

CHAPTER 1

MANDATORY LABEL INFORMATION

1. BRAND NAME

- GENERAL FEATURES

- Usually, the most prominent piece of information on the label

- Name under which a distilled spirits or line of distilled spirits is marketed

NOTE: If the distilled spirits is not sold under a brand name, the name of the distiller, bottler, importer, etc., [shown on the front of the container] becomes the brand name

- MISLEADING BRAND NAME

A name that describes the age, origin, identity or other characteristics of the distilled spirits is prohibited **UNLESS** the name, whether standing alone or in combination with other printed or graphic material:

- Accurately describes the distilled spirits **AND**

- Conveys no erroneous impression about the distilled spirits

OR

- Is qualified with the word "BRAND"

- TYPE SIZE

There are no established type size requirements for BRAND NAME

- LEGIBILITY

- Must be readily legible

- Must appear on a contrasting background

- PLACEMENT

Must appear on the FRONT of the container

2. CLASS AND TYPE DESIGNATION

- DEFINITION

The specific identity of the distilled spirits

- SEE ALSO CHAPTER 4, CLASS AND TYPE DESIGNATION

- TYPE SIZE

- Minimum 2 mm for containers larger than 200 ml

- Minimum 1 mm for containers of 200 ml or less

- LEGIBILITY

- Must generally appear parallel to the base of the container

- Must be readily legible

- Must appear on a contrasting background

- Must appear separate and apart from any other descriptive or explanatory information

- PLACEMENT

Must appear on the FRONT of the container

3. ALCOHOL CONTENT

- REQUIRED

- Alcohol content must be stated in % alcohol by volume, i.e.,
“_____ % ALCOHOL (ALC) BY VOLUME (VOL)”

- For products containing solid material, the alcohol content must be stated as
“BOTTLED AT _____ % ALCOHOL (ALC) BY VOLUME (VOL).” (“Rock and Rye” is an example of a product containing solid material. It contains rock candy or sugar syrup and often fruit)

- **OPTIONAL**

Alcohol content may be expressed in degrees proof in addition to the required alcohol by volume statement. If the proof is shown it must appear at least once on the **FRONT** of the container with the alcohol by volume statement **AND:**

- Be set off by parentheses, brackets, dots or otherwise distinguished from the alcohol by volume statement

- May not be more prominent than the alcohol by volume statement

- **TOLERANCES**

The labeled alcohol content must accurately reflect the actual alcohol content of the product. Losses occurring during bottling will not affect the labeled alcohol content provided the loss does not exceed:

- 0.25% alcohol by volume for spirits containing solids in excess of 600 mg per 100 ml

- 0.25% alcohol by volume for spirits bottled in 50 ml and 100 ml containers

- 0.15% alcohol by volume for all other spirits

- **TYPE SIZE**

- Minimum 2 mm for containers larger than 200 ml

- Minimum 1 mm for containers of 200 ml or less

- **LEGIBILITY**

- Must generally appear parallel to the base of the container

- Must be readily legible

- Must appear on a contrasting background

- Must appear separate and apart from any other descriptive or explanatory information

- **PLACEMENT**

Must appear on the **FRONT** of the container

4. NAME AND ADDRESS

- REQUIRED

- For domestic distilled spirits

The name(s) and address(es) of the:

Bottler or
Packer or
Filler

AND/OR

Distiller or
Blender or
Maker or
Preparer or
Manufacturer or
Producer

must appear on the label preceded by an appropriate explanatory phrase such as "BOTTLED BY," "DISTILLED BY," "DISTILLED AND BOTTLED BY," etc.

