



TTB Boot Camp for Cideries

FORMULAS AND LABELING

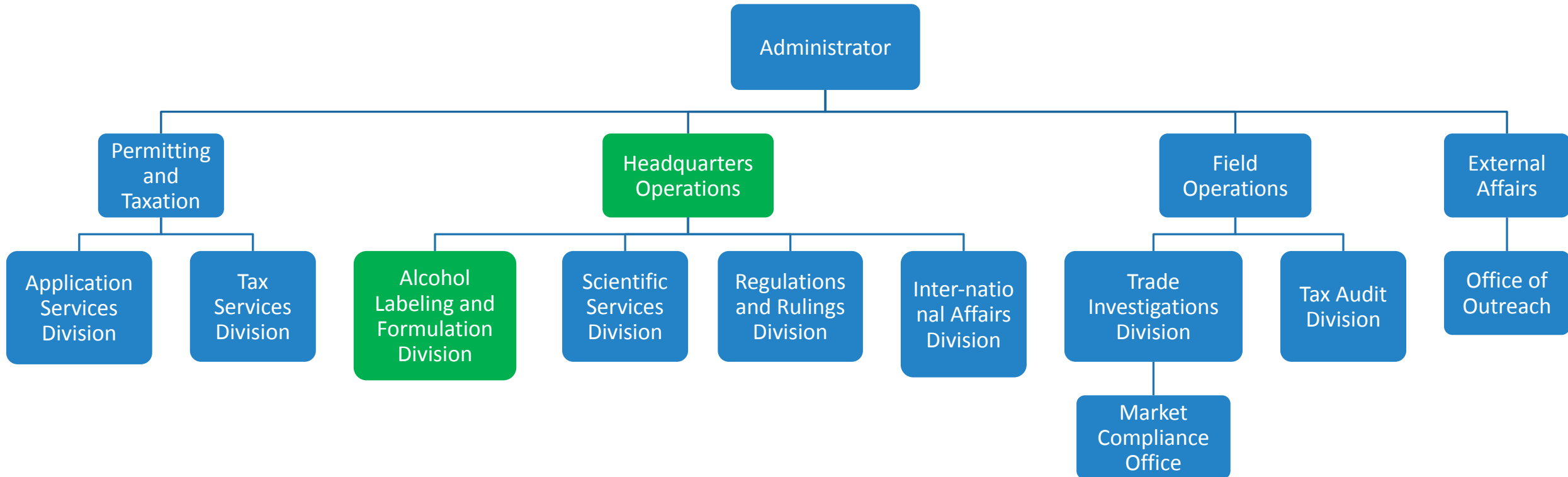


TTB Disclaimer

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



TTB Organizational Chart





Headquarters Operations

Alcohol Labeling and Formulation Division:

- Processes applications for formulas
- Processes applications for label approval

- Located in Washington, DC
- Toll-Free: 866-927-2533
- Web Form: [Submit Online Inquiry](#)



How do you Know Which Requirements Apply?

Under 7%
Alcohol by
Volume?

Sold
Across
State
Lines?

Made
Primarily
from
Apples/
Pears?

Under
8.5%
Alcohol by
Volume?

Less than
0.64g CO₂
/100 mL
wine?

Added
Fruit
Flavors?

Imported?



Federal Laws to Know*

There are 2 primary statutes administered by TTB that govern alcohol beverage products:

- **Internal Revenue Code (IRC)**
- **Federal Alcohol Administration Act (FAA Act)**

Also:

- **Alcoholic Beverage Labeling Act (ABLA)**

Another statute NOT administered by TTB that may apply:

- **Federal Food, Drug, and Cosmetic Act (FD&C Act)**

* Not a complete list



IRC Requirements for Wine

The Internal Revenue Code (IRC) implementing regulations (27 CFR part 24) cover issues such as:

- Qualification/registration of bonded wine premises
- Production requirements
- Formulas (for some)
- Recordkeeping/reports
- Taxes
- Basic labeling/marketing

The part 24 regulations apply to all domestic commercial cideries making product with 0.5% ALC. BY VOL. or more

27 CFR part 24 (domestic)
27 CFR part 27 (imports)



Hard Cider Tax Class

Only products that meet the following definition are eligible for the Hard Cider tax rate:

- Contains not more than .64 gram of CO₂ per 100 mL
- Derived primarily from apples/pears or apple/pear concentrate and water
- Contains no fruit product or fruit flavoring other than apple or pear
- Contains at least 0.5% and less than 8.5% alcohol by volume

Other wines labeled as cider or perry that do not fit the definition above are taxed at one of the other wine tax rates



FAA Act Requirements for Wine

- FAA Act defines wine as having from 7% to 24% alcohol by volume
- As a result, not all cider products are regulated under the FAA Act
- The implementing regulations (27 CFR) cover issues such as:
 - **Labeling**
 - Certificates of Label Approval (COLA)
 - Qualification (Basic Permit)
 - **Advertising**
 - **Trade practices**

The FAA regulations only apply if ALC. BY VOL. is 7% or more, and product is sold interstate

