



Formulas and Labels for Beer/Malt Beverages

CRAFT BREWERS CONFERENCE

APRIL 24, 2024



Agenda

- Introduction
- Formulas
- Labels
- Questions



TTB Disclaimer

This information is being presented to help the public to understand and comply with the laws and regulations that the Alcohol and Tobacco Tax and Trade Bureau (TTB) administers.

It is not intended to establish any new, or change any existing, definitions, interpretations, standards, or procedures regarding those laws and regulations.

In addition, this presentation may be made obsolete by changes in laws and regulations.

Please consult the applicable laws and regulations for the most current requirements.

Sample documents (such as records, returns, and labels) are for illustrative purposes only and contain fictitious data.



Poll

Question:

How long have you been in business?

Multiple Choice Answers:

- Not yet started operations
- Less than 1 year
- 1-2 years
- 2-5 years
- Over 5 years



Formulas for Beer/Malt Beverages

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Common Formula Questions

- What is a formula?
- Why is a formula required?
- At what stage do I apply for formula approval?
- When is a formula required?
- How do I apply for formula approval?



What is a Formula?

- A formula is the recipe for your beer/malt beverage
 - It must include a quantitative list of ingredients
 - It must include a description of how the product is produced
 - It must indicate a total yield or batch size
 - In some instances a sample of the product must also be submitted to TTB for laboratory analysis
- See [Formula Basics](#) page on TTB.gov



Where is the Formula Requirement?

- TTB regulations contain the requirement that formula approval must be obtained for certain products
 - Domestic (27 CFR 25.55)
 - Imported (27 CFR 7.28)



Why is a Formula Required?

- We use the information found in the formula to:
 - Classify the product for tax and labeling purposes
 - Ensure that the product does not contain any prohibited ingredients
 - Determine if limited ingredients are used within prescribed limitations or if they will impact labeling
 - Provide a suggested statement of composition for labeling purposes



At What Stage do I Apply for Formula Approval?

- **Domestic** – Formula approval (if required) must be obtained prior to producing the beer
- **Imported** – Formula approval may be requested prior to or in conjunction with an application for a certificate of label approval



When is a Formula Required?

- Formula approval is required if the brewer uses any of the following ingredients or processes*:
 - Flavors with alcohol
 - Compounded flavors
 - Colors
 - Artificial sweeteners
 - Food materials (unless exempted by [Attachment 1](#) of [TTB Ruling 2015-1](#))
 - The beverage is frozen and ice crystals are removed (e.g., [ice beer](#))

*Not a complete list



Ingredients and Processes that are Exempt from Formula Requirements

- [TTB Ruling 2015-1](#) exempts certain traditional ingredients and processes when used to make malt beverages
- [Attachment 1](#) specifies which ingredients and processes are exempt, for example:
 - Honey, vanilla beans
 - Barrel-aging



Ingredients and Processes that are Exempt from Formula Requirements

- [TTB Ruling 2015-1](#) does not exempt extracts or flavors containing alcohol
 - Vanilla beans are exempt, but vanilla extract is not exempt
- At least 51% of the fermentable materials must consist of malt or substitutes for malt (rice, grain of any kind, bran, glucose, sugar, and molasses)
- TTB can still request a formula and samples for analysis at any time, even when exempt ingredients are used



TTB Ruling 2015-1 | Attachment 1

Exempt Ingredients and Processes Determined to be Traditional Under TTB Ruling 2015-1

TTB Ruling 2015-1
Attachment 1

Exempt Ingredients Under the Conditions of TTB Ruling 2015-1

Industry members are responsible for ensuring that all ingredients, including any parts of fruit, used in the production of malt beverages or beer are wholesome products suitable for human food consumption and comply with applicable ingredient safety regulations of the Food and Drug Administration.

