

# Federal formula and labeling requirements for malt beverages

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# What I'll cover

## Complex Taste



## Simple Instructions

REDHOOK ALE BREWERY - WOODVILLE, WA - PORTSMOUTH, NH - PORTLAND, OR

PRODUCT OF USA

# CROSS CZECH PILS

REDHOOK DOESN'T MIND A LITTLE TIME IN THE BOX.

5.3% ALC BY VOL 12 FL. OZ. EST. 1981 SEATTLE BOTTLED ON:

CT-ME-VT-WA-WH-OR-36-REF MI 10c REF 0K+ CA CRV IAS ALE

0-21242-00008-5

WIDMER BROTHERS BREWING

# W

# Hefe

The Original AMERICAN HEFEWEIZEN

EST. PORTLAND, OR 1984

© WIDMER BROTHERS BREWING COMPANY PORTLAND, OR - www.widmerbrothers.com

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.

4.9% ALCOHOL BY VOLUME

CT-ME-VT-WA-WH-OR-36-REF MI 10c REF 0K+ CA CRV BEER

7-02770-00000-5

12 FL. OZ. (355 mL)

# TTB's Statutory Mandates



- \* 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
  - \* Verify safety of ingredients
  - \* Provide adequate consumer information
  - \* Prevent consumer deception
- \* Collect the Revenue:
  - \* Ensure proper tax classification



# June 5<sup>th</sup> News Flash!



DEPARTMENT OF THE TREASURY  
*Alcohol and Tobacco Tax and Trade Bureau*

***TTB Ruling***

Number: 2014-4

June 5, 2014

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## **Ingredients and Processes Used in the Production of Beer Not Subject to Formula Requirements**

- <http://www.ttb.gov/beer/beer-rulemaking.shtml>
- Result of 2006 Brewers Association Petition, subsequent industry requests and an unprecedented surge in formula approvals!

# Before TTB 2014-2

## Formula Not Needed for:

- Lactose
- Brown Sugar and candy sugar as fermentable ingredients
- New wood aging (oak spirals, shavings, etc.)

# Exempt Fruits (whole, juice, puree or concentrate) because of 2014-2

- Apples
- Apricots
- Blackberries
- Blueberries
- Cherries
- Cranberries
- Juniper berries
- Lemons
- Oranges
- Peaches
- Pumpkins
- Raspberries
- Strawberries

# Exempt Spices because of 2014-2

- Allspice
- Anise
- Pepper/peppercorns
- Cardamom
- Cinnamon
- Clove
- Cocoa (powder or nibs)
- Coriander
- Ginger
- Nutmeg
- Orange or lemon peel or zest
- Star anise
- Vanilla (whole bean)

# Other exempt ingredients because of 2014-2

- \* Brown Sugar\*
- \* Candy (candi) sugar\*
- \* Chili Peppers
- \* Chocolate
- \* Coffee (beans/grounds)
- \* Honey
- \* Maple Sugar/Syrup\*
- \* Molasses/ blackstrap molasses\*
- \* Lactose

*\*When brewers use these ingredients in the **fermentation** of a malt beverage, the designation is not required to refer to these ingredients. Instead, the malt beverage may be labeled as a “beer” or “ale” and so forth.*



# Processes Now Determined to be Traditional in 2014-2

- Aging beer in plain barrels or with plain woodchips, spirals or staves made of any type of wood.
- Aging beer in barrels, containing no discernible quantity of wine or distilled spirits, that were previously used in the production or storage of wine or distilled spirits.
- Aging beer with woodchips, spirals or staves derived from barrels, containing no discernible quantity of wine or distilled spirits, that were previously used in the production or storage of wine or distilled spirits, or with woodchips, containing no discernible quantity of wine or distilled spirits, that were previously used in the aging of wine or distilled spirits.

