

CHAPTER 1
MANDATORY LABEL INFORMATION
27 CFR 4.32 and Part 16

1. BRAND NAME (27 CFR 4.33)

- GENERAL FEATURES

- Usually the most prominent piece of information on the label.
- Name under which a wine or line of wines is marketed.

NOTE: If the wine is not sold under a brand name, the name of the bottler, packer or importer (if shown on the brand label) becomes the brand name.

- MISLEADING BRAND NAME

- No label may contain a misleading brand name. A brand name is misleading if, whether standing alone or in combination with other printed or graphic material, it creates any impression or inference as to the age, origin, identity or other characteristics of the wine, UNLESS the appropriate TTB officer finds that the brand name:
 - Conveys no erroneous or misleading impressions about the wine.

OR

- When qualified with the word “BRAND” conveys no erroneous impression as to the age, origin, identity, or other characteristics of the product. TTB will make these determinations on a case-by-case basis.

NOTE: Qualification with the word “BRAND” is NOT an option in the case of a brand name of viticultural significance (See Chapter 4, Geographic Brand Names).

- Exceptions relating to age in 27 CFR 4.39(b). No statement of age or representation relating to age may appear on the label (including the brand name) EXCEPT:
 - For vintage wine in accordance with the provisions in 27 CFR 4.27;
 - References relating to methods of wine production involving storage or aging may be made in accordance with 27 CFR 4.38(f);

Example: “AGED (or MATURED) 6 MONTHS IN OAK CASKS”;

OR

- Use of the word “old” as part of a brand name.
- BRAND NAME INCLUDING A VINEYARD, ORCHARD, FARM, OR RANCH NAME (27 CFR 4.39(m))
 - When used in a brand name, a vineyard, orchard, farm, or ranch name having geographical or viticultural significance is subject to the requirements of 27 CFR 4.33(b) and 4.39(i).

NOTE: SEE ALSO, CHAPTER 4, GEOGRAPHIC BRAND NAMES.

- In general, a brand name that includes a vineyard, orchard, farm, or ranch name is acceptable:
 - If not less than 95 percent of the wine was produced from primary winemaking material grown on the named vineyard, orchard, farm, or ranch;

OR

- If the company name or trade name shown in the mandatory name and address statement on the label is identical to the brand name that includes a vineyard, orchard, farm, or ranch name.

- TYPE SIZE (27 CFR 4.38(b))
 - Minimum 2 millimeters (mm) for containers larger than 187 milliliters (ml),

OR

- Minimum 1 mm for containers of 187 ml or less.

NOTE: The brand name is not required to be in all capital letters; however, the minimum type size applies to each letter in the brand name, including both upper-case and lower-case letters.

- LEGIBILITY (27 CFR 4.38(a))
 - Must be readily legible under ordinary conditions;
 - Must appear on a contrasting background; and
 - Must appear separate and apart from, or be substantially more conspicuous than, descriptive or explanatory information (27 CFR 4.38(b)).
- PLACEMENT

- Must appear on the BRAND label of the container.

2. CLASS AND TYPE DESIGNATION (27 CFR 4.34)

Subpart C of Part 4 sets forth various standards of identity for different classes and types of wine. If the class of the wine is not defined in subpart C, a truthful and adequate statement of composition must appear on the brand label in lieu of a class designation.

NOTE: SEE ALSO, CHAPTER 5, CLASS AND TYPE DESIGNATION.

- TYPE SIZE (27 CFR 4.38(b))
 - Minimum 2 mm for containers larger than 187 ml,

OR

- Minimum 1 mm for containers of 187 ml or less.

NOTE: The class/type designation is not required to be in all capital letters; however, the minimum type size applies to each letter in the designation, including both upper-case and lower-case letters.

- LEGIBILITY (27 CFR 4.38(a))
 - Must be readily legible under ordinary conditions;
 - Must appear on a contrasting background; and
 - Must appear separate and apart from, or be substantially more conspicuous than, descriptive or explanatory information (27 CFR 4.38(b)).
- PLACEMENT
 - Must appear on the BRAND label of the container.