INGREDIENT	DESCRIPTION/LIMITATION
AGAVE	Whole, juice, puree, or concentrate. Does not include extracts, essential oils, or syrups.
ALLSPICE	As outlined in FDA's GRAS listing at 21 CFR 182.10 . Spices may be whole or ground. Does not include extracts, essential oils, or syrups.
ANISE	As outlined in FDA's GRAS listing at 21 CFR 182.10 . Spices may be whole or ground. Does not include extracts, essential oils, or syrups.
APPLES	Whole, juice, puree, or concentrate. Does not include extracts, essential oils, or syrups.
APRICOTS	Whole, juice, puree, or concentrate. Does not include extracts, essential oils, or syrups.



Combinations of Exempt and Non - Exempt Ingredients

Passion fruit and
vanilla beans are
exempt

Passion fruit,
vanilla beans

If you use both exempt and
non exempt ingredients,
formula is required

Guava

Guava is not
exempt



Which Beers Require Formula Approval?

- Use our online tool [Which Alcohol Beverages Require Formula Approval?](#) or check the list in [TTB G 2016-1A](#) to learn which beers require formula approval

Which Alcohol Beverages Require Formula Approval?

For certain distilled spirits, beers/malt beverages, and wines, TTB must evaluate the ingredients and production process before the product can be made or imported, and before you can submit your labels to TTB (if required). In some cases we also analyze a sample of the product in our laboratory while reviewing the formula.

Select your commodity, then answer a few questions about your product and we'll tell you whether it needs formula approval:



Distilled Spirits

Start



Malt Beverage (Beer)

Start



Wine/Cider

Start



What TTB Looks For When Reviewing Formulas

- Have you used the correct designation (class and type) – Is the base produced according to the stated standard*
- What is the GRAS (Generally Recognized As Safe) status of certain ingredients

*See 27 CFR 7.1, 7.141-7.147, and 25.15



What TTB Looks For When Reviewing Formulas (Cont.)

- Have you used any limited or prohibited ingredients
- Did you submit all the correct supporting documents needed for certain ingredients
 - Ingredient Specification Sheet (Spec Sheet)
 - Flavor Ingredient Data Sheets (FIDS)
 - Limited Ingredient Calculation Worksheet



Flavor Ingredient Data Sheet (FID Sheet or FIDS)

- A [FID Sheet](#) is a document that includes information about certain ingredients used to make a compounded flavor
- Submit one FID Sheet for each compounded flavor used in your product
- See [TTB G 2017-4](#) for additional information and examples



Flavor Ingredient Data Sheet (Cont.)

(FID Sheet or FIDS)

- The FID Sheet allows TTB to:
 - Ensure that the compounded flavor has been evaluated by the TTB Nonbeverage Products Laboratory
 - Verify that your beverage does not contain any ingredients in excess of the limits prescribed by TTB or by FDA
 - Ensure the appropriate labeling of your product
 - Ensure your product complies with TTB restrictions governing how much of the alcohol in your beverage may be derived from flavors and other nonbeverage ingredients containing alcohol



Flavor Ingredient Data Sheet (Cont.)

(FID Sheet or FIDS)

- Flavor manufacturer supplies it to the brewer
- FID based on exchange between flavor producer and TTB Nonbeverage Laboratory
- It lists concentration of limited ingredients in PPM
- Lists any colors used in flavor
- States alcohol content of flavor
- This information, combined with the use rate, determines classification of the flavor



TTB Limited Ingredients

- TTB allows 4 artificial flavor materials to be present at certain levels in alcohol beverages without affecting the label declaration:
 - Synthetic maltol
 - Ethyl maltol
 - Synthetic vanillin
 - Ethyl vanillin
- If these limits are exceeded, a **natural flavor** is treated as an **artificial flavor** in the product



Limited Ingredient Calculation Worksheets

- [Limited Ingredient Calculation Worksheets](#) are used to calculate the total amounts of ingredients that have limits on their use per TTB and FDA requirements
- Complete and submit one for each malt beverage made with one or more compounded flavors



Limited Ingredient Calculation Worksheets (Cont.)