# Review SOC Examples

Description of product	Examples of statements of composition that will continue to be allowed as designations in accordance with trade understanding under this ruling.	Examples of adequate designations in accordance with trade understanding.	Examples of inadequate and misleading designations.* (Examples of inadequate designations are in black and misleading designations are designated as such and appear in red.)
Beer brewed with cherry juice	<ul style="list-style-type: none"> <li>• Beer brewed with cherry juice</li> <li>• Malt beverage fermented with natural flavor</li> </ul> <p><i>(Kriek may be added as optional additional information.)</i></p>	<ul style="list-style-type: none"> <li>• Fruit beer</li> <li>• Cherry beer</li> </ul> <p><i>(Kriek may be added as optional additional information.)</i></p>	<ul style="list-style-type: none"> <li>• Cherry delight</li> <li>• <i>Kriek</i></li> <li>• Bob's Beer</li> <li>• Beer</li> <li>• Malt beverage</li> </ul>
Beer with cherry juice added after fermentation	<ul style="list-style-type: none"> <li>• Beer flavored with cherry juice</li> <li>• Malt beverage with natural flavor added</li> </ul> <p><i>(Kriek may be added as optional additional information.)</i></p>	<ul style="list-style-type: none"> <li>• Fruit beer</li> <li>• Cherry beer</li> </ul> <p><i>(Kriek may be added as optional additional information.)</i></p>	<ul style="list-style-type: none"> <li>• Cherry delight</li> <li>• <i>Kriek</i></li> <li>• Bob's Beer</li> </ul> <p><b>Misleading designation:</b></p> <ul style="list-style-type: none"> <li>• <b>Beer brewed with cherry juice</b></li> </ul>
Stout brewed with pumpkins and cherry concentrate	<ul style="list-style-type: none"> <li>• Stout brewed with pumpkins and cherry juice</li> <li>• Malt beverage fermented with fruit and fruit concentrate</li> <li>• Stout brewed with pumpkins and natural flavor</li> </ul>	<ul style="list-style-type: none"> <li>• Fruit stout</li> <li>• Pumpkin and cherry stout</li> <li>• Pumpkin and fruit stout</li> <li>• Pumpkin stout</li> <li>• Cherry stout</li> </ul>	<ul style="list-style-type: none"> <li>• Halloween pumpkin</li> <li>• Stout</li> <li>• Beer</li> <li>• Malt beverage</li> </ul>
Beer brewed with raspberry juice or with raspberry juice added after fermentation	<ul style="list-style-type: none"> <li>• Beer brewed [or flavored, as applicable] with raspberry juice</li> <li>• Beer brewed [or flavored, as applicable] with natural flavor</li> </ul> <p><i>(Framboise may be added as optional additional information.)</i></p>	<ul style="list-style-type: none"> <li>• Fruit beer</li> <li>• Raspberry beer</li> </ul> <p><i>(Framboise may be added as optional additional information.)</i></p>	<ul style="list-style-type: none"> <li>• <i>Framboise</i></li> <li>• Beer</li> </ul>

\* Unless otherwise specified, designations that are inadequate as a designation in accordance with trade understanding may still be acceptable as additional information or as part of a fanciful name, as long as an adequate designation in accordance with trade understanding appears on the label.

# Formulas

## 27 CFR 25.55

- A “recipe” for your product
  - How you make it
  - What you put in it
  - When you put it in
- Required even if only selling in intrastate commerce
- Requires both fanciful name and statement of composition (SOC) on label
- May use Formulas Online or Paper Submission



# What TTB looks for

- Colors
- Flavors and Flavor Ingredient Data Sheets
- GRAS ingredients (21 CFR 182 )
- Restricted and Prohibited Ingredients
- Amount of alcohol added from flavorings



# When are formulas required?

- Products to which non-exempt ingredients\* or food products are added (bread, granola, seeds, etc.)
- Products to which *alcoholic* flavors and ingredients are added (except hops extract) – 27 CFR 25.55(a)(2)
- Products to which colors and flavorings are added
- Products that use soaked/infused wood chips with wine or distilled spirits
- For any products made “non traditionally”  
see 27 CFR 25.55(a)(1)(i) for examples

*\*May petition TTB for additional exemptions per §25.55(f)*

# Non-traditional processes

- Removal of any volume of water from beer;
- Filtration of beer to substantially change the color, flavor, or character;
- Separation of beer into different components;
- Reverse osmosis;
- Concentration of beer; or
- Ion exchange treatments.

# Formula Basics

- Need a separate formula for each product
- One formula can be used for multiple products
- Formula must be filed and approved before you begin producing
- No formula is required for R&D but must have approved formula before marketing
- Formulas are valid until superseded, surrendered, revoked or terminated

# Certified colors

- FD&C Blue #1 (Brilliant Blue FGF) (E 133)
  - FD&C Blue #2 (Indigotine) (E 132)
  - FD&C Green #3 (Fast Green FCF) (E 143)
  - FD&C Red #40 (Allura Red AC) (E 129)
  - FD&C Red #3 (Erythosine lake only) (E 127)
  - **FD&C Yellow #5\* (Tartrazine) (E 102)**
  - FD&C Yellow #6 (Sunset Yellow FCF) (E 110)
- \*Requires specific declaration on labels  
for finished alcohol beverages**



# Some Non-Certified Colors

- Annatto Extract
- Beef Extract
- Dehydrated beets (beet powder)
- Beta Carotene
- Caramel
- Carmine (Cochineal Extract)
- Elderberry Extract
- Fruit Juice
- Grape color extract
- Grapeskin Extract (Enocianina)
- Paprika
- Saffron
- Titanium Dioxide
- Turmeric
- Vegetable Juice

# FLAVORINGS

## Flavor Ingredient Data Sheet

### Flavor Producer Information

TTB Co. Code: \_\_\_\_\_ Date: \_\_\_\_\_  
 Company Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
 \_\_\_\_\_ Fax: \_\_\_\_\_  
 \_\_\_\_\_