27 CFR parts 1, 4, 6, 8, 10, 11, and 13



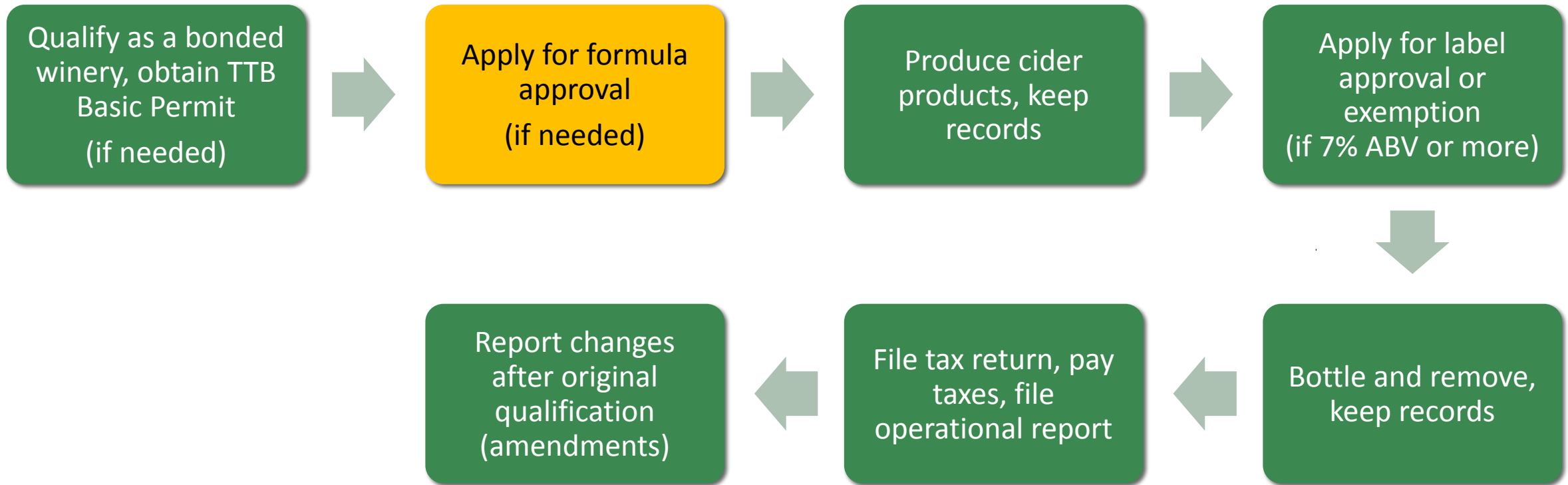
TTB Formula Approvals

PAUL LADERMAN

ALCOHOL LABELING AND FORMULATION DIVISION



Typical TTB Touchpoints for Cider Industry Members





Formula Basics

Not all cider/perry products require formula approval

Whether or not you need formula approval is based on:

- Ingredients
- Manufacturing methods

Formula requirements are NOT connected to:

- Alcohol content
- Eligibility for Hard Cider tax rate
- Whether or not the product will require TTB label approval



What Is a Formula?

A formula is required for certain types of alcoholic beverages before they can be legally manufactured, imported, or sold. Your formula submissions must have:

- A complete, quantitative list of all ingredients used to make the product
- Method of manufacture:
 - Describes the steps you take to create your product
 - Must include each ingredient mentioned on the ingredients list
- Total yield or batch size

See [Formula Basics](#) page on TTB.gov



Formula Requirements

- TTB regulations under the Internal Revenue Code (IRC) require formulas for certain types of domestic wine (27 CFR 24.80)
- TTB regulations under the Federal Alcohol Administration Act (FAA Act) authorize TTB to require formulas for certain domestic and imported wines (27 CFR 4.38(h))



Formula Basics

Formula approval, when required, must be obtained:

- **Domestic:** before product is produced and before applying for label approval (if needed)
- **Imported*:** before applying for label approval and before product is removed from customs custody

Formulas are submitted by:

- **Domestic:** the producer (BW proprietor)
- **Imported*:** U.S. importer (holder of an Importer's Basic Permit)

*Only imported cider/perry products with 7% or more alc. by vol. are subject to formula requirements

When is Formula Approval Required?





When is a Formula Required?

Domestic Cider/Perry Product

Formula approval is NOT required if you are producing:

- Natural apple or pear wine (cider/perry), or
- Any other “natural” fruit wine, even if the wine is fermented from the juice of different fruits, such as fermenting apple juice and blueberry juice together

TTB regulations DO require formulas for:

- Special Natural wine
- Other than Standard wine

[27 CFR 24.80 – 24.82](#)



Is My Cider/Perry Product a Natural Fruit Wine?

“Natural” wine is:

- The product of the juice or must of sound, ripe fruit; and
- Made with any cellar treatment authorized by subparts F and L of 27 CFR part 24, and containing not more than 21% by weight of total solids

Natural fruit wine DOES NOT require formula approval

27 CFR 24.10



Is My Cider/Perry Product a Natural Fruit Wine?

Examples of cider/perry products that are **Natural Fruit wine**:

- Made only from apple/pear concentrate, or apple/pear juice, with or without added CO₂
- Made by fermenting apple juice and raspberry juice together

27 CFR 24.10



Is My Cider/Perry Product Special Natural Wine?

Special Natural wine is:

- A flavored wine made from a base of natural wine
- The flavoring may be natural herbs, spices, fruit juices, natural aromatics, natural essences, or other natural flavorings, subject to conditions outlined in 27 CFR part 24 subpart H

Special Natural wine requires formula approval

27 CFR 24.10
27 CFR 24.80



Is My Cider/Perry Product Special Natural Wine?

Examples of cider/perry products that are Special Natural wine:

- Made from apple juice and flavored with hops
- Made from apple concentrate and flavored with citrus peel
- Made from pear juice and flavored with honey

Special Natural wine requires formula approval

27 CFR 24.10
27 CFR 24.80



Is My Cider/Perry Product Other Than Standard Wine?

Other than Standard wine is:

- Made with sugar and/or water beyond the limitations for standard wine
- Made by blending wines produced from different kinds of fruit
- Made with sugar other than pure dry sugar, liquid pure sugar, and invert sugar syrup
- Made with materials not authorized for use in standard wine, e.g., spirits derived from fruit other than primary winemaking material, coloring material and artificial flavors

Other than standard wine requires formula approval

27 CFR 24.218



Is My Cider/Perry Product Other Than Standard Wine?

Examples of cider/perry products that are **Other than Standard Wine** include wine made by:

- Blending apple wine with rhubarb wine
- Coloring with grape skin extract
- Sweetening with raw sugar
- Flavoring with raspberry spirits

Other than standard wine requires formula approval

27 CFR 24.218



Wine Formula Tool

<https://www.ttb.gov/regulated-commodities/formulation/which-alcohol-beverages-require-formula-approval>

You may also use our **Wine Formula Tool** on **TTB.gov**

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

How to Apply for Formula Approval





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 Submitter Tips

Before submitting a formula you should:

- Ensure that formula approval is required for your cider/perry product by using the [Formula Tool](#) on TTB's website
- Determine if your cider/perry product is a **Special Natural wine** or **Other than Standard wine**
 - If **Other than Standard wine**, determine the applicable subcategory, such as **Wine Specialty**
- Gather all pertinent information and documents about each ingredient used and your method of manufacture





What TTB Looks For

- Class and Type: Is the base alcohol produced according to the TTB regulatory standard for the specified class and type?
- Supporting documentation: e.g., FID Sheets, Specification Sheets, Labels (e.g., labels for store-bought items added as flavors)
- Prohibited or limited ingredients
- Colors
- Ingredients considered food safe by FDA (including Generally Recognized as Safe or GRAS ingredients)



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

Supporting Documents





Supporting Documents That May Be Required

Submit the following with your formula application if:

- Flavor Ingredient Data Sheet (FID Sheet) if the product is made with **compounded flavors** (1 FID Sheet for each flavor)
- Limited Ingredient Calculation Worksheet if the product is made with **1 or more compounded flavors**
- Ingredient Specification Sheet (Spec Sheet) if the product is made with **ingredients composed of more than 1 component** (1 Spec Sheet for each ingredient)



Compounded Flavors

A compounded flavor is one you purchase from a flavor manufacturer

- Types of compounded flavors:
 - All natural
 - Natural and artificial containing less than or equal to 0.1% artificial content topnote
 - Natural and artificial containing greater than 0.1% artificial content topnote
 - All artificial
 - Non-flavor: Cloudifier or blender
- Compounded flavor manufacturer submits their flavor formula to TTB's Nonbeverage Products Lab for review
- **Compounded flavors require supporting documentation!**



Flavor Ingredient Data Sheet (FID Sheet)

What is a FID Sheet?