- Also useful as a product development tool
 - Allows you to confirm that new product formulas are in compliance with limited ingredient requirements, and whether a flavor will be labeled as artificial prior to submitting the formula
- See [TTB G 2017-6](#) for additional information and examples



Beer/Malt Beverages with Flavors that Contain Alcohol

- If final ABV is **less than or equal to 6 percent**:
 - at least 51 percent of the alcohol in the final product must come from ingredients fermented at the brewery
 - no more than 49 percent of the alcohol in the final product can come from the flavors and other nonbeverage materials containing alcohol

27 CFR 7.5, 7.63(a)(3), and 25.15



Beer/Malt Beverages with Flavors that Contain Alcohol (Cont.)

- If final ABV is **greater than 6 percent**:
 - no more than 1.5 percent of the volume of the malt beverage can consist of alcohol from flavors and other nonbeverage ingredients containing alcohol
- An alcohol content statement must appear on the label if any alcohol in the malt beverage was derived from added flavors or other added nonbeverage ingredients (other than hops extract) containing alcohol

27 CFR 7.5, 7.63(a)(3), and 25.15



Ingredient Specification Sheet

(Spec Sheet or Technical Data Sheet)

- A [spec sheet](#) is a document or label that lists or describes the contents of an ingredient that is made from more than one component
- Submit a spec sheet for each ingredient that is made from more than one component, e.g., a fruit juice made from water, apples, and sugar



Ingredient Specification Sheet (Cont.)

(Spec Sheet or Technical Data Sheet)

- Should not be used for compounded flavors (use FID sheet)
- See [TTB G 2017-3](#) for additional information and examples



FDA Requirements

- FDA has authority over food and ingredient safety
 - Approved Food Additives
 - 21 CFR parts 170-186
 - Generally Recognized as Safe
 - Traditional use in food prior to 1958
 - Scientific determination
- Traditional medicines/dietary supplements are not necessarily GRAS
- Importer/producer is responsible for providing evidence that an ingredient is GRAS





GRAS Ingredients

- **GRAS – Generally Recognized As Safe**
 - Under sections 201(s) and 409 of the Federal Food, Drug, and Cosmetic Act, any substance that is intentionally added to food is a food additive, that is subject to premarket review and approval by FDA, unless the substance is generally recognized to be safe
 - Using only GRAS ingredients does not impact whether or not a formula is required



Prohibited and Limited Ingredients

- FDA maintains a list of prohibited ingredients at [21 CFR part 189](#)
- Certain non-prohibited ingredients may be used within prescribed limits
 - [TTB Limited Ingredients](#)



Poll

Question: How many formulas have you submitted?

Multiple Choice Answers:

- None
- 1-5
- 5-10
- 10-20
- More than 20



How Do I Apply for Formula Approval?

- Formulas Online
 - Step-by-step guidance
 - Data validation checks along the way
 - Application status updates via email
- [Formulas Online Customer Page](#)
- See webinar presentation: [How to Register and Submit Formulas through Formulas Online](#)





Formulas Online Helpful Hints

- Supply a quantitative list of ingredients
- Provide a complete method of manufacture
- Indicate at what stage flavors are added to the product
- Provide the common name and scientific name (genus and species) for any unusual herbal ingredients





Formulas Online Helpful Hints

- Ensure that ingredients are considered GRAS (generally recognized as safe) or are approved as food additives by the FDA before you submit
- Make sure you've uploaded all the applicable supporting documents, e.g., FIDS, Spec Sheet, etc., based on your list of ingredients





5 Common Reasons Formulas Are Returned

1. [Ingredient Specification Sheet \(Spec Sheet\)](#) is missing for ingredients composed of more than one component
2. [Flavor Ingredient Data Sheet \(FIDS\)](#) is missing when compounded flavors are used
3. Clarification on whether hops are used in product
4. [Limited Ingredient Calculation Worksheet](#) is missing when compounded flavors are used
5. Formula approval is not required for this product because it is composed of exempt ingredients or processes (See [TTB Ruling 2015-1](#))



What Should I Do After My Formula is Approved?