### Check Appropriate Box:

Approved for Drawback (DRB)   
 Approved as No Action (N/A)   
 Fit for Beverage Purposes (Fit)   
 Submitted for TTB Approval   
 Not Yet Submitted for TTB Approval

Flavor Name: \_\_\_\_\_  
 TTB Drawback Number: \_\_\_\_\_  
 Alcohol Range by Volume: \_\_\_\_\_  
 Flavor Product Number: \_\_\_\_\_

### Classification

Natural  N&A ≤ 0.1% Topnote  N&A > 0.1% Topnote  Artificial  Non-Flavor

Total Artificial Flavor Content: \_\_\_\_\_ ppm (Excluding Synthetic Vanillin, Ethyl Vanillin, Synthetic Maltol, and Ethyl Maltol)

### Flavor Components

Additive	TTB Limitation in Finished Product	Amount of Additive or Agent Present in Flavor	Maximum Use Rate	Beverage Label Information based of functionality (check or list label ingredients that affect the beverage label)
1. Synthetic Vanillin	40.0 ppm	_____ ppm	- %	1. FD&C Yellow #5 <input type="checkbox"/>
2. Ethyl Vanillin	16.0 ppm	_____ ppm	- %	2. FD&C Yellow #6 <input type="checkbox"/>
3. Synthetic Maltol	250.0 ppm	_____ ppm	- %	3. FD&C Blue #1 <input type="checkbox"/>
4. Ethyl Maltol	100.0 ppm	_____ ppm	- %	4. FD&C Blue #2 <input type="checkbox"/>
5. Ester Gum	100.0 ppm	_____ ppm	- %	5. FD&C Green #3 <input type="checkbox"/>
6. BVO	15.0 ppm	_____ ppm	- %	6. FD&C Red #40 <input type="checkbox"/>
7. Sodium Benzoate	1000.0 ppm	_____ ppm	- %	7. Grapeskin Extract <input type="checkbox"/>
8. Gum Arabic/Acacia	200000.0 ppm	_____ ppm	- %	8. Caramel Color <input type="checkbox"/>
9. Propylene Glycol	50000.0 ppm	_____ ppm	- %	9. Annatto <input type="checkbox"/>
10. BHA (<0.5% Essential Oil)		<input type="checkbox"/> check if contained		10. Elderberry Extract <input type="checkbox"/>
11. Acetic Acid	1500.0 ppm	_____ ppm	- %	11. Beet Extract <input type="checkbox"/>
12. _____	_____ ppm	_____ ppm	- %	12. Oak Extract <input type="checkbox"/>
13. _____	_____ ppm	_____ ppm	- %	13. _____ <input type="checkbox"/>
14. _____	_____ ppm	_____ ppm	- %	14. _____ <input type="checkbox"/>
15. Total Vanillin	40.0 ppm	- ppm	- %	
16. Total Maltol	250.0 ppm	- ppm	- %	

- FIDS provided by flavor manufacturer
- Classification
- Limited Ingredients (vanillin, ethyl vanillin, maltol, & ethyl maltol)
- Colors

# TTB F 5100.51

OMB NO. 1513-0122 (08/31/2015)

<b>FOR TTB USE ONLY</b> TTB ID	<b>DEPARTMENT OF THE TREASURY</b> <b>ALCOHOL AND TOBACCO TAX AND TRADE BUREAU (TTB)</b> <b>FORMULA AND PROCESS FOR DOMESTIC</b> <b>AND IMPORTED ALCOHOL BEVERAGES</b> <small>(See Instructions and Conditions at the end of this form)</small>	<b>FORMULA #:</b>
<b>1. NAME AND ADDRESS OF APPLICANT / IMPORTER</b> <small>(See Instructions):</small>		<b>SUPERSEDING</b> <b>FORMULA</b> <input type="checkbox"/>
	<b>2. CONTACT PERSON'S PHONE NUMBER / E-MAIL ADDRESS:</b>	
	<b>3. PLANT REGISTRY / BASIC PERMIT / BREWER'S NUMBER:</b>	
<b>1a. MAILING ADDRESS (if different than above) / FOREIGN PRODUCER'S ADDRESS:</b>	<b>4. CLASS AND TYPE OF PRODUCT:</b>	
	<b>5. PRODUCT NAME:</b>	
<b>6. QUANTITATIVE LIST OF INGREDIENTS (if more space is needed, use space at the top of the next page or separate sheet):</b>	<b>7. METHOD OF MANUFACTURE / PROCESS OF PRODUCTION (if more space is needed, use space at the top of the next page or separate sheet):</b>  	

# TTB F 5100.51

8. TOTAL YIELD:		9. ALCOHOL CONTENT OF FINISHED PRODUCT (range may be shown):	
9a. AMOUNT OF ALCOHOL FROM FLAVORS:		9b. AMOUNT OF ALCOHOL FROM BASE:	
10. PRINTED NAME OF APPLICANT / IMPORTER:	11. BY (Signature and Title)		12. DATE:

