

# CHAPTER 1

## MANDATORY LABEL INFORMATION

### 1. BRAND NAME

- GENERAL FEATURES

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

- Name under which a malt beverage or line of malt beverages is marketed

**NOTE:** If the malt beverage is not sold under a brand name, the name of the bottler, packer or importer [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 malt beverage is prohibited **UNLESS** the name, whether standing alone or in combination with other printed or graphic material:

- Accurately describes the malt beverage **AND**

- Conveys no erroneous impression about the malt beverage

**OR**

- Is qualified with:

- The word "BRAND" **OR**

- A statement that dispels any erroneous impression created by the brand name

- TYPE SIZE

- Minimum 2 mm for containers larger than ½ pint

- Minimum 1 mm for containers of ½ pint or less

- LEGIBILITY

- Must be readily legible

- Must appear on a contrasting background

- Must appear separate and apart from or be substantially more conspicuous than descriptive or explanatory information

- PLACEMENT

Must appear on the FRONT of the container

## **2. CLASS AND TYPE DESIGNATION**

- DEFINITION

The specific identity of the malt beverage

- SEE ALSO CHAPTER 4, CLASS AND TYPE DESIGNATION

- TYPE SIZE

- Minimum 2 mm for containers larger than ½ pint

- Minimum 1 mm for containers of ½ pint or less

- LEGIBILITY

- Must be readily legible

- Must appear on a contrasting background

- Must appear separate and apart from or be substantially more conspicuous than descriptive or explanatory information

- PLACEMENT

Must appear on the FRONT of the container

## **3. NAME AND ADDRESS**

- REQUIRED

- For domestic malt beverages

The name and address of the producer/bottler or packer must appear on the label optionally preceded by an appropriate explanatory phrase such as “BREWED AND BOTTLED/PACKED BY,” “BREWED BY” or “BOTTLED/PACKED BY”

**NOTE:**

- “BOTTLED BY” is used for malt beverages bottled in containers of 1 gallon or less
- “PACKED BY” is used for malt beverages packed in containers of over 1 gallon

■ For imported malt beverages

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”

• DEFINITIONS

■ Name

The company or corporate name or trade name identical to that shown on:

Brewer’s notice for domestic malt beverages  
Basic permit for imported malt beverages

■ Address

For domestic malt beverages

- City and state where malt beverage is bottled or packed

**NOTE:** The bottling/packing location may be contained within a listing of all the brewer’s locations **PROVIDED:**

- 1) The place of actual production/bottling or packing is given no less prominence than other locations listed
- 2) The actual location (address) where the malt beverage is produced/bottled or packed is indicated by printing, coding or other markings on the label or container
- 3) The brewer files, prior to use, a notice explaining the coding system with:

Chief, National Revenue Center  
8002 Federal Office Building  
550 Main Street  
Cincinnati, Ohio 45202-3263

**OR**

- City and state of the bottler's/packer's principal place of business (see "PRINCIPAL PLACE OF BUSINESS" section of this item)

**NOTE:** The address must be identical to that shown on the brewer's notice

For imported malt beverages

City and state of importer's principle place of business (see "PRINCIPAL PLACE OF BUSINESS" section of this item)

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

- **PRINCIPAL PLACE OF BUSINESS**

- **Use**

- For domestic malt beverages

- The principal place of business address may be used on labels in lieu of the address of the premise where the malt beverage was produced/bottled or packed

- For imported malt beverages

- The principal place of business address must be used on the label

- **Conditions for use**

- The principal place of business address must be a location where production/bottling or packing operations occur

- The actual location (address) where the malt beverage is produced/bottled or packed must be indicated by printing, coding or other markings on the label or container

**AND**

The brewer must file, prior to use, a notice explaining the coding system with:

Chief, National Revenue Center  
8002 Federal Office Building  
550 Main Street  
Cincinnati, Ohio 45202-3263

**NOTE:** These conditions for use apply only to domestic breweries; they do not apply to U.S. importers

- TYPE SIZE
  - Minimum 2 mm for containers larger than ½ pint
  - Minimum 1 mm for containers of ½ pint or less
  
- LEGIBILITY
  - Must be readily legible
  - Must appear on a contrasting background
  - Must appear separate and apart from or be substantially more conspicuous than descriptive or explanatory information
  
- PLACEMENT
  - For domestic malt beverages

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

May be BURNED or BRANDED into the container
  - For imported malt beverages

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

#### **4. NET CONTENTS**

- GENERAL
  - There are no standards of fill for malt beverages
  - Malt beverages may be bottled or packed in any size container
  - Net contents must be expressed in American measure but may also be expressed in metric measure

- FORM OF STATEMENT

If the net contents of the container are:

- Less than 1 pint, the net contents must be shown in fluid ounces or fractions of a pint
- 1 pint, 1 quart or 1 gallon, the net contents must be shown exactly that way
- More than 1 pint but less than 1 quart, the net contents must be shown in pints and fluid ounces or fractions of a quart
- More than 1 quart but less than 1 gallon, the net contents must be shown in quarts, pints and fluid ounces or fractions of a gallon
- More than 1 gallon, the net contents must be shown in gallons and fractions thereof

- SEE ALSO CHAPTER 5, NET CONTENTS

- TYPE SIZE

- Minimum 2 mm for containers larger than ½ pint
- Minimum 1 mm for containers of ½ pint or less

- LEGIBILITY

- Must be readily legible
- Must appear on a contrasting background
- Must appear separate and apart from or be substantially more conspicuous than descriptive or explanatory information