1. Determine whether your product requires a Certificate of Label Approval (COLA)
 - **YES:** If product contains both malted barley and hops **and** will be sold in interstate commerce
 - **NO:** If it does not contain both malted barley and hops
 - **NO:** If it will only be sold only intrastate
2. If your product requires a COLA, find the statement of composition in the RESULTS tab of your approved formula



What Should I Do After My Formula is Approved? (Cont.)

- On the approved formula, TTB will provide a simple, general statement of composition for the product label, such as:
 - *Malt Beverage with Natural Flavors and Artificial Color*
- You can either use this generic statement of composition to meet the requirement for the class/type statement on the label, or create a more specific labeling statement that discloses the specific flavors as well as the coloring agent, such as:
 - *Malt beverage with coconut and cinnamon, coffee flavor, and caramel color*



What Should I Do After My Formula is Approved? (Cont.)

- If a COLA is required, list your formula ID on your label application
- More information can be found: [TTBGov - Malt Beverage Example Formulas TTB G 2017-7](#)



Formula Resources

Beer Resources

TTB Beer Rulings

www.ttb.gov/beer/rulings

Alcohol Beverage Formula Approval Guidance

<https://www.ttb.gov/formulation>

TTB Beer Industry Circulars

www.ttb.gov/beer/industry-circulars

Does my Beer/Malt Beverage Require a Formula?

www.ttb.gov/formulation/mbev

TTB Beer Frequently Asked Questions (FAQs)

www.ttb.gov/beer/beer-faqs

TTB G 2016-1A –Beer/Malt Beverages Requiring Formula Approval or Laboratory Sample Analysis Chart

www.ttb.gov/public-guidance/ttb-g-2016-1a

Formula Approval with Laboratory Sample Analysis

<https://www.ttb.gov/formulation/formula-approval-with-laboratory-sample-analysis>

Determine If and How Ingredients May be Used in Your Beverage

<https://www.ttb.gov/formulation/determining-if-and-how-ingredients-may-be-used-in-your-beverage>



Labels for Malt Beverages

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Agenda

In this session we'll cover:

- Mandatory label information
- Keg collars
- Prohibited labeling practices



Poll

Question: How many COLAs have you applied for?

Multiple Choice Answers:

- None
- 1-10
- 10-20
- 20-50
- Coca-Cola?



Mandatory Label Information



Mandatory Label Information

The following label information is mandatory:

- **Brand name** (27 CFR 7.64)
- **Alcohol content*** (27 CFR 7.65)
- **Name and address** (27 CFR 7.66-7.68)
- **Country of origin** (Imported) (27 CFR 7.69)
- **Net contents** (27 CFR 7.70)
- **Class** (27 CFR 7.141-7.147))
- **Government Health Warning** (27 CFR 16.21-22)
- **Ingredient Declarations** (if used): (27 CFR 7.63)
 - Aspartame
 - Sulfites
 - FD&C yellow #5
 - Cochineal extract or carmine

***Note:** Alcohol content is only required for malt beverages containing alcohol derived from added flavors or other nonbeverage ingredients (other than hops extract)) containing alcohol

27 CFR 7.63



Mandatory Label Information

General Requirements

- Must be readily legible under ordinary conditions, and must appear on a contrasting background
- Other than the brand name, must be in English, with exceptions for malt beverages bottled for consumption in Puerto Rico
- For information about type size requirements, refer to
 - 27 CFR 7.53 or
 - TTB [Malt Beverage BAM \(Beverage Alcohol Manual\)](#)

27 CFR 7.52-7.55

PART I - APPLICATION		
2. PLANT REGISTRY/BASIC PERMIT/BREWER'S NO. (Required)	3. SOURCE OF PRODUCT (Required) ☒ Domestic ☐ Imported	8. NAME AND ADDRESS OF APPLICANT AS SHOWN ON PLANT REGISTRY, BASIC PERMIT OR BREWER'S NOTICE. INCLUDE APPROVED DBA OR TRADENAME IF USED ON LABEL (Required) Fake Brewery Name 1234 Road Arlington, VA
4. SERIAL NUMBER (Required)	5. TYPE OF PRODUCT (Required) ☐ WINE ☐ DISTILLED SPIRITS ☒ MALT BEVERAGE	
6. BRAND NAME (Required) Example		

