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BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
**THE A & T NEWSLETTER**

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**OFFICE OF ALCOHOL AND TOBACCO**

## About This A&T Newsletter

By Donna Smith (202) 927-5000

This A&T Newsletter is a product of the Office of Alcohol and Tobacco, and is being implemented to inform industry members about current information relating to alcohol and tobacco issues. This newsletter will be published on a monthly basis in hard copy and will also be available via the Bureau of Alcohol, Tobacco and Firearm's (ATF) internet site at the following address:

<http://www.atf.treas.gov/alcohol/info/index.htm>

Please take note that the authors, as well as their telephone numbers, are listed should you need a direct contact for questions or to voice your concerns. Questions or suggestions relating to the A&T Newsletter should be directed to the Editor by fax at (202) 927-7756 or by mail at the following address: Bureau of ATF, 650 Massachusetts Avenue, NW, Room 8110, Attention: Donna Smith, Editor, A&T Newsletter, Washington, D.C. 20226.

Together, we can make a difference. ■

## Health Warning Statement – CSPI Petition

By Jim Ficaretta (202) 927-8210

ATF has received a petition, dated November 17, 1999, filed on behalf of the Center for Science in the Public Interest and others, requesting an amendment of the regulations on the legibility, clarity, noticeability of the health warning statement required by the Alcoholic Beverage Labeling Act of 1988. Specifically, the petitioners have requested the following changes to the regulations:

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### CALENDAR OF EVENTS FOR FEBRUARY

28-29 Deputy Assistant Director Donald MacVean will attend the New World Wine Producers Meeting (NWWP) held in Queenstown, New Zealand

## New Chief Selected for the National Revenue Center

By Donna Smith (202) 927-5000

On February 14, 2000, Roger Bowling assumed the duties of Chief, National Revenue Center in Cincinnati, Ohio. He brings 25 years of experience with ATF in a number of positions and responsibilities. Roger began his career in Bardstown, Kentucky in 1974 as an Inspector-on-Premises at the various distilled spirits plants. In 1977, he transferred to Detroit, Michigan, and subsequently transferred into Bureau Headquarters in 1978. Roger held positions in the Product Compliance Branch and the FAA, Wine and Beer Branch. While there, Roger worked on a number of labeling and advertising issues, including ingredient labeling and athletes in advertising. Roger was transferred to Birmingham, Alabama, in 1984 where he opened the Regulatory Enforcement Area Office. Since then, Roger has supervised a number of inspectors and managed the inspection programs involving the regulated industries in three states. Roger looks forward to a long and successful tenure at the National Revenue Center and is anxious to extend the working partnership with members of the alcohol and tobacco industries. ■

## Office of the Vine and Wine (OIV) Progress

By Richard VanLoan (202) 927-8100

The International Office of the Vine and Wine (OIV) is an organization of governments, not trade associations or individuals. Its membership consists of 45 member governments representing all the major wine producing and consuming countries in the world. The OIV was created in 1924 when several European countries, along with one from North Africa, signed an international agreement. Since its beginning, the OIV has been headquartered in Paris, France, and has used French as its official language.

The broad purpose of the OIV has been to collect, study and publish information that demonstrates the beneficial effects of

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## Health Warning... *(Continuation from front page)*

- The health warning statement must appear in a prominent place on the front of the container and must be printed horizontally;
- The health warning statement must be printed in red or black type on a white background and must be surrounded by a lined border;
- The first two words of the health warning statement (*government warning*) must appear in capital letters and bold face type that is at least 15 percent larger than the remaining text of the statement. The text of the remaining portion of the warning statement must be in upper and lower case lettering. A particular type font should be required to maximize legibility; and
- The health warning statement must be accompanied by a red pictorial device or icon that is a triangle with an exclamation mark inside.

At this time, we are studying the petition and the attached materials. After engaging in further fact-finding on this issue, we will make a decision regarding what action to take on the petition. ■

## (OIV) Progress *(Continuation from front page)*

wine, to recommend to member states measures to protect their viticultural interests, and to suggest ways to improve the international wine market. An additional purpose of the OIV has been to try to protect the interests of wine producers and consumers by encouraging the protection of wine appellations of origin, guaranteeing the purity and authenticity of wine products, and encouraging the repression of fraud and unfair competition.

Some of the issues with which the OIV concerns itself have great importance for United States wine producers and distributors. Although the OIV addresses all products of the vine, it places particular emphasis on wine and its production methods, packaging and labeling standards, and associated marketing practices to ensure product integrity and to harmonize regulatory requirements, when feasible.

Some of the general benefits to the United States of participating in the OIV include an increase in international trade and an increase in the integrity of wine products sold in world commerce. In addition, the OIV facilitates the global dissemination of wine information and opens up intergovernmental channels of communication which help to resolve international incidents involving impediments to trade, contamination, and marketing fraud.

The United States is encouraging the OIV to adopt consensus as its standard decision-making process and to adopt English and Spanish as official languages of the OIV on an equal basis with French. Adoption of these proposals should go a long way toward making the OIV a more transparent organization that operates in a similar manner to other truly international, intergovernmental organizations. ■

## ATF Suspends Action on Health Claims and Other Health-Related Statements in the Labeling and Advertising of Alcohol Beverages

*By Ed Reisman (202) 927-8100*

In February 1999, ATF approved two directional statements on wine labels. One directed consumers to their family doctors for information regarding the "health effects of wine consumption." The second referred consumers to the Federal Government's "Dietary Guidelines for Americans" for such information. The approval of these labels generated considerable interest from Federal health officials, members of Congress, and public advocacy groups, who expressed concern about consumer perception of the label statements.

Because ATF is seeking public comments on this very issue, ATF will suspend action on any new Applications For And Certification/Exemption of Label Approval (ATF F 5100.31) bearing similar "directional" health-related statements pending the completion of the rulemaking proceedings.

**Background:** On October 25, 1999, ATF invited comments on our current policy on health-related statements by publishing the policy as a proposed regulation in the Federal Register (Notice No. 884). The regulation would specifically prohibit the use of any health claim in the labeling or advertisements of alcohol beverages unless it is balanced, properly qualified, sufficiently detailed and specific, and outlines the categories of persons for whom any positive effects would be outweighed by the numerous negative health effects. In addition, ATF seeks comments on whether directional health statements such as those approved in February 1999 tend to mislead consumers about the health consequences of alcohol consumption. The comment period was initially scheduled to close on February 22, 2000.

In order to ensure that all interested parties have an opportunity to express their views on these extremely important issues, ATF will hold public hearings in cities and on dates to be announced. A notice of public hearings will be published in the Federal Register shortly after the close of the comment period. A copy of the proposed regulations is on the ATF website at [www.atf.treas.gov/core/alcohol/rules/rules.htm](http://www.atf.treas.gov/core/alcohol/rules/rules.htm). ■