

ALCOHOL BEVERAGE ADVERTISING

- **What is considered an advertisement?**

The regulations define the term “advertisement” as any written or verbal statement, illustration, or depiction which is in, or calculated to induce sales in, interstate or foreign commerce, or is disseminated by mail. Examples include ads in newspapers or magazines, trade booklets, menus, wine cards, leaflets, circulars, mailers, book inserts, catalogs, promotional materials, or sales pamphlets. The definition includes any written, printed, graphic, or other matter accompanying the container; markings on cases, billboards, signs, or other outdoor display; and broadcasts made via radio, television, or in any other media. Though not specifically listed, this definition includes website and other Internet-based advertising.

- **Does TTB approve alcohol beverage advertisements?**

The Federal Alcohol Administration Act does not require alcohol beverage advertisements to be approved prior to appearing in print or broadcast. TTB does, however, offer industry members, free of charge, a voluntary advertising pre-clearance service.

- **How does TTB monitor advertisements in the marketplace?**

In fiscal year 2005, TTB implemented the Alcohol Beverage Advertising Program. This program provides advertising reviews arising from (1) referrals and/or complaints; (2) requests for advertising clearance; and, (3) TTB advertising audits. This program was developed in an effort to take a more proactive approach toward monitoring and reviewing alcohol beverage advertisements.

PROHIBITED ADVERTISING PRACTICES

Read more about the advertising regulations listed in the Code of Federal Regulations (CFR): Wine (27 CFR Part 4), distilled spirits (27 CFR Part 5), and malt beverages (27 CFR Part 7) online at:

www.ttb.gov

Generally speaking the regulations prohibit:

Statements that are False or Untrue

Statements that are Inconsistent with Approved Product Labels

False or Misleading Statements that are Disparaging of a Competitor’s Product

Health-Related Statements that are False or Misleading

**Misleading Guarantees
(Money back guarantees are not prohibited)**

For a complete listing of the prohibited practices, please review the following regulations:

Wine – 27 CFR 4.64

Distilled Spirits – 27 CFR 5.65

Malt Beverages – 27 CFR 7.54

DEPARTMENT OF THE TREASURY

**ALCOHOL AND TOBACCO
TAX AND TRADE
BUREAU**

**WHAT YOU SHOULD KNOW
ABOUT**

**ADVERTISING
ALCOHOL BEVERAGE
PRODUCTS**



TTB
A proud past....A focused future

ALCOHOL BEVERAGE ADVERTISING

The Federal Alcohol Administration Act (FAA Act) gives the Alcohol and Tobacco Tax and Trade Bureau (TTB) its authority to regulate the advertising of alcohol beverage products. It provides for the regulation of those engaged in the alcohol beverage industry and for the

protection of consumers. The FAA Act authorizes regulatory action to prevent deception of the consumer and to provide the consumer with adequate information on the identity of the product. The regulations for each commodity outline mandatory information that must

appear in advertisements. Below are examples of advertisements for each beverage alcohol commodity regulated by TTB – wine, distilled spirits, and malt beverage – as well as a list of the mandatory information that must appear in an advertisement for those products.

Wine Advertisement



Distilled Spirits Advertisement



Malt Beverage Advertisement



- Responsible advertiser (27 CFR 4.62(a))
- Class, type, and distinctive designation (27 CFR 4.62(b))

- Responsible advertiser (27 CFR 5.63(a))
- Class and type (27 CFR 5.63(b))
- Alcohol content (27 CFR 5.63(c))
- Percentage of neutral spirits and name of commodity (27 CFR 5.63(d)) – *If applicable*

- Responsible advertiser (27 CFR 7.52(a))
- Class designation (27 CFR 7.52(b))