- For imported distilled spirits

For spirits bottled, packed or filled prior to importation

The name and address of the importer must appear on the label preceded by an appropriate explanatory phrase such as "IMPORTED BY," "SOLE AGENT" or "SOLE U. S. AGENT"

For spirits bottled, packed or filled after importation

The name and address of the importer and/or bottler, packer or filler must appear on the label preceded by an appropriate explanatory phrase such as "BOTTLED BY," "IMPORTED AND BOTTLED BY," "IMPORTED BY AND BOTTLED FOR" or "IMPORTED BY _____ AND BOTTLED BY _____"

NOTE: When spirits are bottled in the U.S., it must be indicated by the required preceding explanatory phrase, e.g., "IMPORTED BY ABC IMPORTS AND **BOTTLED BY** XYZ SPIRITS COMPANY"

- DEFINITIONS

- Name

- The company or corporate name or trade name identical to that shown on the basic permit

- Address

- For domestic distilled spirits

- The city and state where bottling, packing, filling and/or production operations occurred

- NOTE:** The address must be identical to that shown on the basic permit

- OR**

- The city and state of the bottler's, packer's, filler's, distiller's, etc., principal place of business (see PRINCIPAL PLACE OF BUSINESS section of CHAPTER 5, NAME AND ADDRESS)

- NOTE:** The principal place of business address must be identical to that shown on the basic permit

- For importer distilled spirits

- The city and state of the importer's principle place of business (see PRINCIPAL PLACE OF BUSINESS section of CHAPTER 5, NAME AND ADDRESS)

- NOTE:** The principal place of business address must be identical to that shown on the basic permit

- SEE ALSO CHAPTER 5, NAME AND ADDRESS

- TYPE SIZE

- Minimum 2 mm for containers larger than 200 ml
 - Minimum 1 mm for containers of 200 ml or less

- **LEGIBILITY**

- Must generally appear parallel to the base of the container
- Must be readily legible
- Must appear on a contrasting background
- Must appear separate and apart from any other descriptive or explanatory information

- **PLACEMENT**

May appear on the FRONT, BACK or SIDE of the container

5. COUNTRY OF ORIGIN

- **APPLICATION**

Required for all imported spirits whether bottled, packed or filled prior to or after importation

- **FORMAT**

- "PRODUCT/PRODUCE OF _____"
(Fill in blank with name of country in which spirits were produced)
- "PRODUCED IN/PRODUCED AND BOTTLED IN _____"
(Fill in blank with name of country in which spirits were produced/produced and bottled)
- "PRODUCED BY/PRODUCED AND BOTTLED BY _____"
(Fill in blank with name of producer/producer and bottler and address [country or city and country] in which spirits were produced/produced and bottled)
- "_____ BRANDY"
(Fill in blank with name of country in which brandy was produced), i.e., name of country with class and type designation

- **TYPE SIZE**

- Minimum 2 mm for containers larger than 200 ml
- Minimum 1 mm for containers of 200 ml or less

- LEGIBILITY

- Must generally appear parallel to the base of the container
- Must be readily legible
- Must appear on a contrasting background
- Must appear separate and apart from any other descriptive or explanatory information

- PLACEMENT

May appear on the FRONT, BACK or SIDE of the container

6. NET CONTENTS

- REQUIRED

Distilled spirits must be bottled, packed or filled in a metric standard of fill

- SEE ALSO CHAPTER 6, STANDARDS OF FILL

- TYPE SIZE

- Minimum 2 mm for containers larger than 200 ml
- Minimum 1 mm for containers of 200 ml or less

- LEGIBILITY

- Must generally appear parallel to the base of the container
- Must be readily legible
- Must appear on a contrasting background
- Must appear separate and apart from any other descriptive or explanatory information

- PLACEMENT

- Net contents may be blown or branded into the bottle in lieu of or in addition to stating net contents on the label **EXCEPT THAT** if the net contents are not shown on the label of foreign bottled distilled spirits, a sample of the container must be submitted with the application for certificate of label approval (COLA)

- May appear on the FRONT, BACK or SIDE of the container

7. PRESENCE OF COLORING MATERIALS

- DISCLOSURE

- The coloring material(s) may be specified on the label

Examples: "COLORED WITH CARAMEL"

"CERTIFIED COLOR ADDED"

"COLORED WITH GRAPESKIN EXTRACT"

"CARAMEL AND CERTIFIED COLOR ADDED"

"COLORED WITH CARAMEL, ANNATTO AND GRAPESKIN EXTRACT"