**FOR TTB USE ONLY (Items 13, 14, 15, and 16)**

<b>13. FORMULATION:</b> <b>WINE PRODUCTS</b> <input type="checkbox"/> Approved subject to the provisions of 27 CFR _____  <b>DISTILLED SPIRITS PRODUCTS</b> <input type="checkbox"/> Harmless coloring, flavoring, or blending materials must not total more than 2.5% by volume of the finished product. <input type="checkbox"/> Sugar, dextrose, or levulose or a combination thereof must be used in an amount not less than 2.5% by weight of the cordial or liqueur. <input type="checkbox"/> The use of refining agents must not alter the basic composition of the spirits. <input type="checkbox"/> The blended whiskey must contain not less than 20% straight whiskey on a proof gallon basis.		<b>LABELING (finished product only):</b> <input type="checkbox"/> The designation of the product must include a truthful and adequate statement of composition, such as _____ _____ _____ <input type="checkbox"/> Commodity statement _____ <input type="checkbox"/> The label must indicate the use of: <input type="checkbox"/> caramel color <input type="checkbox"/> certified color (other than FD&C Yellow #6) <input type="checkbox"/> artificial flavor <input type="checkbox"/> FD&C Yellow #5 <input type="checkbox"/> allergen(s): _____ <input type="checkbox"/> _____	
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14. DATE:	15. APPROVED – TTB SPECIALIST FOR THE ADMINISTRATOR, ALCOHOL AND TOBACCO TAX AND TRADE BUREAU	16. EXPIRES (IMPORT ONLY):
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# Helpful hints



- Yield of batch should be in barrels
- List all possible ingredients in detail
- List ingredients by quantity using a broad range
- Describe when each ingredient is added - such as before or after fermentation
- Describe how you make it, if made “traditionally” you may abbreviate the process by referencing 27CFR7.10

# “Traditional” Processes

- Pasteurization;
- Filtration prior to bottling;
- Filtration in lieu of pasteurization;
- Centrifuging for clarity;
- Lagering;
- Carbonation; or
- Blending.

# Helpful hints



- Provide botanical name (genus and species) of herbs or plant extracts
- Provide information about colors or flavors used, name and address of manufacturer, flavor name/code, etc.
- Provide Flavor Ingredient Data Sheet (**FIDS**) with application
- All formula are considered “trade secrets” and are protected by the TTB
- Flavoring use may affect tax rate (Industry Circular 2008-3)

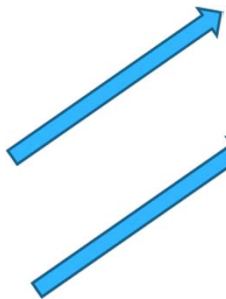
# Formula – long way

	<p>4. CLASS AND TYPE OF PRODUCT: Malt Beverage Specialty</p> <p>5. PRODUCT NAME: Strawberry Blonde</p>
<p>6. QUANTITATIVE LIST OF INGREDIENTS (If more space is needed, use space at the top of the next page or separate sheet):</p> <p>WATER: x-y bbls</p> <p>MALTS: x-y lbs.</p> <p>SALTS:</p> <p>    CALCIUM CHLORIDE: x-y lbs.</p> <p>    SODIUM CHLORIDE: x-y lbs.</p> <p>IRISH MOSS: x-y lbs.</p> <p>HOPS: x-y lbs.</p> <p>YEAST: x-y lbs.</p> <p>STRAWBERRY PUREE: x-y lbs.</p>	<p>7. METHOD OF MANUFACTURE / PROCESS OF PRODUCTION (If more space is needed, use space at the top of the next page or separate sheet):</p> <ol style="list-style-type: none"> <li>1. Malted grains are milled and then mixed with warm water, creating the mash. The mash water often has small amounts of salts added to it in order to adjust the pH and hardness of the water. Enzymes present in the malt breakdown the starch into fermentable and unfermentable sugars.</li> <li>2. In the kettle we again adjust the pH of the wort by adding more salts. The wort is now brought to a boil; during the boil, we add a portion of the hops. We also add Irish Moss to the kettle. At the end of boil we add more hops to the kettle then send the wort to the whirlpool for protein and hop separation. Then it is cooled, oxygenated and transferred to a fermentor.</li> <li>3. In the fermentor yeast is added. The yeast takes in the sugars from the liquid and, through respiration, excretes alcohol and CO2. Additional hops may be added to the fermenter. In the fermenter, the yeast begins to reproduce and multiply. The food source for the yeast is the sugar present in the wort. By-products of yeast reproduction are CO2 and alcohol. The CO2 we retain in order to carbonate the beer and the alcohol we retain for character.</li> <li>4. At the completion of fermentation the beer is chilled and allowed to rest for 72 hours. The beer is then racked to kegs or bottled and ready to sell.</li> </ol> <p>Deviations from the Standard Brewing Process:</p> <p>Strawberry puree will be added during aging in Step 4.</p>
<p>8. TOTAL YIELD: approx. 9-12 bbls.</p>	<p>9. ALCOHOL CONTENT OF FINISHED PRODUCT (range may be shown): ABV 4-12%</p>
<p>9a. AMOUNT OF ALCOHOL FROM FLAVORS: 0%</p>	<p>9b. AMOUNT OF ALCOHOL FROM BASE: ABV 4-12%</p>