A Flavor Ingredient Data Sheet (FID Sheet or FIDS) is a spreadsheet that includes information about certain ingredients in compounded flavors.

The FID Sheet allows TTB to ensure:

- The compounded flavor has been evaluated by TTB
- Ingredients in the beverage will not exceed limitations prescribed by TTB or by FDA
- Appropriate labeling of your product

Submit 1 FID Sheet for each compounded flavor in your formula!



Flavor Ingredient Data Sheet (FID Sheet)

How do I get it?

- Obtain a copy of the FID Sheet from the flavor manufacturer(s) from whom you purchased the flavor(s)
 - The FID sheet is filled out and signed by the flavor manufacturer
- It includes:
 - Concentration of **limited ingredients** in parts per million (ppm)
 - Any **colors** used in flavor
 - **Alcohol content** of flavor

Flavor Ingredient Data Sheet				
Flavor Producer Information				
TTB Co. Code: <u>FLRUS</u>	Date: <u>1/1/2017</u>			
Company Name: <u>Flavors-R-Us LLC</u>	Contact Person: <u>Jane Q. Flavor</u>			
Address: <u>123 Nonexistent Street</u>	Phone: <u>202-555-5555</u>			
<u>Any City, State USA 00000</u>	Fax: <u>202-555-5554</u>			
Check Appropriate Box:				
Flavor Name: <u>Natural Poppin' Pecan Supreme</u>	Approved for Drawback (DrB)	<input type="checkbox"/>		
TTB Drawback Number: <u>123456</u>	Approved as No Action (N/A)	<input checked="" type="checkbox"/>		
Alcohol Range by Volume: <u>50.0 - 54.0</u>	Fit for Beverage Purposes (Fit)	<input type="checkbox"/>		
Flavor Product Number: <u>7891011</u>	Submitted for TTB Approval	<input type="checkbox"/>		
	Not Yet Submitted for TTB Approval	<input type="checkbox"/>		
Classification				
Natural <input checked="" type="checkbox"/>	N&A ≤ 0.1% Topnote <input type="checkbox"/>	N&A > 0.1% Topnote <input type="checkbox"/>	Artificial <input type="checkbox"/>	Non-Flavor <input type="checkbox"/>
Total Artificial Flavor Content: _____ ppm (Excluding Synthetic Vanillin, Ethyl Vanillin, Synthetic Maltol, and Ethyl Maltol)				
Flavor Components				
TTB/FDA Limited Ingredients	TTB/FDA Limitation in Finished Product	Amount of Additive or Agent Present in Flavor	Maximum Use Rate	Coloring Additives and Other Additives that Affect the Beverage Label (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	1,000.0 ppm	5,000 ppm	20.00 %	7. Grapeskin Extract <input type="checkbox"/>
8. Gum Arabi/Acacia	200,000.0 ppm	_____ ppm	- %	8. Caramel Color <input checked="" type="checkbox"/>
9. Propylene Glycol	50,000.0 ppm	10,000 ppm	NO LIMIT %	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	1,500.0 ppm	_____ ppm	- %	11. Beet Extract <input type="checkbox"/>
12. _____	_____ ppm	_____ ppm	- %	12. Oak Extract <input type="checkbox"/>
13. _____	_____ ppm	_____ ppm	- %	13. Carmine/ Cochineal Extract <input type="checkbox"/>
14. _____	_____ ppm	_____ ppm	- %	14. _____ <input type="checkbox"/>
15. Total Vanillin	40.0 ppm	- ppm	- %	15. _____ <input type="checkbox"/>
16. Total Maltol	250.0 ppm	- ppm	- %	
Confidential Limited Ingredients Not Shown (CLI)				
Check if contained in formula <input type="checkbox"/> Check if CLI was previously submitted <input type="checkbox"/>				
Beverage Manufacturer / Importer: _____				
Formula # / Serial #: _____				
<i>Jane Q. Flavor</i> Title: <u>Supervisory Chemist</u> Date: <u>30-Sep-17</u> Flavor Company Representative Signature				



TTB Limited Ingredients

There are 4 artificial flavor materials that TTB allows to be present at certain levels in alcoholic 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 Worksheet

What is a Limited Ingredient Calculation Worksheet?

A Limited Ingredient Calculation Worksheet is a spreadsheet used to calculate the total amounts of ingredients in compounded flavors that have limits on their use per TTB and FDA requirements.

- You will need a FID Sheet for each compounded flavor to complete the worksheet
- Worksheets can be completed based on volume or percentage— use the worksheet that matches your formula format

Submit a Limited Ingredient Calculation Worksheet for formulas containing 1 or more compounded flavors!



Ingredient Specification Sheet (Spec Sheet)

- An **ingredient specification sheet** (also called a **spec sheet** or technical data sheet) is a document (or copy of a product label) that lists or describes the contents of an ingredient used to make your alcohol beverage product
- Include a **spec sheet** for each ingredient that is made from more than one component (excluding compounded flavors)

See [TTB G 2017-3](#) for additional information on **spec sheets**, including examples



Ingredient Specification Sheet (Spec Sheet)

How Do I Get It?

- There are several ways to obtain a specification sheet for the ingredient used in your alcohol beverage product, including:
 - Shipment documentation for the product
 - Manufacturer's website
 - Ingredient listing on the product's label



Specification Sheet

Product Name: St. Johnathan's® **Variety Number:** 8675456

St. Johnathan's® is a proprietary blend of two sweeteners. The sweetness of honey is enhanced by the addition of purified sucrose, resulting in a syrup that is 5 times sweeter than honey. Ideal for mouthfeel and improved overall sweetness in baked goods, beverages, dressing, sauces, jams and fillings.

Parameters	Specifications	Methods
Assay: Honey	≥ 90%	Internal Method
Assay: Sucrose	≤ 10%	Internal Method
Appearance	Viscous liquid	Visual inspection
Color	Caramel	Visual inspection

Composition: Honey, Sucrose

Country of Origin: USA

Grateful Heart Ingredients, Inc | 86408 N Heritage Highway, Sweet Home, AL 36858 | 333.333.3333
The information contained in this bulletin should not be construed as recommending the use of our product in violation of any patent, or as warranties (expressed or implied) of non-infringement or its fitness for any particular purpose.