Mandatory Label Information | Example

Mandatory Label Information:

- 1) Brand Name
- 2) Name and Address
- 3) Class/Type
- 4) Net Contents
- 5) Government Warning
- 6) Alcohol Content (Optional)

FRONT LABEL:



BACK LABEL:



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Mandatory Label Information

Brand Name

- Name under which the malt beverage is marketed
- If you do not identify a brand name, then the name of the bottler or importer is considered the brand name
- Common Mistakes:
 - Brand name on the label is not correctly entered on the application
 - Class/type is entered in the brand name field on the application
 - Example:

6. BRAND NAME (Required)

ALE



27 CFR 7.64



Mandatory Label Information

Name and Address

- City and state of bottler
- Trade name or DBA (doing business as) is allowed
- Principal place of business of the producing brewer may be used in lieu of listing all brewing locations when owning multiple brewing locations
- The place of bottling may also appear in a listing of all breweries owned by the bottler, if the place of bottling is not given less emphasis and the coding requirements of [27 CFR 25.141](#) and 25.142 are met

27 CFR 7.66-7.68



Name and Address | Common Mistakes

- Name and address are missing from the label
- City and state on label do not match the address on the Brewer's Notice
- Contract brewer/producer has not added the contractee's DBA/trade name to their Brewer's Notice
- Label contains name and address of the contractee and not the contract brewer/producer



Mandatory Label Information

Net Contents

- Must use English units of measure (fluid ounces, pints, quarts, gallons)
- May show both metric and English units on the label
 - 1 pint 9.4 fl. oz. (750 mL)

CONTENTS OF CONTAINER	NET CONTENTS MUST BE SHOWN IN...	EXAMPLES	
		CONTAINER SIZE	LABEL NET CONTENTS STATEMENT MUST BE...
Less than 1 pint	Fluid ounces or fractions of a pint	8 ounces	8 fluid ounces (fl. oz.) or ½ pint (pt.) or 0.5 pint (pt.)
1 pint	Pints	16 ounces	1 pint (pt.)
More than 1 pint but less than 1 quart	Pints and fluid ounces or fractions of a quart	20 ounces	1 pint (pt.), 4 fluid ounces (fl. oz.) or 5/8 quart (qt.) or 0.63 quart (qt.)
1 quart	Quarts	32 ounces	1 quart (qt.)
More than 1 quart but less than 1 gallon	Quarts, pints and fluid ounces or fractions of a gallon	60 ounces	1 quart (qt.), 1 pint (pt.), 12 fluid ounces (fl. oz.) or 15/32 gallon (gal.) or 0.47 gallon (gal.)
1 gallon	Gallons	128 ounces	1 gallon (gal.)
More than 1 gallon	Gallons and fractions of gallons	166 ounces	1 ¼ gallons (gals.) or 1.25 gallons (gals.)

27 CFR 7.70



Net Contents | Common Mistakes

- Stating just **oz.** instead of **fl. oz.**
- Stating **16 fl. oz.** instead of **1 pint** (may list both)

	
Acceptable Formats:	Needs Correction:
• 1 Pint • 1 Pint (473 mL)	• 16 OZ • 16 FL OZ • 473 mL

- Not converting measurements into pints and fluid ounces (22 fl. oz. vs. 1 pint 6 fl. oz.)
- Showing only metric units (750 mL)



Mandatory Label Information

Alcohol Content

- **Alcohol By Volume:**
 - Mandatory if any alcohol is derived from added flavors or other added nonbeverage ingredients (other than hops extract) containing alcohol
 - Otherwise, it is optional (unless required by state law)
- **Alcohol By Weight:**
 - You may optionally include alcohol by weight together with the statement of alcohol by volume