# Formula shortcut

<p>6. QUANTITATIVE LIST OF INGREDIENTS <i>(If more space is needed, use space at the top of the next page or separate sheet):</i></p> <p>x-y bbls MALT BEVERAGE PRODUCED WITH THE MATERIALS ALLOWED IN 27 CFR 7.10</p> <p>x-y lbs STRAWBERRIES; JUICE, PUREE, OR CONCENTRATE</p>	<p>7. METHOD OF MANUFACTURE / PROCESS OF PRODUCTION <i>(If more space is needed, use space at the top of the next page or separate sheet):</i></p> <p>A malt beverage will be produced, using the listed malt beverage materials, according to 27 CFR 7.10: A beverage made by the alcoholic fermentation of an infusion or decoction, or combination of both, in potable brewing water, of malted barley with hops, or their parts, or their products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide.</p> <p>The only deviation from this standard brewing practice is that after fermentation the beer will be aged for a time with the strawberries. Additional hops may also be added at this time.</p>
<p>8. TOTAL YIELD: approx. X-Y bbls.</p>	<p>9. ALCOHOL CONTENT OF FINISHED PRODUCT <i>(range may be shown):</i> ABV 4-12%</p>
<p>9a. AMOUNT OF ALCOHOL FROM FLAVORS: 0%</p>	<p>9b. AMOUNT OF ALCOHOL FROM BASE: ABV 4-12%</p>




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**ALCOHOL AND TOBACCO TAX AND TRADE BUREAU**  
U.S. Department of the Treasury

## Welcome to TTB Online

Publicly available services:

- To view publicly available information about COLAs (both those filed via paper form and online), you may visit the [Public COLA Registry](#).
- View the TTB Online [Frequently Asked Questions \(FAQ\)](#) page on the TTB Internet site.

Services requiring registration and logon:

User Name:

Password:

Logon to:

[Expired password ?](#)

[New or forgotten password ?](#)



**NOTE TO COLAs ONLINE USERS:** If you have not previously selected and answered the user authentication questions that are a part of your COLAs Online user profile information, you will be required to do so when you log in. These authentication questions allow you to set your own password, even if you have forgotten it, without contacting the TTB Help Desk for assistance. This is required of you only one time.

[Register for TTB Online](#). Need help on [how to register ?](#)

[Need Help Logging On and Using TTB Online ?](#)

If you are using Internet Explorer 8.0, [click here](#) for more information on browser Compatibility.

[Privacy Policy](#) [Privacy Impact Assessment](#)



While the Alcohol and Tobacco Tax and Trade Bureau (TTB) makes every effort to provide complete information, data such as company names, addresses, permit numbers, and other data provided in the registry may change over time. TTB makes no warranty, expressed or implied, and assumes no legal liability or responsibility as to the currency, reliability or completeness of furnished data. TTB welcomes suggestions on how to improve our Public COLA Registry. Please contact us via email at [fonwebmaster@ttb.treas.gov](mailto:fonwebmaster@ttb.treas.gov).

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2:31 PM  
11/8/2012



New View Modify Registration

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## Uniform

### Errors:

#### Formula Tab

- Method of Manufacture

Main Formula Sample

Copy as New Print

Paper Submission

Submission ID: 1223601  
Status: Draft

### Summary

- Measurement Type:
- Measurement Units:
- Total Yield:

Alcohol Content of Final Product

Alcohol From Flavoring

Alcohol From Base:

Formulas Online - Add/Edit Attachment - Windows Internet Explorer

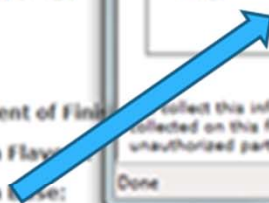
https://www.ttbonline.gov/formulasonline/uniform.do?method=editAttachment&currentTab=Formula&submissionName=Uniform

## Attachment

**Uploaded File Information**

- Description: Bourbon Barrel Aged Ginger Beer  
69 characters left
- Ingredient:
- Type: Paper Submission
- File: R:\\_Labels\TTB\SOPs\Spices\Forms\bourbon bbl ginger.pdf

Internet | Protected Mode: On



### Ingredients

#### FERMENTABLE INGREDIENTS

NAME	GROUP	QUANTITY		UNIT
		LOW	HIGH	

# Flavored Malt Beverages (ATF ruling 96-1 & TD-21) 27CFR25.15(b) & 25.67



## Products with 6% ABV or less:

- No more than **49%** of the alcohol content may be coming from added flavors or non-beverage ingredients containing alcohol
- At least **51%** of the ABV must be the result of the brewing-fermentation of traditional ingredients (barley malt, etc.)