Top Reasons Wine Formulas are Returned for Correction

- Ingredient Spec Sheet is missing
- FID Sheet is missing
- Limited Ingredient Calculation worksheet is missing
- Clarification needed on a specific ingredient
- Ingredient quantity information is missing
- Carbonation: level and method



Formula Processing Times

- Our Current Processing Times charts show up-to-date processing information for submissions in calendar days.
 - [TTB Processing Times | TTB: Alcohol and Tobacco Tax and Trade Bureau](#)
- Use this information to estimate when your submission is likely to be processed.
- Incomplete applications, errors, or insufficient documentation may delay the processing time for your application.
- Check the status of your submission in Formulas Online.



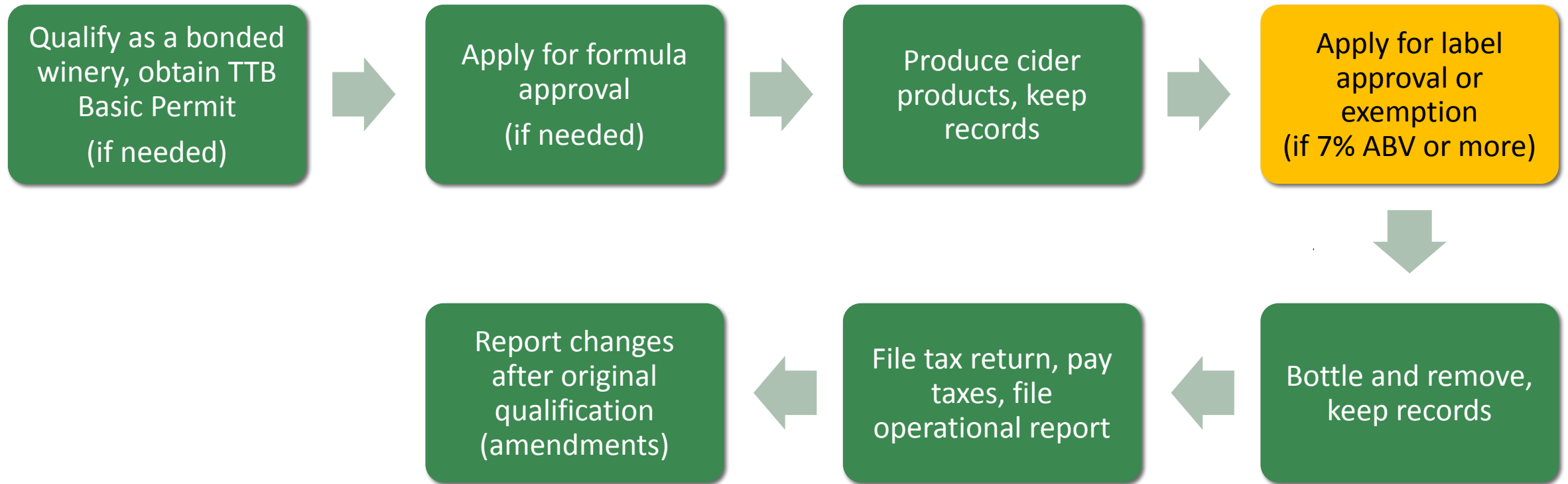
Cider Labeling

NICOLE CANDELORA

ASSISTANT DIRECTOR, ALCOHOL LABELING AND FORMULATION DIVISION WINE
LABELING OFFICE



Typical TTB Touchpoints for Cider Industry Members



Which TTB Labeling
Rules apply?





Which Labeling Requirements Apply?

Labeling requirements for cider and perry products are determined first by:

- Alcohol content
- If it will be introduced in interstate commerce

And secondarily by such things as:

- Origin and level of effervescence
- Fruits used
- Addition of flavors, spices, colors, etc.
- Domestic or imported



Why is Alcohol Content a Factor?

- Recall that the Federal Alcohol Administration Act only applies to wine that contains **7% or more** alc. by vol.
- Therefore, FAA Act rules (including COLAs, labeling, standards of fill, prohibited practices, etc.) in [27 CFR part 4](#) do not apply to cider/perry products with **under 7%** alc. by vol.



Why is Alcohol Content a Factor?

The labeling of cider/perry products with **under 7%** alc. by vol. is regulated by TTB under the Internal Revenue Code*

[27 CFR part 24](#) (domestic)

[27 CFR part 27](#) (imports)

*IRC/part 24 wine labeling provisions apply to all wine with 0.5-24% alc. by vol.



Why is Alcohol Content a Factor?

Cider/perry products with **under 7% alc. by vol.** are also subject to FDA food labeling regulations under the Federal Food, Drug, and Cosmetic Act

[21 CFR part 101](#)



Why Does Interstate Commerce Matter?

The labeling rules (mandatory information, COLAs, and prohibited practices) under the FAA Act ([27 CFR part 4](#)) apply to cider/perry products (**7% or more** alc. by vol.) that:

- are sold or otherwise introduced into interstate/foreign commerce (for example, sold across state lines or imported from another country)



Why Does Interstate Commerce Matter?

- Cider/perry products with **7% or more** alc. by vol. that **are** sold in interstate commerce must be covered by a Certificate of Label Approval (COLA)
- Cider/perry products with **7% or more** alc. by vol. that **are not** sold in interstate commerce are covered by a Certificate of Exemption from Label Approval

Mandatory Label Information

1. Cider with under 7% alc/vol
2. Cider with 7% or more alc/vol



Mandatory Label Information: Under 7% alc/vol

These requirements apply to all cider/perry products that are under 7% alc/vol *and* to cider/perry products that are 7% alc/vol or more that are not sold interstate (i.e., covered by Certificate of Exemption)





Mandatory Label Information Under 7%

The following statements must appear:

- Name and address of the bottler
- Brand name
- Alcohol content
- Net contents
- Kind of wine
- Health Warning Statement

27 CFR 24.257

27 CFR part 16



Mandatory Label Information Under 7%

Name and Address of the Bottler

- May appear on any label
- Must be the name and address of the wine premises where bottled or packed

27 CFR 24.257(a)(1)



Mandatory Label Information Under 7%

Brand Name

- The name under which the product is sold; usually the most prominent piece of information on the label
- May appear on any label
- If there is no brand name the name of the bottler is considered the brand name

27 CFR 24.257(a)(2)



Mandatory Label Information

Under 7%

Alcohol Content

- May appear on any label
- Must be stated as percent by volume or in accordance with 27 CFR part 4