3. ALCOHOL CONTENT (27 CFR 4.36)

The regulations (27 CFR 4.36) require numerical alcohol content statements to appear on wine labels, EXCEPT:

In the case of wine containing 14 percent or less* alcohol by volume, the alcohol content may, but need not, be stated if the type designation “table wine” or “light wine” appears on the brand label as the mandatory class/type designation.

NOTE: If table wine or light wine is made from any commodity other than grapes, “TABLE WINE” or “LIGHT WINE” must be qualified with the specific or general class of the commodity from which the wine was made. (See CLASSES AND TYPES chart in CHAPTER 5, CLASS AND TYPE DESIGNATION.)

Example: “CHERRY TABLE WINE” or “LIGHT RICE WINE”

- Form of Numerical Alcohol Content Statement

- Alcohol content may be stated as a specific percentage with a tolerance of:

- Plus or minus 1 percentage point for wines containing over 14 percent alcohol by volume;

Example: A wine is labeled with the alcohol content statement “18% ALC. BY VOL.” Provided the actual alcohol content does not exceed 19 percent or fall below 17 percent, the label alcohol content statement “18% ALC. BY VOL.” is permissible.

- Plus or minus 1.5 percentage points for wines containing no more than 14 percent alcohol by volume;

Example: A wine is labeled with the alcohol content statement “12% ALC. BY VOL.” Provided the actual alcohol content does not exceed 13.5 percent or fall below 10.5 percent, the label alcohol content statement “12% ALC. BY VOL.” is permissible.

OR

- Alcohol content may be stated as a range. The range may not exceed:

- 2 percentage points for wines containing over 14 percent alcohol by volume;

Example: “17%-19% ALC. BY VOL.”

- 3 percentage points for wines containing no more than 14 percent alcohol by volume;

Example: “9%-12% ALC. BY VOL.”

***Wine containing less than 7 percent alcohol by volume is not subject to the labeling regulations of the FAA Act.**

NOTE: Regardless of the prescribed tolerances and the allowed ranges, an alcohol content statement, whether required or optional, must definitely and correctly indicate the class, type, and taxable grade of the wine so labeled. The regulations do not authorize the appearance of a range of alcohol content on a label if the range overlaps a prescribed limitation on the alcohol content of any class, type, or taxable grade of wine. See the current version of 27 CFR part 4 for class and type designations. See the current version of 26 U.S.C. 5041 for wine tax classifications.

Example: A still grape table wine is labeled with the designation “table wine” and the alcohol content statement “13.5% ALC. BY VOL.” Provided the actual alcohol content does not exceed 14 percent or fall below 12 percent, the labeled alcohol content statement “13.5% ALC. BY VOL.” is permissible. It would not be permissible if the actual alcohol content of the wine were 14.5 percent alcohol by volume, because this alcohol content would put the wine into a different type designation (i.e., dessert wine rather than table wine).

- **FORMAT**

The alcohol content statement may include the abbreviations “alc.” or “alc” for alcohol, and “vol.” or “vol” for “volume. The words may appear in capital letters or lower case letters.

- For statements of the specific percentage of alcohol:
 - “ALCOHOL (ALC.) ___ % BY VOLUME (VOL.)”

OR

- “___ % ALCOHOL (ALC) BY VOLUME (VOL)”
- For alcohol content statements shown in a range:
 - “___% TO ___% ALCOHOL (ALC.) BY VOLUME (VOL.)”

OR

- “ALCOHOL (ALC.) ___% TO ___ % BY VOLUME (VOL.)”
- **TYPE SIZE (27 CFR 4.38(b)(3))**
 - For containers of 5 liters or less:
 - Minimum 1 mm;
 - Maximum 3 mm.

NOTE: The alcohol content statement is not required to be in all capital letters; however, the minimum and maximum type size applies to each numeral, symbol or letter in the statement, including both upper-case and lower-case letters.

- LEGIBILITY (27 CFR 4.38(a))
 - Must be readily legible under ordinary conditions;
 - Must appear on a contrasting background.
- PLACEMENT
 - May appear on any label of the container.