Example: If your beer is 5% ABV, then up to 2.45% ABV can come from flavoring and at least 2.55% ABV must come from the brewing process

# FMB's (cont'd)

## **Products with more than 6% ABV:**

- No more than 1.5% of the ABV of the finished product may consist of alcohol from added flavors or non beverage ingredients.

Example: If your beer is 10% ABV, then up to 1.5% ABV can come from flavoring and at least 8.5% ABV must come from the brewing process

# Why is this important? Taxes



If your product **meets** this standard:

- Taxed and classified as a **malt beverage** product and taxed at \$7 or \$18 per barrel

If your product **does not meet** this standard:

- Taxed and classified as a **distilled spirits** product and taxed at \$13.50 per proof gallon!

# COLA's

OMB No. 1513-0020 (07/31/2015)

FOR TTB USE ONLY			DEPARTMENT OF THE TREASURY ALCOHOL AND TOBACCO TAX AND TRADE BUREAU APPLICATION FOR AND CERTIFICATION/EXEMPTION OF LABEL/BOTTLE APPROVAL (See Instructions and Paperwork Reduction Act Notice on Back)		
TTB ID 13311001000245					
1. REP. ID. NO. (If any)	CT 902	OR 17			

- **CERTIFICATES OF LABEL APPROVAL**
- MANDATED BY FAA ACT
- REQUIRED FOR BOTTLES/CANS/KEGS SHIPPED AND SOLD ACROSS STATE LINES
- USUALLY REQUIRED WHEN A STATE REQUIRES LABEL APPROVAL

# Mandatory Information Defined

- **BRAND NAME:** Name under which product is marketed (use caution with distilled spirits in fanciful name or in the SOC)
- **CLASS:** Specific identity of beer, such as ale, beer, porter, India Pale Ale, lager, etc.
- **NAME/ADDRESS:** Name, city and state of bottler
- **NET CONTENTS:** Listed in US measures of ounce and pint (i.e. 22 fl oz must be 1 pint 6 fl oz)
- **ALCOHOL:** If ANY alcohol is derived from added flavors or non beverage ingredients with alcohol (unless state law prohibits)



# KEG/BARREL MARKINGS

## 27 CFR 25.141 – Lists Mandatory Information

- Brand Name
- Place of production (name and address)
- Class and type
- Net contents (May be etched in keg)
- Government Warning Statement (May be etched in keg as well as on a keg ring)
- Keg labels or tap covers need a COLA if shipping interstate commerce or if state requires one

Net weight and government warning are etched on keg

Trade Name and Address



Government Warning

Fanciful Name and Class

# Bottle/can labels

## 27 CFR 7.22

### Brand Label

- Brand Name
- Class and type
- Name and address
- Net Contents
- Type size 1 – 3 mm by pack size

### Any Label

- Alcohol content (optional)
- FD&C Yellow #5
- Saccharine Disclosure
- Aspartame Declaration
- Sulfite Declaration (not enforced for beer)
- Government Warning

# Sample Bottle Label

Fanciful Name  
And beer "class"

Net Contents

Government  
Warning



Alcohol Content –  
(As required by certain states)

Brewery Name,  
City and State

# Health warning statement

- Requires very specific phrase, size and punctuation
- Type size depends on package size, 1-3 mm also character spacing restriction
- Must be separate and apart from all other label text
- **“GOVERNMENT WARNING”** must be in bold and caps
- Must be legible and completely contrasting
- Failure to include this may result fines up to \$11,000 per day

# Other labeling declarations

- Allergens (Contains statement) – Interim rule TTB-53
- Alcohol Facts Statement – New FAQs on website
- Nutrient Content Statement – TTB Ruling 2013-2
- “Lite or Light” carb/ calorie claims with average analysis statement- TTB Ruling 2004-1
- Gluten Free or Crafted to Remove Gluten Claim with government disclaimer – TTB Interim Ruling 2014-2
- Organic Claim – TTB FAQs and 7 CFR 205

# TTB Streamlining Efforts

- No longer reviewing labels for type size requirements and certain image file-related issues
- **TTB Public Guidance 2012-2 Amended label guidance to allow industry members to make certain additional changes without resubmitting labels for approval**

# 19 allowable changes to approved Malt Beverage Labels

**TTB Public Guidance 2012-2** allows you to...

- 1) Delete any non-mandatory label information, including text, illustrations, graphics, etc.
- 2) Reposition any label information, including text, illustrations, graphics, etc.
- 3) Change the color(s) (background and text), shape and proportionate size of labels. Change the type size and font, and make appropriate changes to the spelling of words.