27 CFR 24.257(a)(3)



Mandatory Label Information

Under 7%

Alcohol Content – Labeling Tolerances

- Actual alcohol content may be +/- 0.75% (by volume) from the alcohol content statement on the label

27 CFR 24.257(a)(3)



Mandatory Label Information

Under 7%

Net Contents

- May appear on any label; or
- May be etched/blown into the container

27 CFR 24.257(a)(5)

There are no restrictions on container sizes for under 7% wines or those covered by a Certificate of Exemption; they also don't have to be in metric size containers



Mandatory Label Information Under 7%

Kind of Wine

- May appear on any label
- Must identify product as wine by using the term, “wine,” or a word that signifies the type of wine, such as “cider” or “perry”
- If eligible for the Hard Cider tax rate, the kind should not be inconsistent with the Hard Cider tax class:
 - OK: “hard cider,” “apple wine,” “pear wine,” “apple cider,” “apple perry,” “apple pear wine,” “cider” and “perry”
 - Not OK: “blueberry cider”

[27 CFR 24.257\(a\)\(4\)](#)



Mandatory Label Information

Under 7%

Kind of wine - Effervescent Wine*

- Cider/Perry products that contain more than 0.392 gram per 100mL carbon dioxide must be labeled accordingly:
 - **Sparkling Wine:** CO₂ results solely from secondary fermentation within a closed container, tank, or bottle
 - **Carbonated Wine:** Obtains its effervescence through the artificial injection of CO₂

[27 CFR 24.257\(a\)\(4\)](#)

*The rules for labeling effervescent wine are the same for both under 7% and 7% or more



Effervescent Designations

- The 2017 changes to the definition of wine eligible for the Hard Cider tax rate increased the maximum allowable CO₂ level to 0.64 g/100mL of wine
- The CO₂ level requiring an effervescent designation did not change (remains >0.392)
- Applicable effervescent designations must be used on cider/perry products with CO₂ level of over 0.392 g/100mL



Mandatory Label Information

Under 7%

Kind of wine – Indication of Tax Class

- Must include enough information to identify the tax class when viewed with the alcohol content
- You can meet this requirement for wines eligible for the Hard Cider tax rate by using “Tax Class 5041(b)(6)”



Government Health Warning Statement

All domestic and imported cider and perry products with 0.5% alcohol by volume or more must bear the government health warning statement

- May appear on any label (front, back, neck, etc.)
- Must be separate and apart from all other information
- See [27 CFR part 16](#) for complete rules (type size, etc.)

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.



FDA Labeling Requirements

Under 7%

The labels of cider/perry products with under 7% alc. by vol. must comply with applicable [FDA food labeling requirements](#), including ingredient labeling, nutrition labeling*, and allergen labeling requirements

*Certain small businesses can be exempt from FDA Nutrition Facts Labeling (See [Small Business Nutrition Labeling Exemption](#))



Type Size Requirements

Applies to all mandatory label information, except alcohol content and government health warning statement, regardless of alc./vol.

If the container size is:	Then the MINIMUM type size is:
187 milliliters or less	1 millimeter
More than 187 milliliters	2 millimeters

27 CFR 4.38(b) and 27 CFR 24.257(a)



Type Size Requirements Alcohol Content

If the container size is:	Then the MINIMUM type size is:
5 liters or less	1 millimeter
More than 5 liters	N/A

If the container size is:	Then the MAXIMUM type size is:
5 liters or less	3 millimeters
More than 5 liters	N/A

Mandatory Label Information: 7% or more alc/vol

The following section covers the labeling requirements for cider/perry products that are 7% or more alc/vol and sold in interstate commerce (i.e., covered by a COLA)





Mandatory Label Information

7% or More

The labeling rules for cider/perry products that are 7% or more alc. by vol. and sold interstate (covered by a COLA) are more robust:

- more direction about how and where mandatory info must appear
- standards of identity, i.e., labeling designations
- parameters for using many optional labeling claims, e.g., appellations of origin
- prohibited labeling practices intended to prevent consumer deception

27 CFR part 4



Mandatory Label Information

7% or More

The following statements must appear:

- Brand name
- Class, type or other designation
- Name and address of the bottler
- Net contents
- Alcohol content
- Government Health Warning

27 CFR 4.32
27 CFR part 16



Mandatory Label Information

7% or More

Brand Name

- The name under which the product is sold; usually the most prominent piece of information on the label
- Must appear on the brand label*
- If there is no brand name, the name of the bottler/importer as shown on the brand label is considered the brand name
- May not create a misleading impression

[27 CFR 4.32\(a\)\(1\)](#), [27 CFR 4.33](#)

*Brand label = label on which brand name and class/type appears



Mandatory Label Information

7% or More

Name and Address of the Bottler

- May appear on any label
- Name or trade name of the bottler/importer as listed on the TTB permit
- Address (city and state) of the bottler/importer as listed on the permit
- Must be preceded by the words “Bottled/Canned/Packed by” or “Imported by”
- May optionally add “Produced” or “Made”, “Blended”, etc. to statement (see part 4 for rules)

27 CFR 4.32(b)(1) and 27 CFR 4.35



Mandatory Label Information

7% or More

Net Contents

- May appear on any label; or
- May be etched/blown into the container
- Must use the authorized metric standards of fill ([27 CFR 4.72](#))
- May use the following abbreviations:
 - milliliters – ml, ML, mL
 - Liters - L

[27 CFR 4.32\(b\)\(2\)](#), [27 CFR 4.37](#)



Standards of Fill (Container Sizes)

The following metric standards of fill are authorized for wine:

50 milliliters	250 milliliters	375 milliliters	600 milliliters	1 liter
100 milliliters	300 milliliters	473 milliliters (16 oz.)	620 milliliters	1.5 liters
180 milliliters	330 milliliters	500 milliliters	700 milliliters	1.8 liters
187 milliliters	355 milliliters	550 milliliters	720 milliliters	2.25 liters
200 milliliters	360 milliliters	568 milliliters (19.2 oz.)	750 milliliters	3 liters

- Wine may be bottled or packed in containers of 4 liters or larger if the containers are filled and labeled in quantities of even liters (4 liters, 5 liters, 6 liters, etc.).
- Sizes shaded in blue were authorized January 2025.