Approved Formats:	
Alcohol By Volume:	Alcohol By Weight:
Alcohol (ALC) __% by Volume (VOL)	Alcohol (ALC) ____% by Weight
Alcohol (ALC) by Volume (VOL) __%	Alcohol (ALC) by Weight __%
___% Alcohol (ALC) by Volume (VOL)	____% Alcohol (ALC) by Weight
___% Alcohol (ALC)/Volume (VOL)	____% Alcohol (ALC) / Weight

27 CFR 7.65



Alcohol Content | Common Mistakes

- Using an incorrect format
 - **ABV** and **ABW** are not permitted – you must spell out the words or use the abbreviations allowed by 27 CFR 7.65(b)(4)
Example:  5% ABV vs.  5% **ALC/VOL**
- Leaving off part of the phrase or the percent symbol (%)
- Not listing alcohol content on the label for products that contain added alcohol from a flavor



Mandatory Label Information

Health Warning Statement

- Must be readily legible under ordinary conditions and on a contrasting background
- Must be separate and apart from all other label text
- The words **GOVERNMENT WARNING** must appear in capital letters and bold type

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.

27 CFR part 16



Mandatory Label Information

Class and Type - General

- The specific identity of a malt beverage
- The designation of malt beverages is based on trade understandings of the characteristics generally attributed to the particular malt beverage
 - Ale, Beer, Malt Liquor, Stout, and Porter are all acceptable as the class designation of a malt beverage

27 CFR 7.141



Class/Type | Common Mistakes

IPA is not sufficient as a class/type statement. **Ale** or **India Pale Ale** must appear on the brand label.

Dunkelweizen and styles, such as **Hefeweizen**, **Bock**, **Tripel**, **Bier**, etc. are not sufficient class designations in and of themselves, and need to be further qualified by adding **Ale**, **Beer** etc. afterwards.

EXAMPLE
BREWING COMPANY

1

IPA

LOCALLY BREWED & BOTTLED IN
ARLINGTON, VIRGINIA

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.

1 PINT

NET CONTENTS:
5.2 GAL
GAL

EXAMPLE
BREWING COMPANY
ARLINGTON, VIRGINIA

2

BEER: _____

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.

The class designation (ale, stout, etc.) is missing. [**Beer** with a colon is considered a heading, and not a class/type.]

EXAMPLE
BREWING COMPANY
ARLINGTON, VIRGINIA

3

DUNKELWEIZEN

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.

1 PINT
5% ALC/VOL

Image from [canva.com/templates/labels](https://www.canva.com/templates/labels)



Mandatory Label Information

Class and Type – Malt Beverage Specialty Products

- Products not known to the trade under a particular designation are commonly called **malt beverage specialty products**
- MB specialty products generally require formula approval prior to applying for label approval, unless they have been specifically exempted from formula approval

27 CFR 7.141



Mandatory Label Information

Class and Type – Formulated Specialty Products

- If formula approval is required, the product must be labeled with a distinctive or fanciful name, together with an adequate and truthful statement of the composition

Hazelnut Porter – Porter Brewed with Hazelnuts

Fanciful name

Statement of Composition

27 CFR 7.147



MB Specialties that Require Formulas | Common Mistakes

- Fanciful name is missing on the label and/or application
- Statement of composition does not accurately reflect the flavoring materials in the product as per the formula
- Statement of composition is missing the base beer
 - For example, Made with Vanilla Extract vs. Ale with Vanilla Extract



Class and Type | Formulated MB Specialty Product

The fanciful name is missing. On formulated malt beverages, a fanciful name is required to appear on the brand label

6. BRAND NAME (Required)
Example Brewing Company

7. FANCIFUL NAME (If any)
Happily Elder After

BREWED & BOTTLED IN ARLINGTON, VA

EXAMPLE BREWING COMPANY

1

SINCE 1985

ELDERBERRY ALE

2

1 PINT
5% Alc/Vol

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.

The label must have a statement of composition that identifies the products class and type, which is currently missing. A designation does not satisfy this requirement because the product is formulated

BREWED & BOTTLED IN ARLINGTON, VA

• EXAMPLE BREWING COMPANY •

HAPPILY ELDER AFTER
ALE WITH ELDERBERRIES

SINCE 1985

5% ALC/VOL

1 PINT

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.