4. PERCENTAGE OF FOREIGN WINE (27 CFR 4.32(a)(4))

A statement of the percentage and origin of foreign wine (e.g., “30% GRAPE WINE FROM ITALY”) is required on blends of American and foreign wines if any reference to the presence of foreign wine is made on the label.

- TYPE SIZE (27 CFR 4.38(b))
 - Minimum 2 mm for containers larger than 187 ml,

OR

- Minimum 1 mm for containers of 187 ml or less.

NOTE: The percentage of foreign wine is not required to be in all capital letters; however, the minimum type size applies to each numeral, symbol or letter in the statement, including both upper-case and lower-case letters.

- LEGIBILITY (27 CFR 4.38(a))
 - Must be readily legible under ordinary conditions;
 - Must appear on a contrasting background; and
 - Must appear separate and apart from or be substantially more conspicuous than descriptive or explanatory information (27 CFR 4.38(b)).
- PLACEMENT
 - Must appear on the brand label of the container.

5. NAME AND ADDRESS (27 CFR 4.35)

- **REQUIRED**

- For American wine:
 - The name and address of the bottler or packer must appear on the label, preceded by the phrase “bottled by” or “packed by.”
- For imported wine:
 - The name and address of the importer, agent, sole distributor, or other person responsible for the importation must appear on the label, preceded by the phrase “imported by” or a similar appropriate phrase (such as “Sole U.S. Agent”);

AND

- If the wine is bottled or packed in the United States after importation:
 - The name and address of the bottler or packer must also appear on the label;

OR

- If the wine was bottled or packed for the person responsible for the importation, the words “imported by and bottled (packed) in the United States for” (or a similar phrase), followed by the name and address of the principal place of business of the person responsible for the importation;

OR

- If the wine was bottled or packed by the person responsible for the importation, the words “imported and bottled (packed) by”, followed by the name and address of the principal place of business in the United States of the person responsible for the importation.

OR

- If the wine is blended, bottled, or packed in a foreign country other than the country of origin and the label identifies the country of origin, the label shall also state “blended by,” “bottled by,” or “packed by,” or some other appropriate statement, followed by the name of the blender, bottler, or packer and the place where the wine was blended, bottled, or packed.

NOTE: SEE ALSO, CHAPTER 6, NAME AND ADDRESS (OPTIONAL STATEMENTS AND PRECEDING EXPLANATORY PHRASES).

- NAME AND ADDRESS

- Name

- The trade or operating name of any person appearing on any label must be identical to a name appearing on the basic permit or other qualifying document.

- Address

- The “place” shown on the label is the post office address shown on the basic permit or other qualifying document of the premises at which the operations took place. The street address and zip code may be omitted. The city and State are required.
- The label must show the address of each operation that is designated on the label.

Example: “Produced at Gilroy, California, and bottled at San Mateo, California, by XYZ Winery.”

- No additional places or addresses shall be stated for the same person unless:
 - Such person is actively engaged in the conduct of an additional bona fide and actual alcohol beverage business at such additional place or address;

AND

- The label also contains in direct conjunction therewith appropriate descriptive material indicating the function occurring at such additional place or address in connection with the particular product.
- In the case of an importer, the address shown on the label is the city and State of the importer’s principal place of business in the United States, as shown on the basic permit.

- “Bottled By (or For)”

- This phrase refers to wine placed in containers of 4 liters or less.

- “Packed By (or For)”

- This phrase refers to wine placed in containers of more than 4 liters.

NOTE: SEE ALSO, CHAPTER 6, NAME AND ADDRESS (OPTIONAL STATEMENTS AND PRECEDING EXPLANATORY PHRASES)

- TYPE SIZE (27 CFR 4.38(b))
 - Minimum 2 mm for containers larger than 187 ml,

OR

- Minimum 1 mm for containers of 187 ml or less.

NOTE: The name and address statement is not required to be in all capital letters; however, the minimum type size applies to each numeral or letter in the statement, including both upper-case and lower-case letters.