# Allowable changes

- 4) Change the net contents statements.
- 5) Change the mandatory statement of alcohol content as long as it doesn't change class/type or conflict with other labeling statements (FMB's only).
- 6) Add, delete or change an optional statement of alcohol content.
- 7) Delete or change statements or information in order to comply with State requirements.
- 8) Change values for calories, carbs, protein and fat.

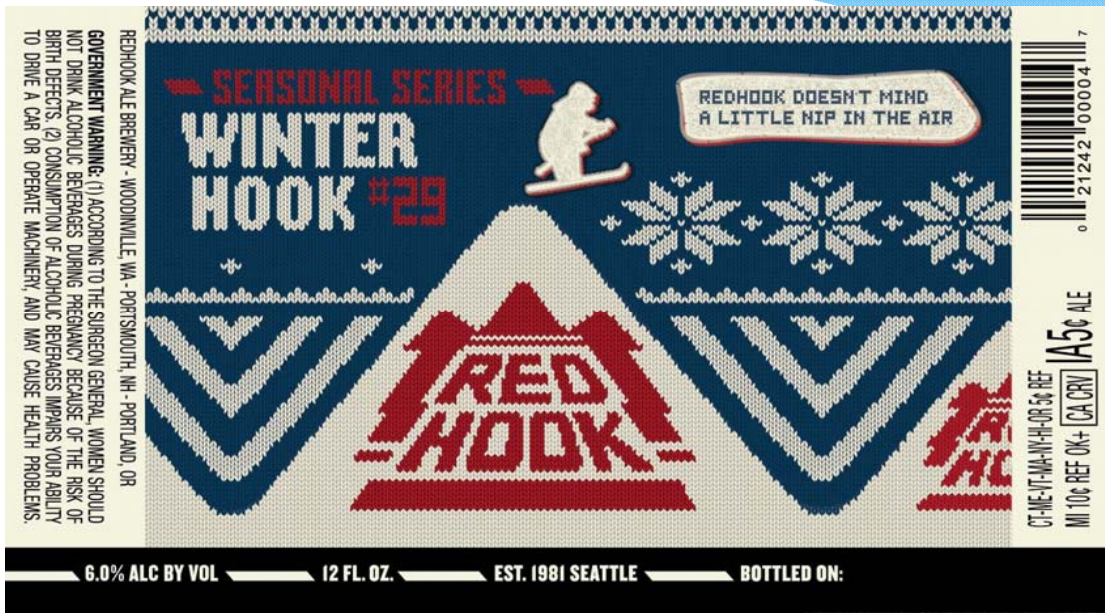
# Allowable changes

- 9) Add, delete or change bottling date, production date or freshness information dates and codes
- 10) Change the name or trade name to reflect a different name already approved for use. Change the address where it is within the same State.
- 11) Add, delete, or change name and/or address of foreign producer, bottler or shipper
- 12) Add, delete, or change name, address and/or TM of wholesaler, retailer or importer.
- 13) Add, delete, or change bottle deposit information