BOTTLED ON
12/01/19

BEST BEFORE
08/01/20

DRINK RESPONSIBLY

Image from [canva.com/templates/labels/](https://www.canva.com/templates/labels/)



Mandatory Information

Class and Type – Formula Exempt MB Specialties

- Specific malt beverage ingredients and processes are exempt from formulas under [TTB Ruling 2015-1](#)
- The process of aging beer is exempt, however DS or wine barrels, woodchips, or staves must have no discernible quantity of spirits or wine
- **Labeling Requirements:**
 - Class/type may be stated as **either a Designation or Statement of Composition**
 - Fanciful Names are not required
 - Aging of a product does not need to be called out as part of the class/type

Flavoring Ingredient used:	Raspberry puree
Is a formula required?	NO (exempt under 2015-1)
Labeling options: • in accordance with trade understanding • Statement of Composition	Fruit Ale Raspberry Ale Ale with Natural Flavor Ale with Raspberries



2015-1 Examples of Designations – Attachment 2

Examples of Adequate and Inadequate Designations in Accordance with Trade Understanding

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	- Beer brewed with cherry juice - Malt beverage fermented with natural flavor (<i>Kriek</i> may be added as optional additional information.)	- Fruit beer - Cherry beer (<i>Kriek</i> may be added as optional additional information.)	- Cherry delight <i>Kriek</i> - Bob's Beer - Beer - Malt beverage
Beer with cherry juice added after fermentation	- Beer flavored with cherry juice - Malt beverage with natural flavor added (<i>Kriek</i> may be added as optional additional information.)	- Fruit beer - Cherry beer (<i>Kriek</i> may be added as optional additional information.)	- Cherry delight <i>Kriek</i> - Bob's Beer Misleading designation: Beer brewed with cherry juice



Class and Type | Formula Exempt MB Specialties

This label **does not** have a class and type statement or designation in accordance with TTB Ruling 2015-1



Examples of acceptable designations/statement of composition:



Image from canva.com/templates/labels



MB Specialties Exempt from Formulas | Common Mistakes

- Product ingredients are not sufficiently conveyed by the style's name, for example, as **gose** or **wit**
- Statement of composition or designation is missing
- Class designation of base product is missing in the statement of composition

Acceptable: 😊

Ale with Blueberries

Needs Correction: 🚫

Made with Blueberries



Geographical Names

Class and Type

- Geographical names for distinctive types of malt beverages shall not be applied to malt beverages produced in any place other than the particular region indicated by the name unless qualified with text such as **STYLE** or **PRODUCT OF THE USA** or other text to indicate the true place of production
- Common Mistakes
 - **India Pale Lager** or **India Session Ale** appearing without qualifiers (such as **Style** or **Product of USA**)
 - **Product of the USA** does not appear in direct conjunction with the geographically significant reference (text or imagery)

27 CFR 7.146



Geographical Names of Distinctive Types

Class and Type

Names that have lost geographic significance (no qualifier required)

- India Pale Ale
- Baltic Porter
- Bohemian
- Russian Imperial Stout
- Imperial Russian Stout
- Scotch Ale
- Scottish Ale

Examples of names that still have geographic significance* (qualifier required)

- Belgian
 - Berliner
 - English
 - Irish
 - Kolsch
 - Mexican
 - Vienna
 - New England
 - West Coast (or similar)
- *Not a Complete List



Geographic Significance | Example

Unlike **India Pale Ale**, **India Pale Lager** has not lost its geographic significance

Geographically significant malt beverage styles produced in a country other than the one indicated must be properly qualified with **style** or a phrase such as **Product of USA**



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.

1

Example
BREWING COMPANY

India Pale Lager

keep cold
drink fresh

1 PINT • 7.5% ALC/VOL
BREWED & BOTTLED
IN ARLINGTON, VA

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.