- LEGIBILITY (27 CFR 4.38(a))
 - Must be readily legible under ordinary conditions;
 - Must appear on a contrasting background; and
 - Must appear separate and apart from, or be substantially more conspicuous than, descriptive or explanatory information (27 CFR 4.38(b)).
- PLACEMENT
 - May appear on any label on the container.

6. NET CONTENTS (27 CFR 4.37)

- REQUIRED
 - The net contents of wine for which a standard of fill is prescribed in 27 CFR 4.72 must be stated in the same manner and form as set forth in the standard of fill.
 - The net contents of wine for which no standard of fill is prescribed in 27 CFR 4.72 must be stated in the metric system of measure.

NOTE: SEE ALSO, CHAPTER 7, STANDARDS OF FILL.

- TYPE SIZE (27 CFR 4.38(b))
 - Minimum 2 mm for containers larger than 187 ml,

OR

- Minimum 1 mm for containers of 187 ml or less.

NOTE: The net contents statement is not required to be in all capital letters; however, the minimum type size applies to each numeral or letter in the statement, including both upper-case and lower-case letters.

- LEGIBILITY (27 CFR 4.38(a))
 - Must be readily legible under ordinary conditions;
 - Must appear on a contrasting background; and
 - Must appear separate and apart from, or be substantially more conspicuous than, descriptive or explanatory information (27 CFR 4.38(b)).
- PLACEMENT
 - Net contents may be blown or branded into the bottle in lieu of or in addition to stating net contents on the label (27 CFR 4.37(c)).
 - May appear on the FRONT, BACK, or SIDE of the container (27 CFR 4.32).
- TOLERANCE (27 CFR 4.37)
 - Statements of net contents must indicate exactly the volume of wine within the container, with limited tolerances provided in 27 CFR 4.37(d).
 - Unreasonable shortages in some containers in a shipment may not be compensated by overages in other containers in the same shipment.”
 - For tolerance requirements for products removed from wine premises, please see 27 CFR 24.255.

7. FD&C YELLOW NO. (or #) 5 DISCLOSURE (27 CFR 4.32(c))

- REQUIRED

“CONTAINS FD&C YELLOW NO. 5” or “CONTAINS FD&C YELLOW #5” must appear on the label where that coloring material is used in a product bottled on or after October 6, 1984.

- TYPE SIZE (27 CFR 4.38(b))

- Minimum 2 mm for containers larger than 187 ml.

OR

- Minimum 1 mm for containers of 187 ml or less.
- **LEGIBILITY (27 CFR 4.38(a))**
 - Must be readily legible under ordinary conditions;
 - Must appear on a contrasting background; and
 - Must appear separate and apart from, or be substantially more conspicuous than, descriptive or explanatory information (27 CFR 4.38(b)).

NOTE: The statement is not required to be in all capital letters; however, the minimum type size applies to each numeral, symbol or letter in the statement, including both upper-case and lower-case letters.

- **PLACEMENT (27 CFR 4.32)**
 - May appear on the brand or back label of the container.
 - A wine containing FD&C Yellow No. 5 is required to bear a statement of composition on the brand label. The statement of composition may use the phrase “certified color” rather than specifically identifying FD&C Yellow No. 5, but FD&C Yellow No. 5 must specifically be declared elsewhere on the product’s label (27 CFR 4.34(a)).

8. DECLARATION OF COCHINEAL EXTRACT OR CARMINE (27 CFR 4.32(d))

There must be stated on a front label, back label, strip label, or neck label a statement that the product contains the color additive cochineal extract or the color additive carmine, prominently and conspicuously, using the respective common or usual name (“cochineal extract” or “carmine”), where either of the coloring materials is used in a product that is removed on or after April 16, 2013.

Examples: “CONTAINS COCHINEAL EXTRACT”;
“CONTAINS CARMINE”;

OR

“CONTAINS COCHINEAL EXTRACT AND CARMINE” (if applicable).

- TYPE SIZE (27 CFR 4.38(b))
 - Minimum 2 mm for containers larger than 187 ml.

OR

- Minimum 1 mm for containers of 187 ml or less.