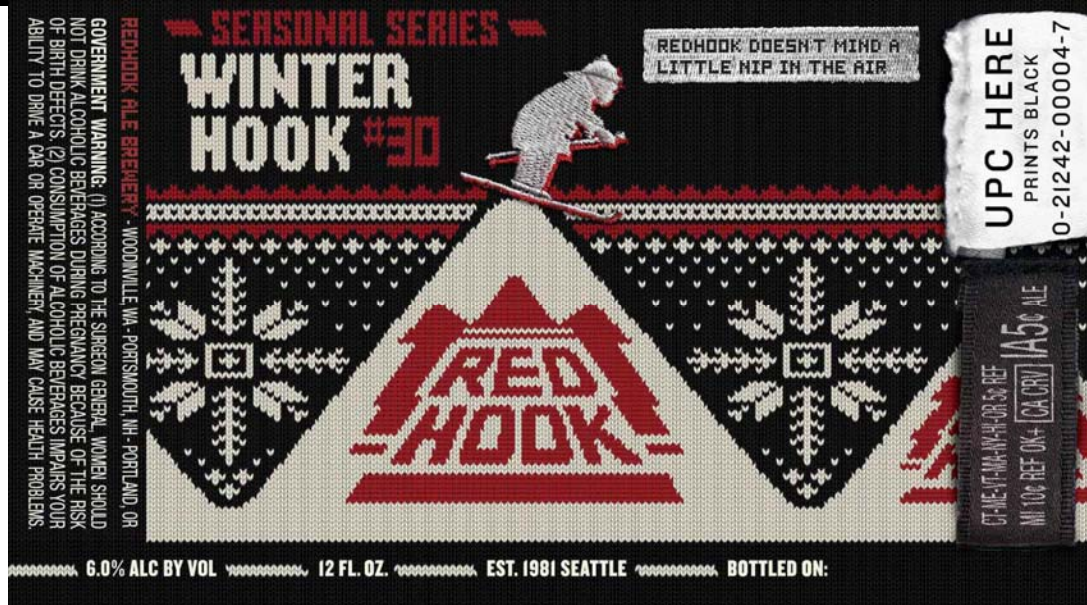
# Allowable Changes

- 14) Add, delete, or change UPC barcodes and/or 2D mobile barcodes in compliance with advertising regulations
- 15) Add, delete or change a web site address, phone number, fax number or zip code.
- 16) Add, delete or change lot, batch ID or other serial #
- 17) Add, delete or change TM, copyright, kosher, company logos, and/or social media icons
- 18) Add, delete or change optional info on awards or medals
- 19) Add, delete or change holiday/seasonal graphics, etc.

# Label Revision: No new COLA



- Changed seasonal graphics
- Changed color scheme
- Repositioned graphics
- Changed seasonal serial #



# Future COLA Streamlining efforts

## Long Term Initiatives?

- Update the COLA form
- Revise TTB labeling regulations
- Modify COLAs Online
- Continue collecting comments and suggestions

# Rejected Label

1) Text on car image. 2) Text referring to glue.

The term "CITRUSY" implies that citrus is added to the product. See 27 CFR 7.29 (a)(1). Delete or change this text.

**CELEBRATING 30 YEARS Of Beer**  
1984 2014

**NO GLUE WAS HARMED IN THE MAKING OF THIS BEER**

**30**

**WITCHCRAFT IS STILL CRAFT**

**BEER IS BEER SIBBET BACKWARDS**

**HANDCRAFTED** by fully automated machines, this beer is as crafty as it is delicious. Craftylicious is mass produced in deceptively small batches using only the finest premium ingredients. This limited release collaboration beer from Portland's Gigantic Brewing and Widmer Brothers Brewing is as tart as it is hoppy, as citrusy as it is funny, and can be served as cold as you'd like it to be.

**I DON'T THINK YOU'RE READY FOR THIS JELLY**

**TART**  
LABEL BY ROB REGER

**HOPPY**

**FUNKY**

**BEER**  
**CRAFTYLICIOUS**

**30**

**WITCHCRAFT IS STILL CRAFT**

**BEER IS BEER SIBBET BACKWARDS**

**WIDMER BROTHERS BREWING**  
**GIGANTIC BREWING COMPANY**  
**AND**  
**WIDMER BROTHERS BREWING**

**BRACE YOURSELF, IT'S TIME FOR TAKEOFF**  
**JUST LIKE GRANDMA ALWAYS WANTED**

**30<sup>TH</sup> ANNIVERSARY COLLABORATION N°3**  
**WIDMER BROTHERS BREWING + GIGANTIC BREWING CO.**

**Brewed + Bottled by**  
**WIDMER BROTHERS BREWING CO.**  
Portland, OR / widmerbrothers.com

22 FL. OZ. (1 PINT 6 FL. OZ.) 5.7% ALCOHOL BY VOLUME  
**CA CRV**  
**MI 10¢ OK + CA CRV**  
**CT·ME·VT·MA·NY·IA·HI·OR 5¢**  
 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.

7 02770 06010 8

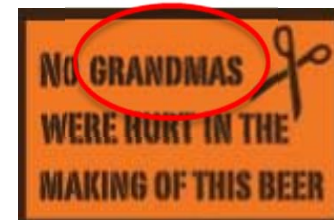
# Changes Made



We had to attach an explanation for this which says “beer is reeb spelled backwards”



Glue was bad, but Grandmas was OK



We could not say “citrusy,” instead we had to say “citrus-like.”



**Reason**

Per Industry Circular 2011-4, your application and label(s) have not been reviewed for type size, characters per inch or contrasting background. The responsible industry member must continue to ensure that the mandatory information on the actual labels is displayed in the correct type size, number of characters per inch, and on a contrasting background in accordance with the TTB labeling regulations, 27 CFR parts 4, 5, 7, and 16, as applicable.

**Additional Information**

1) DELETE THE TERM "JOINT" AS IT IMPLIES DRUG USE. SEE ATF COMPLIANCE MATTER 94-2. 2) DELETE "CONTAINS HEMP SEED". SEE TTB HEMP POLICY APRIL 2000. 3) Since two brewery logos are used on the brand label, the statement "BREWED AND KEGGED BY REDHOOK ALE BREWERY, WOODINVILLE, WA." must appear on the label in conjunction with the two logos. See 27 CFR 7.29 (a)(1).  
c

You may not make false or misleading statements on labels. For Wine 27 CFR § 4.39(a)(1) For D/S 27 CFR 5.42

# Rejected Label





# Questions?