27 CFR 4.72



Mandatory Label Information

7% or More

Alcohol Content

- May appear on any label
- “Fruit [apple] [pear] Table Wine” may be used if the wine contains 14% or less alcohol by volume; or
- Specific statements:
 - Alcohol ___% by volume
 - Alcohol ___% to ___% by volume (see part 4 for rules)
 - May use “Alc.” and “Vol.” or “Alc” and “Vol”
 - May replace “by” with “/”
 - May NOT use “ABV”

[27 CFR 4.32\(b\)\(3\)](#), [27 CFR 4.36](#)



Mandatory Label Information

7% or More

Alcohol Content – Labeling Tolerances*

- **7- 14%**
 - Actual alcohol content may be +/- 1.5% (by volume) from the alcohol content statement on the label
[27 CFR 4.36\(b\)\(2\)](#)
- **Above 14%**
 - Actual alcohol content may be +/- 1% (by volume) from the alcohol content statement on the label
[27 CFR 4.36\(b\)\(2\)](#)

*Regardless of tolerances, alcohol content statements must accurately reflect class/type and tax class



Government Health Warning Statement

All domestic and imported cider and perry products with 0.5% alcohol by volume or more must bear the government health warning statement

- May appear on any label (front, back, neck, etc.)
- Must be separate and apart from all other information
- See [27 CFR part 16](#) for complete rules (type size, etc.)

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.



Mandatory Label Information

7% or More

Class and Type

- Must appear on brand label
- Must use the class, type or other designations found in the standards of identity (SOI) [27 CFR part 4 Subpart H](#)
- If no SOI applies, must use a truthful and adequate statement of composition (wine specialty products)

[27 CFR 4.32\(a\)\(2\)](#), [27 CFR 4.34\(a\)](#)



Class and Type

7% or More

Class

- In the standards of identity, the broad category “wine” is divided into 9 classes, including “Class 5: Fruit Wine” [27 CFR 4.21\(e\)](#)

Type

- Most of the classes include specifically defined types of wine
- “Cider,” “Perry,” and “Carbonated cider” are examples of specific types defined under “Class 5: Fruit Wine”



To be Labeled Simply ‘Cider,’ ‘Hard Cider,’ ‘Apple Cider’ 7% or More

The product must be:

- Produced by the normal alcoholic fermentation of the juice of sound, ripe apples, and
- Derived wholly (except sugar, water, or added alcohol) from apples

May also be labeled “apple wine”

27 CFR 4.21(e)(5)



To be Labeled “Perry” 7% or More

The product must be:

- Produced by the normal alcoholic fermentation of the juice of sound, ripe pears, and
- Derived wholly (except sugar, water, or added alcohol) from pears

May also be labeled “*pear wine*” but MAY NOT be labeled “*pear cider*”

27 CFR 4.21(e)(5)



Effervescent Designations

Cider or Perry that is made effervescent by carbon dioxide at a level of over 0.392 gram per 100mL must be labeled as “sparkling” or “carbonated,” depending on the method used to produce effervescence

- **Sparkling** cider/perry: CO₂ results solely from secondary fermentation within a closed container, tank, or bottle
- **Carbonated** cider/perry: Obtains its effervescence through the artificial injection of CO₂

27 CFR 4.21(e)(5) or 4.34(a)



Effervescent Designations

- The 2017 changes to the definition of wine eligible for the Hard Cider Tax rate increased the maximum allowable CO₂ level to 0.64 g/100mL of wine
- The CO₂ level requiring an effervescent designation did not change (remains >0.392)
- Applicable effervescent designations must be used on cider/perry products with CO₂ level of over 0.392 g/100mL



What Can't be Designated Simply 'Cider' or 'Perry'?

7% or More

Any wine that does not meet those standards of identity, including:

- Any cider or perry product to which excess sugar or water have been added
- Any wine made with fruits other than 100% apples or pears, respectively
- Any cider or perry product to which spices, flavoring or coloring materials have been added

27 CFR 4.21(e)(5) or 4.34(a)



What Can't be Designated Simply 'Cider' or 'Perry'?

7% or More

The following wines, which are eligible for the Hard Cider tax rate, may not be labeled simply “Cider,” “Hard Cider” or “Perry”

- Made from a blend of apples and pears
- Made with coloring, spices, or other eligible flavoring materials
- Contains 0.392 g/ 100mL or more of CO₂

27 CFR 4.21(e)(5) or 4.34(a)

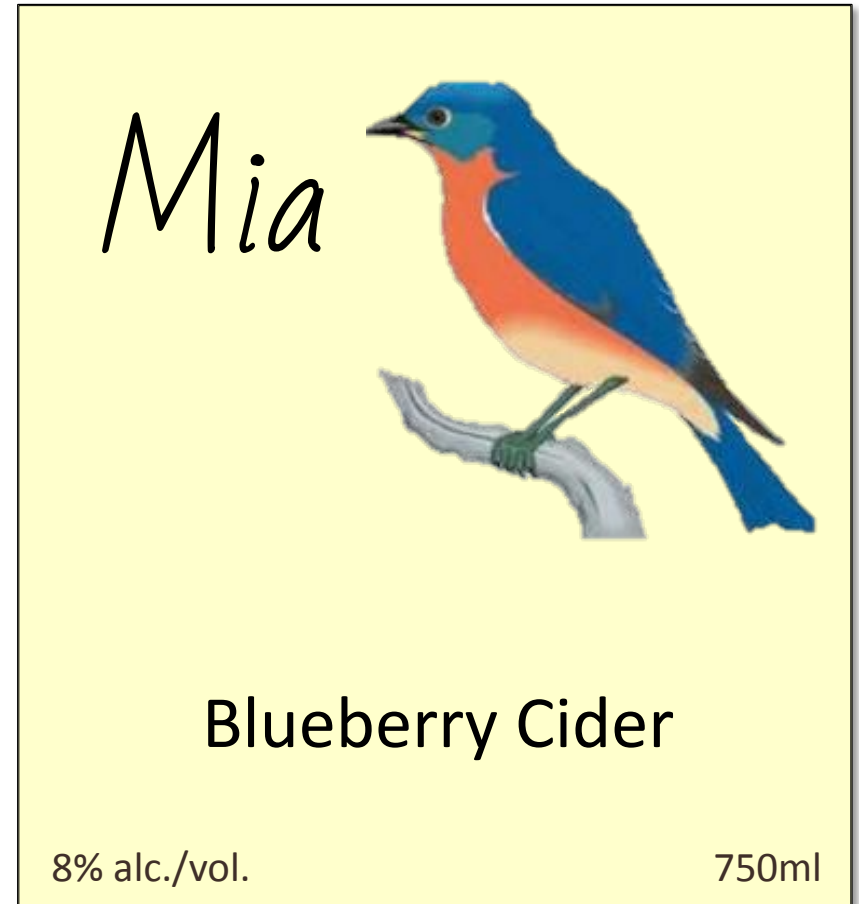


Fermenting Two Kinds of Fruit Juice 7% or More

- Must be designated with a truthful and adequate statement of composition such as "*apple-blueberry wine*" or "*blueberry cider*"
- The designation "*fruit wine*" may appear in direct conjunction with the statement of composition