OR

- "ARTIFICIALLY COLORED" may be used to indicate the presence of any one or a combination of coloring materials **EXCEPT THAT** FD&C Yellow #5 requires specific disclosure. (See Item 9, "FD&C YELLOW #5 DISCLOSURE" of this chapter)

NOTE: Coloring material is **NOT** permissible in every class and/or type of distilled spirits. Additionally, the coloring material caramel may be added to certain types of distilled spirits without label disclosure. See CHAPTER 7, COLORING/FLAVORING/BLENDING MATERIALS for more specific information

- TYPE SIZE

- Minimum 2 mm for containers larger than 200 ml

- Minimum 1 mm for containers of 200 ml or less

- LEGIBILITY

- Must generally appear parallel to the base of the container

- Must be readily legible

- Must appear on a contrasting background

- Must appear separate and apart from any other descriptive or explanatory information

- PLACEMENT

- May appear on the FRONT, BACK or SIDE of the container **EXCEPT THAT**

- For distilled spirits specialties, the coloring material disclosure must appear on the FRONT of the container (as part of the statement of composition). (See CLASSES AND TYPES chart in CHAPTER 4, CLASS AND TYPE DESIGNATION)

8. TREATMENT WITH WOOD

• DISCLOSURE

“COLORED AND FLAVORED WITH WOOD _____” (insert chips, slabs, extracts, etc., as appropriate) is required on labels to indicate treatment with wood

• APPLICATION

Applies only to whisky and brandy treated – **other than through contact with oak containers** – with wood:

- In any manner or form, either directly or indirectly, e.g., chips, slabs, extracts, etc.
- At any point during the production or storage process, up to and including the time of bottling

• EXCEPTION

No disclosure is required on labels of brandy treated with an oak chip infusion that:

- Has been determined by TTB analysis to be harmless coloring, flavoring or blending material (confirmation of harmless coloring, flavoring or blending material status has already been made for French brandies including Armagnac, Cognac, etc.) **AND**
- Does not exceed 2½% by volume of the finished brandy

NOTE: See CHAPTER 7, COLORING/FLAVORING/BLENDING MATERIALS

• TYPE SIZE

- Minimum 2 mm for containers larger than 200 ml
- Minimum 1 mm for containers of 200 ml or less

• LEGIBILITY

- Must generally appear parallel to the base of the container
- Must be readily legible
- Must appear on a contrasting background
- Must appear separate and apart from any other descriptive or explanatory information

- **PLACEMENT**

Must appear on the **FRONT** of the container (as part of the class and type designation)

9. FD&C YELLOW #5 DISCLOSURE

- **REQUIRED**

"CONTAINS FD&C YELLOW #5" must appear on the label of any distilled spirits containing FD&C Yellow #5

- **TYPE SIZE**

- Minimum 2 mm for containers larger than 200 ml
- Minimum 1 mm for containers of 200 ml or less

- **LEGIBILITY**

- Must generally appear parallel to the base of the container
- Must be readily legible
- Must appear on a contrasting background
- Must appear separate and apart from any other descriptive or explanatory information

- **PLACEMENT**

May appear on the **FRONT**, **BACK** or **SIDE** of the container

10. SACCHARIN DISCLOSURE

- **REQUIRED**

"USE OF THIS PRODUCT MAY BE HAZARDOUS TO YOUR HEALTH. THIS PRODUCT CONTAINS SACCHARIN WHICH HAS BEEN DETERMINED TO CAUSE CANCER IN LABORATORY ANIMALS." is required on distilled spirits containing saccharin

- TYPE SIZE

- Minimum 2 mm for containers larger than 200 ml
- Minimum 1 mm for containers of 200 ml or less

- LEGIBILITY

- Must generally appear parallel to the base of the container
- Must be readily legible
- Must appear on a contrasting background
- Must appear separate and apart from all other label information

- PLACEMENT

May appear on the FRONT, BACK or SIDE of the container

11. SULFITE DECLARATION

- REQUIRED

“CONTAINS SULFITES” or “CONTAINS (A) SULFITING AGENT(S)” or identification of the specific sulfiting agent(s) is required on distilled spirits containing 10 or more parts per million (ppm) sulfur dioxide