- PLACEMENT

- Must appear on the FRONT of the container

**OR**

- May be BLOWN, BRANDED or BURNED into the container

## 5. ALCOHOL CONTENT

- GENERAL

- A statement of alcohol content is optional unless

- It is required by State law

- OR**

- It is prohibited by State law

- Unless otherwise prescribed by State law, the optional statement of alcohol content must be expressed in percent by volume. See “FORM OF STATEMENT” section of this item

- FORM OF STATEMENT

- Alcohol content must be shown as:

- “ALCOHOL (ALC) \_\_\_\_\_% BY VOLUME (VOL)” **or**

- “ALCOHOL (ALC) BY VOLUME (VOL) \_\_\_\_\_%” **or**

- “\_\_\_\_\_% ALCOHOL (ALC) BY VOLUME (VOL)” **or**

- “\_\_\_\_\_% ALCOHOL (ALC)/VOLUME (VOL)”

- Alcohol content must be expressed to the nearest 0.1% **EXCEPT THAT** for malt beverages containing less than 0.5% alcohol by volume, the alcohol content may be expressed to the nearest 0.01%

- MISCELLANEOUS

THE TERM	MAY BE USED TO DESCRIBE A MALT BEVERAGE CONTAINING...
Low alcohol	less than 2.5% alcohol by volume
Reduced alcohol	less than 2.5% alcohol by volume
Non-alcoholic	less than 0.5% alcohol by volume <b>NOTE:</b> The statement “CONTAINS LESS THAN 0.5% ALC BY VOL” must appear with “NON-ALCOHOLIC” on the label
Alcohol free	no alcohol (0.0% alc by vol) <b>NOTE:</b> The alcohol content statement “0.0% ALC BY VOL” may not appear on the label unless the malt beverage is labeled “ALCOHOL FREE”

- TOLERANCES

- For malt beverages containing 0.5% or more alcohol by volume –

- A tolerance of 0.3% above or below the alcohol content stated on the label is permissible **EXCEPT THAT** regardless of this tolerance:

- A malt beverage labeled as containing 0.5% or more alcohol by volume may not contain less than 0.5% alcohol by volume

- A malt beverage labeled as “LOW ALCOHOL” may not contain 2.5% or more alcohol by volume

- A malt beverage labeled as “REDUCED ALCOHOL” may not contain 2.5% or more alcohol by volume

- For malt beverages containing less than 0.5% alcohol by volume –

- The actual alcohol content may not exceed the labeled alcohol content

- TYPE SIZE

- Unless otherwise required by State law:

- Minimum 2 mm for containers larger than ½ pint

- Minimum 1 mm for containers of ½ pint or less

- Maximum 3 mm for containers of 40 fl. oz. or less

- Maximum 4 mm for containers larger than 40 fl. oz.

- LEGIBILITY

- All portions of the alcohol content statement must be:

- Of the same kind and size of lettering

- Of equally conspicuous coloring

- PLACEMENT

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



## 6. FD&C YELLOW #5 DISCLOSURE

- REQUIRED

“CONTAINS FD&C YELLOW #5” must appear on the label of any malt beverage containing FD&C Yellow #5

- TYPE SIZE

- Minimum 2 mm for containers larger than ½ pint
- Minimum 1 mm for containers of ½ pint or less

- LEGIBILITY

- Must be readily legible
- Must appear on a contrasting background
- Must appear separate and apart from or be substantially more conspicuous than descriptive or explanatory information

- PLACEMENT

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

## 7. 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.” must appear on the label of any malt beverage containing saccharin

- TYPE SIZE

- Minimum 2 mm for containers larger than ½ pint
- Minimum 1 mm for containers of ½ pint or less

- LEGIBILITY

- 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

## 8. SULFITE DECLARATION

- REQUIRED

“CONTAINS SULFITES” or “CONTAINS (A) SULFITING AGENT(S)” or identification of the specific sulfiting agent(s) must appear on the label of any malt beverage containing 10 or more parts per million (ppm) sulfur dioxide

- TYPE SIZE

- Minimum 2 mm for containers larger than ½ pint

- Minimum 1 mm for containers of ½ pint or less

- LEGIBILITY

- Must be readily legible

- Must appear on a contrasting background

- Must appear separate and apart from or be substantially more conspicuous than descriptive or explanatory information

- PLACEMENT

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

## 9. ASPARTAME DISCLOSURE

- REQUIRED

“PHENYLKETONURICS: CONTAINS PHENYLALANINE.” must appear on the label of any malt beverage containing aspartame

- TYPE SIZE

- The entire statement must appear in capital letters

- Minimum 2 mm for containers larger than ½ pint

- Minimum 1 mm for containers of ½ pint or less

- LEGIBILITY

- 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

## 10. 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

## 11. COUNTRY OF ORIGIN

- APPLICATION

Required under U.S. Customs Service regulations for any imported malt beverage

- FORMAT

- “PRODUCT/PRODUCE OF \_\_\_\_\_”

(Fill in blank with name of country in which malt beverage was produced/brewed)

- “PRODUCED/BREWED IN” or “PRODUCED/BREWED AND BOTTLED OR PACKED IN \_\_\_\_\_”

(Fill in blank with name of country in which malt beverage was produced/brewed or produced/brewed and bottled or packed)

- “PRODUCED/BREWED BY” or “PRODUCED/BREWED AND BOTTLED OR PACKED BY \_\_\_\_\_”

(Fill in blank with name of producer/brewer or producer/brewer and bottler or packer and address [country or city and country] in which malt beverage was produced/brewed or produced/brewed and bottled or packed)

■“\_\_\_\_\_ ALE”

(Fill in blank with name of country in which ale was produced/brewed), i.e., name of country with class and/or class and type designation

- TYPE SIZE

There are no specific type size requirements

- LEGIBILITY

There are no specific legibility requirements

- PLACEMENT

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