Does not require formula approval

27 CFR 4.21(e)(5)





Blending Two Kinds of Fruit Wine

7% or More

- Must be designated with a statement of composition, such as "*apple wine - blueberry wine*" or "*cider – blueberry wine*"
- "*Fruit wine*" may appear in direct conjunction with the statement of composition
- May also be labeled with a fanciful name such as "*Blueberry Apple Delight*"

Requires formula approval

27 CFR 4.34(a)

The label for "Mia" features a blue and orange bird perched on a branch. The name "Mia" is written in a large, cursive font. Below the bird, the product name "Blueberry Apple Delight Blueberry Wine - Cider" is printed in a sans-serif font. At the bottom left, it says "8% alc./vol." and at the bottom right, "750ml". A callout box labeled "Fanciful name" points to the name "Mia".



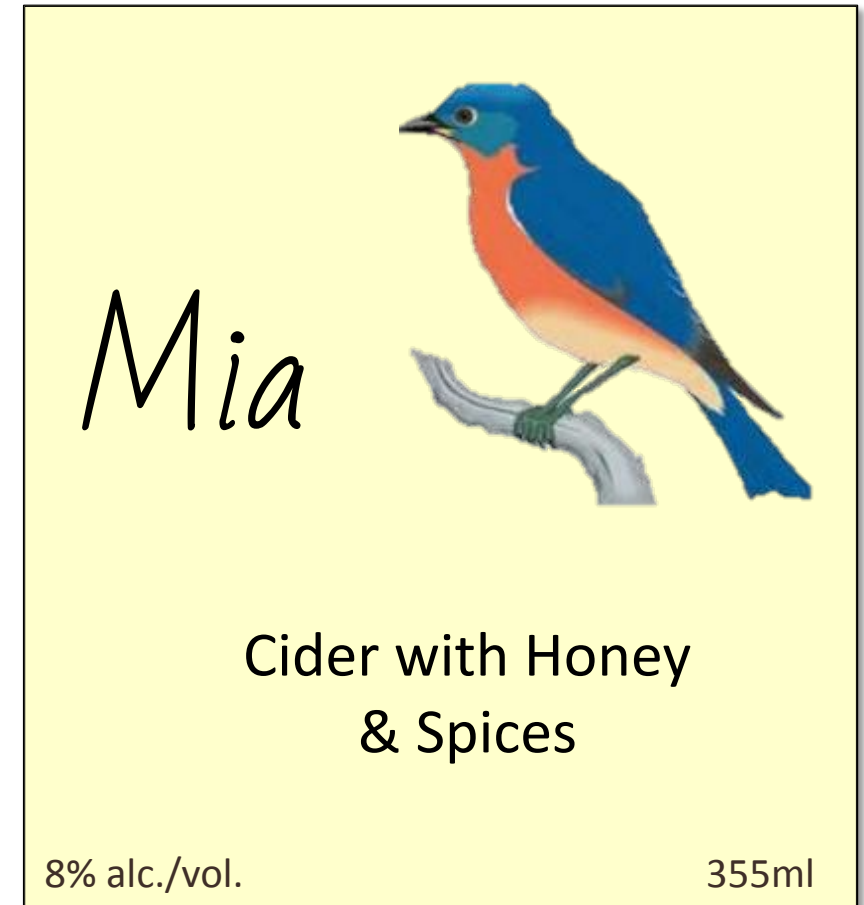
Added Honey, Spices, Natural or Artificial Flavors

7% or More

- Must be designated with a statement of composition, such as "*cider with artificial and natural blueberry flavors*" or "*apple cider with honey and spices*"
- May also use a fanciful name but it must not be misleading as to the identity of the product
 - The fanciful name and statement of composition must be the same size and font and must appear together on the Brand Label

Requires formula approval

27 CFR 4.34(a)





Added Distilled Spirits 7% or More

- A formula is required only when made with distilled spirits derived from a different fruit than the product was fermented from
- Must be designated with a statement of composition that would follow the SOC given on the formula results tab
- May only be stated **IF** it is also listed in the labeling instructions of said formula

Requires formula approval

27 CFR 4.34(a)

Mia

Cider with grape neutral
spirits

8% alc./vol. 355ml



Any Other Mandatory Information? 7% or More

If applicable the following information must appear:

- On blends consisting of American and foreign wines, if any reference is made to the presence of foreign wine, the exact percentage by volume
- Declarations of the presence of:
 - FD&C Yellow No. 5
 - Cochineal extract or carmine
 - Sulfites

[27 CFR 4.32](#)



Sulfite Declaration

7% or More

- Label must contain a sulfite declaration if the cider/perry product contains 10 ppm or more sulfur dioxide
 - “Contains Sulfites” or “Contains Sulphites”
- No statement is required if cider/perry product contains less than 10 ppm
 - Obtain Lab Analysis
 - Submit analysis with COLA

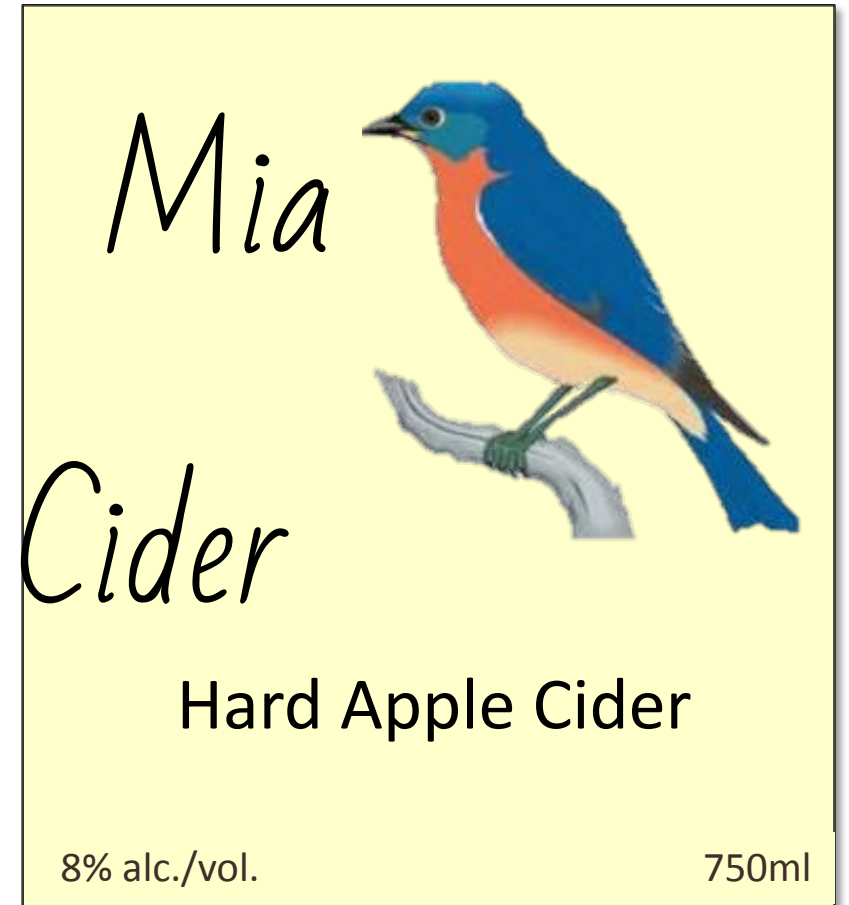
27 CFR 4.32(e)