- TYPE SIZE

- Minimum 2 mm for containers larger than 200 ml
- Minimum 1 mm for containers of 200 ml or less

- LEGIBILITY

- Must generally appear parallel to the base of the container
- Must be readily legible
- Must appear on a contrasting background
- Must appear separate and apart or substantially more conspicuous than any other descriptive or explanatory information

- PLACEMENT

May appear on the FRONT, BACK or SIDE of the container

12. COMMODITY STATEMENT

• DEFINITION

- For the distilled spirits identified below, the commodity statement is a statement disclosing the percentage of neutral spirits and the commodity from which the neutral spirits were distilled:

GROUP 1

Neutral Spirits/Alcohol produced by redistillation
Vodka produced by redistillation
Grain Spirits produced by redistillation
Blended Whisky
Blended Bourbon Whisky
Blended Wheat Whisky
Blended Rye Whisky
Blended Malt Whisky
Blended Rye Malt Whisky
Blended Corn Whisky
Spirit Whisky
Compounded Gin
Redistilled Gin
Blended Applejack

- For the distilled spirits identified below, the commodity statement is a statement disclosing the commodity from which the neutral spirits were distilled:

GROUP 2

Neutral Spirits/Alcohol produced by original distillation
Vodka produced by original distillation
Grain Spirits produced by original distillation
Distilled Gin

NOTE: For definitions of all listed products, see CLASSES AND TYPES chart in CHAPTER 4, CLASS AND TYPE DESIGNATION

- **FORMAT**

- For distilled spirits listed in GROUP 1 above:

- “ _____ % NEUTRAL SPIRITS DISTILLED FROM _____ ”

- (Fill in first blank with specific percentage and second blank with name of commodity. The commodity can be identified specifically or by general class, e.g., in the case of corn either “corn” or “grain” may be used)

- OR**

- “ _____ % _____ NEUTRAL SPIRITS ”

- (Fill in first blank with specific percentage and second blank with name of commodity. The commodity can be identified specifically or by general class, e.g., in the case of grapes either “grape” or “fruit” may be used)

- For distilled spirits listed in GROUP 2 above:

- “DISTILLED FROM _____ ”

- (Fill in blank with name of commodity. The commodity can be identified specifically or by general class, e.g., in the case of rye either “rye” or “grain” may be used)

- **TYPE SIZE**

- Minimum 2 mm for containers larger than 200 ml

- Minimum 1 mm for containers of 200 ml or less

- **LEGIBILITY**

- Must generally appear parallel to the base of the container

- Must be readily legible

- Must appear on a contrasting background

- Must appear separate and apart from any other descriptive or explanatory information

- **PLACEMENT**

- May appear on the FRONT, BACK or SIDE of the container

13. STATEMENTS OF AGE

- REQUIRED

A statement of age is required for:

- All types of whisky aged less than 4 years
- Grape lees brandy or grape pomace/grape marc brandy aged less than 2 years
- Distilled spirits labeled with miscellaneous age references or representations
- Distilled spirits labeled with a distillation date

NOTE: Statements of age, miscellaneous age references/representations and distillation dates are not permissible on all distilled spirits. See USE OF AGE/STORAGE STATEMENTS AND DATES ON LABELS chart in CHAPTER 8, STATEMENTS OF AGE to verify whether a particular class and/or type of distilled spirits may be labeled with a specific statement of age, miscellaneous age reference/representation or distillation date.

