LABEL DISCLOSURE REQUIRED				QUALIFICATION
	YES NTE 2½%	YES ME 2½%	NO		YES			NO	
					CM	FM	BM		
WHISKIES (A BLEND OF STRAIGHT RYE MALT)	X			1, 2				X	
WHISKIES (A BLEND OF STRAIGHT RYE)	X			1, 2				X	
WHISKIES (A BLEND OF STRAIGHT WHEAT)	X			1, 2				X	
WHISKIES (A BLEND OF STRAIGHT)	X			1, 2				X	
WHISKY	X			1, 2				X	
WHISKY (BLENDED BOURBON)	X			1, 2				X	
WHISKY (BLENDED CORN)	X			1, 2				X	
WHISKY (BLENDED LIGHT)	X			1, 2				X	
WHISKY (BLENDED MALT)	X			1, 2				X	
WHISKY (BLENDED RYE MALT)	X			1, 2				X	
WHISKY (BLENDED RYE)	X			1, 2				X	
WHISKY (BLENDED WHEAT)	X			1, 2				X	
WHISKY (BLENDED)	X			1, 2				X	
WHISKY (BOURBON)			X						
WHISKY (CORN)	X			1, 2				X	
WHISKY (DISTILLED FROM BOURBON MASH)	X			1, 2				X	
WHISKY (DISTILLED FROM MALT MASH)	X			1, 2				X	
WHISKY (DISTILLED FROM RYE MALT MASH)	X			1, 2				X	
WHISKY (DISTILLED FROM RYE MASH)	X			1, 2				X	
WHISKY (DISTILLED FROM WHEAT MASH)	X			1, 2				X	
WHISKY (LIGHT)	X			1, 2				X	
WHISKY (MALT)	X			1, 2				X	
WHISKY (RYE MALT)	X			1, 2				X	
WHISKY (RYE)	X			1, 2				X	
WHISKY (SPIRIT)	X			1, 2				X	
WHISKY (STRAIGHT BOURBON)			X						

CLASS/TYPE	HCFBM ALLOWED			CFA	LABEL DISCLOSURE REQUIRED				QUALIFICATION
	YES NTE 2½%	YES ME 2½%	NO		YES			NO	
					CM	FM	BM		
WHISKY (STRAIGHT CORN)			X						
WHISKY (STRAIGHT MALT)			X						
WHISKY (STRAIGHT RYE MALT)			X						
WHISKY (STRAIGHT RYE)			X						
WHISKY (STRAIGHT WHEAT)			X						
WHISKY (STRAIGHT)			X						
WHISKY (WHEAT)	X			1, 2				X	
WHISKY SOUR		X		1, 2	X				
WHITE RUSSIAN		X		1, 2	X				