NOTE: The statement is not required to be in all capital letters; however, the minimum type size applies to each letter in the statement, including both upper-case and lower-case letters.

- LEGIBILITY (27 CFR 4.38(a))
 - Must be readily legible under ordinary conditions;
 - Must appear on a contrasting background; and
 - Must appear separate and apart from, or be substantially more conspicuous than, descriptive or explanatory information (27 CFR 4.38(b)).
- PLACEMENT (27 CFR 4.32)
 - May appear on the brand or back label of the container.
 - A wine containing either cochineal extract or carmine, or both, is required to bear a statement of composition on the brand label. The statement of composition may use the phrase “artificial color” rather than specifically identifying cochineal extract or carmine, but cochineal extract or carmine must specifically be declared elsewhere on the product’s label (27 CFR 4.34(d)).

9. SULFITE DECLARATION (27 CFR 4.32(e))

- REQUIRED
 - For any wine containing 10 or more parts per million (ppm) of sulfur dioxide, the statement “CONTAINS SULFITES” or “CONTAINS (A) SULFITING AGENT(S)” or identification of the specific sulfiting agent(s) is required.
 - The following statements may be used in lieu of the above statements for products that contain 10 ppm or more sulfur dioxide if no sulfites were added in the production process:
 - “CONTAINS NATURALLY OCCURRING SULFITES”;

OR

- “NO SULFITES ADDED, CONTAINS ONLY NATURALLY OCCURRING SULFITES”

TTB will not approve an application for label approval for a wine (other than an agricultural wine) that does not include a sulfite statement, unless the applicant presents a sulfite analysis conducted by the TTB Laboratory, establishing that the wine contains less than 10 ppm sulfur dioxide. Producers of domestic wines should contact the TTB Compliance Laboratory and importers should contact the TTB Beverage Alcohol Laboratory to request a sulfite waiver analysis for submission with their COLA applications.

NOTE: While laboratory analyses are not required to be submitted with an application for label approval for an agricultural wine where the label bears no sulfite statement, it is nonetheless the responsibility of the label applicant to ensure that the agricultural wine is properly labeled with a sulfite statement if the wine contains 10 or more ppm of sulfur dioxide.

- **OPTIONAL STATEMENTS:**

- If the label applicant submits a TTB Laboratory analysis establishing that the wine contains less than 10 ppm sulfur dioxide, the label is not required to include any sulfite statement. However, such a wine may be labeled with an optional statement such as:
 - Where the TTB Laboratory analysis shows less than 10 ppm sulfites: “Contains Less than 10 ppm Sulfites”, or “Contains Less than 10 ppm sulfur dioxide.”
 - Where the TTB Laboratory analysis detects no sulfites: “No Sulfites [Sulfur Dioxide] Detected” or “No Detectable Sulfites [Sulfur Dioxide].”

- **TYPE SIZE (27 CFR 4.38(b))**

- Minimum 2 mm for containers larger than 187 ml.

OR

- Minimum 1 mm for containers of 187 ml or less.

NOTE: The statement is not required to be in all capital letters; however, the minimum type size applies to each letter in the statement, including both upper-case and lower-case letters.

- **LEGIBILITY (27 CFR 4.38(a))**

- Must be readily legible under ordinary conditions;

- Must appear on a contrasting background; and
- Must appear separate and apart from, or be substantially more conspicuous than, descriptive or explanatory information (27 CFR 4.38(b)).
- PLACEMENT (27 CFR 4.32(e))
 - May appear on the FRONT, BACK, STRIP, or NECK label of the container.

10. HEALTH WARNING STATEMENT (27 CFR part 16)

- REQUIRED

The health warning statement below must appear on all alcohol beverages for sale or distribution in the U.S. containing not less than 0.5 percent 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.)

OR

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

OR

- 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.

11. COUNTRY OF ORIGIN (19 CFR 134.11)

- APPLICATION

- Country of Origin statements are required by the U.S. Customs and Border Protection regulations on containers of wines (including bulk wines) imported into the United States. (See 19 CFR 134.11.)