Example
BREWING COMPANY

India Pale Lager
Product of USA

keep cold
drink fresh

1 PINT • 7.5% ALC/VOL
BREWED & BOTTLED
IN ARLINGTON, VA

Keg Collars





Kegs

- Kegs are consumer containers, just like bottles or cans
- When a COLA is required, mandatory labeling requirements must be met
- Labels bearing mandatory information may include:
 - Keg caps
 - Collars
 - Stickers
 - Combination of formats
- Information can be handwritten on the label
 - Except for **GOVERNMENT WARNING**





Kegs | requirement for firmly affixed labels

- Generally, keg labels must be firmly affixed such that they can't be removed without the application of water or other solvents
- However, for kegs with a capacity of at least 5.16 gallons, labels are also considered firmly affixed when they would be broken or otherwise rendered not reusable upon removal
- Additionally, such keg labels need not be firmly affixed if the name of the bottler or importer is permanently or semi-permanently stated on the keg (e.g., via embossing, engraving, stamping, or a sticker or ink jet printing)
- Keg labels that merely repeat mandatory information already on the container via a firmly affixed label need not be firmly affixed
- Note: there is no exception for firmly affixing the **GOVERNMENT WARNING**



27 CFR 7.51 and 7.61(a)(5)

Keg Label Common Mistakes | Example

The Government Health Warning is not compliant. The **S** and **G** in Surgeon General must be capitalized. Also, a comma must appear after **General** and **machinery**.

The alcohol content cannot be left blank and must be listed in the identified section. However, it is an allowable revision post approval.

When multiple class and type designations are present on keg labels, you are required to designate the product to which the application applies.

Irish is geographically significant and must be further qualified (e.g. Irish-Style). **Cream** and **Wit** are missing the Class/Type designation at the end.





Prohibited Labeling Practices



Examples of Things Prohibited from Appearing on Malt Beverage Labels

- Any statement that is false or untrue
- Any statement ... relating to any guarantee (except money-back guarantees are permitted)
- Any misleading information, such as:
 - Text that implies that the product is a distilled spirit or contains a distilled spirit (with certain exceptions)
 - Misleading health-related claims
 - Implied government endorsements

27 CFR 7.102, 7.123, and 7.126-7.130



Commonly Used Optional Information

Rulings of Interest:

- [2004-1](#) Caloric and Carbohydrate Representations
- [2020-2](#) Gluten Content Statements
- [2013-2](#) Voluntary Nutrient Content Statements

Frequently Asked Questions (FAQs) of Interest:

- [FAQs on TTB Ruling 2013-2 \(Serving Facts Statements\)](#)
- [FAQs on Sugar Content Statements](#)
- [FAQs on Major Food Allergen Labeling](#)
- [FAQs on Organic Labeling](#)
- [FAQs on Alcohol](#)
- [FAQ \[AF3\]](#): How do I calculate the number of servings per container?



Labeling Resources

Beer Resources

TTB Beer Rulings

www.ttb.gov/beer/rulings

Beer-Beverage Alcohol Manual (BAM)

www.ttb.gov/beer/beverage-alcohol-manual

TTB Beer Industry Circulars

www.ttb.gov/beer/industry-circulars

Do I Need a Formula? Tool

www.ttb.gov/formulation/mbev

TTB Beer Frequently Asked Questions (FAQs)

www.ttb.gov/beer/beer-faqs

TTB G 2016-1A –Beer/Malt Beverages Requiring Formula Approval or Laboratory Sample Analysis Chart

www.ttb.gov/public-guidance/ttb-g-2016-1a

Allowable Revisions to Approved Labels

www.ttb.gov/labeling/allowable-revisions

Labeling Laws and Regulations

www.ttb.gov/labeling/laws-and-regulations



Contact Us

Questions?

Contact the Alcohol Labeling and Formulation Division at:

- Toll Free at 866-927-ALFD (2533), OR
- Use our [Alcohol Labeling and Formulation Division \(ALFD\) Contact Form](#)

Representatives are Available:

8 a.m. to 4:30 p.m. ET Monday - Friday (except on federal holidays)



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