- SEE ALSO CHAPTER 8, STATEMENTS OF AGE

- TYPE SIZE

- Minimum 2 mm for containers larger than 200 ml
- Minimum 1 mm for containers of 200 ml or less

- LEGIBILITY

- Must generally appear parallel to the base of the container
- Must be readily legible
- Must appear on a contrasting background
- Must appear separate and apart from any other descriptive or explanatory information

- PLACEMENT

- For whisky that has not been blended with neutral spirits:
may appear on the FRONT, BACK or SIDE of the container

■For whisky blended with neutral spirits:
must appear with the commodity statement (see Item 12, "COMMODITY STATEMENT" of this chapter)

■For grape lees brandy and grape pomace/grape marc brandy:
may appear on the FRONT, BACK or SIDE of the container

■For distilled spirits labeled with miscellaneous age references or representations:
must appear on the same side of the container as the age reference or representation

NOTE: The requirement for placement of a specific statement of age on the same side of the container as the miscellaneous age reference or representation does not apply to:

- Whisky aged not less than 4 years
- Brandy **other than** grape lees brandy and grape pomace/grape marc brandy aged less than 2 years or immature brandy
- Rum aged not less than 4 years
- Tequila aged not less than 4 years

PROVIDED the miscellaneous age reference or representation is general in nature and inconspicuous (e.g., contained in back label text) on the label. No statement of age is required for these four classes/types of distilled spirits if these conditions are met

■For distilled spirits labeled with a distillation date:
must appear with the distillation date

14. STATE OF DISTILLATION

· APPLICATION

■Applies only to whisky produced in the U.S.

■Applies to the following specific types of whisky:

Bourbon Whisky
Rye Whisky
Wheat Whisky
Malt Whisky
Rye Malt Whisky
Corn Whisky
Straight Bourbon Whisky
Straight Rye Whisky

Straight Wheat Whisky
Straight Malt Whisky
Straight Rye Malt Whisky
Straight Corn Whisky
Straight Whisky
Whisky Distilled From Bourbon Mash
Whisky Distilled From Rye Mash
Whisky Distilled From Wheat Mash
Whisky Distilled From Malt Mash
Whisky Distilled From Rye Malt Mash

• **REQUIRED**

The State of distillation must be specifically identified on the label **IF**:

- The whisky was not distilled in the State identified in the required name and address statement (see Item 4, "NAME AND ADDRESS" of this chapter)

OR

- The whisky was distilled in the State identified in the required name and address statement **BUT**

- The required name and address statement does not appear on the front of the container

OR

- The label is in any way misleading or deceptive as to the actual State of distillation

NOTE: Other explanatory language may be permitted in lieu of the State of distillation as a dispelling statement

• **FORMAT**

The State of distillation may appear:

- As a separate statement, e.g., "DISTILLED IN _____"
(Fill in blank with name of specific State)

OR

- With the class and type designation, e.g., "_____ STRAIGHT BOURBON WHISKY"
(Fill in blank with name of specific State)

- TYPE SIZE

- Minimum 2 mm for containers larger than 200 ml
- Minimum 1 mm for containers of 200 ml or less

- LEGIBILITY

- Must generally appear parallel to the base of the container
- Must be readily legible
- Must appear on a contrasting background
- Must appear separate and apart from any other descriptive or explanatory information

- PLACEMENT

May appear on the FRONT, BACK or SIDE of the container

15. HEALTH WARNING STATEMENT

- REQUIRED

The statement below must appear on all alcohol beverages for sale or distribution in the U.S. containing not less than 0.5% alcohol by volume, intended for human consumption and bottled on or after November 18, 1989:

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.

- FORMAT

- The words "GOVERNMENT WARNING" must appear in capital letters and in bold type
- The remainder of the statement may not appear in bold type
- The statement must appear as a continuous paragraph

- TYPE SIZE

- Minimum 3 mm for containers larger than 3 liters (101 fl. oz.)
- Minimum 2 mm for containers larger than 237 ml (8 fl. oz.) to 3 liters (101 fl. oz.)
- Minimum 1 mm for containers of 237 ml (8 fl. oz.) or less

- LEGIBILITY

- Must be readily legible under ordinary conditions and appear on a contrasting background
- Must appear separate and apart from all other label information
- May not exceed maximum number of characters per inch:

<u>Minimum Type Size Requirement</u>	<u>Maximum Characters Per Inch</u>
1 mm	40
2 mm	25
3 mm	12

- PLACEMENT

May appear on the FRONT, BACK or SIDE of the container