'Cider' in the Brand Name

7% or More

- “Cider” may be used in a brand name on wines that meet the standard of identity for cider





'Cider' in the Brand Name

7% or More

- “Cider” must be modified to be used in the brand name of wines that do not meet the standard of identity for cider
- Examples: Cider Company (Co.), Ciderworks, Cidery





'Cider' in a Fanciful Name

7% or More

- "Cider" may be used in a fanciful name in conjunction with the word "flavored" when flavors are added to apple wine
- The fanciful name "apple perry" or "pear cider" would not be approved because it is misleading as to the identity of the product

Fanciful name

Mia

Pear Flavored Cider
Cider with Natural Flavors

9% alc./vol. 750ml

Optional Label Claims: 7% or more alc/vol





Appellation Of Origin

7% or More

“Cider” and “Perry” labels may bear an **appellation of origin** (for example, a country, state or county) if:

- At least 75% of the cider/perry is derived from fruit grown in the named appellation
- The wine has been fully finished:
 - if labeled with a State appellation, within the labeled State or an adjacent State
 - If labeled with a county appellation, within the State in which the labeled county is located (“County” or “Parish” must accompany the name(s))

27 CFR 4.25



Appellation Of Origin

7% or More

American Viticultural Areas (AVAs), which are defined as grape growing regions, may NOT be used on cider and perry products

27 CFR 4.25



Orchard/Farm/Ranch Name

7% or More

95% of the cider/perry product in the container must have been produced from apples/pears grown on the named **orchard, farm or ranch**

27 CFR 4.39(m)



Gluten Free

Alcohol beverages that are inherently “gluten-free” under the standards set by FDA, (because they are made only from ingredients that do not contain gluten, such as cider fermented from apples) are eligible for a “gluten-free” claim on the label

[TTB Ruling 2020-2 Gluten Content Statements in the Labeling and Advertising of Wine, Distilled Spirits, and Malt Beverages](#)

[Gluten-Free Labeling of Foods | FDA](#)



Organic



Any use of the term “**organic**” on any cider/perry product label must comply with the United States Department of Agriculture's (USDA) National Organic Program rules ([7 CFR part 205](#)) as interpreted by the USDA

COLAs & Certificates of Exemption: 7% or more alc/vol

Applicable only to cider/perry products with 7% or more alc/vol





When is a COLA Required?

7% or More

- Applies only to cider/perry products that contain 7% or more alcohol by volume
- Only required if the cider/perry product will be shipped in or otherwise introduced into interstate or foreign commerce [27 CFR 4.50\(a\)](#)
- The bottler/packer must get a COLA before bottling/packing the product



Certificate of Exemption

7% or More

- A certificate of exemption is also issued on [TTB Form 5100.31](#)
- Applies only to cider/perry products that contain 7% or more alcohol by volume
- Signifies that the associated product is exempt from the FAA Act labeling rules in part 4
- Issued under the condition that the product will under no circumstances be introduced into interstate or foreign commerce [27 CFR 4.50\(b\)](#)
 - The label must bear the statement, “For sale in (name of state where bottled) only”



Which Labeling Laws and Regulations Apply?

		1 If the alcohol content by volume is:		
		0.5 to < 7%	7 to 24%	
			Interstate commerce? 2	
		Yes	No	
3 Then the following wine labeling laws and regulations apply:				
Law	Regulations			
Alcoholic Beverage Labeling Act of 1988 (ABLA)	27 CFR part 16 - Alcoholic Beverage Health Warning Statement	X	X	X
Internal Revenue Code (IRC)	27 CFR part 24 - Wine 27 CFR part 27 - Importation of Distilled Spirits, Wines, and Beer	X	X	X
Federal Alcohol Administration (FAA) Act	27 CFR part 4 - Labeling and Advertising of Wine		X	
Federal Food, Drug, and Cosmetic Act (FD&C Act)	21 CFR part 101 – Food Labeling	X		



Formula Resources

Cider Resources

Alcohol Beverage Formula Approval Guidance

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

Formulas Online Customer Page

<https://www.ttb.gov/regulated-commodities/formulation/customer-support>

Flavor Ingredient Data Sheet: Guidance and Examples

<https://www.ttb.gov/regulated-commodities/formulation/fid-sheet-guidance-and-examples>

Limited Ingredient Calculation Worksheet: Guidance and Examples

<https://www.ttb.gov/regulated-commodities/formulation/limited-ingredient-calculation-worksheet-guidance-and-examples>

Ingredient Specification Sheet: Guidance and Examples

<https://www.ttb.gov/regulated-commodities/formulation/ingredient-specification-sheet-guidance-and-examples>

Does my Wine/Cider Require a Formula?

<https://www.ttb.gov/formulation/do-i-need-a-formula-wine>



Labeling Resources

Cider Resources

Wine/Cider Labeling

<https://www.ttb.gov/regulated-commodities/beverage-alcohol/wine/labeling>

Anatomy of a Wine Label

<https://www.ttb.gov/regulated-commodities/beverage-alcohol/wine/anatomy-of-a-label>

Cider Resources

<https://www.ttb.gov/cider/cider-resources>

Cider FAQs

<https://www.ttb.gov/faqs/alcohol?keyword=&tid=19>

COLAs Online Customer Page

<https://www.ttb.gov/regulated-commodities/labeling/colas>

Allowable Revisions to Approved Labels

<https://www.ttb.gov/regulated-commodities/labeling/allowable-revisions>

Processing Times for Label Applications

<https://www.ttb.gov/online-services/processing-times>

Labeling Laws and Regulations

<https://www.ttb.gov/regulated-commodities/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)

Please take a few minutes to provide feedback on this session:

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

