



# TTB Public Guidance

July 12, 2012

## Updated Certificate of Label Approval Application Form Expands List of Allowable Changes

On July 5, 2012, TTB published a revised version of [TTB Form 5100.31, Application for and Certification/Exemption of Label/Bottle Approval](#), also known as a certificate of label approval or COLA. The most significant change we made was to expand the [list of items](#) that may be changed on an alcohol beverage label without TTB approval.

This guidance applies to alcohol beverage industry members who submit COLA applications for approval, such as importers, bottlers, and, occasionally, wholesalers.

We anticipate that, over time, this new policy will reduce the number of label applications industry members send to TTB. We changed these requirements to reduce regulatory burden and to help industry members get their products to the marketplace faster without compromising our mandates under the [Federal Alcohol Administration \(FAA\) Act](#).

The revised form may be used immediately.

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### What changes did TTB make to the COLA form?

The most notable change is that we significantly expanded the list of items that may be revised on a label without submission to TTB.

Most of the other changes clarify the instructions for completing the form and enhance the other directional information on pages 2 through 4. No additional fields were added to the application portion and we eliminated the requirement to supply information printed on bottle caps and capsules, as well as requirements to submit photos of containers for etched, painted or clear labels, or for distinctive bottles.

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### **What are the new items that I may change on my previously-approved label without submitting a new COLA application?**

You may view the complete list of allowable revisions, as well as the specific guidelines for each, on pages 3 and 4 of the [COLA form](#). We have also created some [sample labels](#).

Highlights of the new revisions include the following. You may:

- Move mandatory and non-mandatory information, including text, illustrations, graphics, etc.
- Change:
  - the color(s) (background and text).
  - the type size and font and, where appropriate, the spelling (including punctuation and abbreviations).
  - the mandatory statement of alcohol content, where such change is not inconsistent with the labeled class and type designation, or with any other labeling statements.
  - the name or trade name to reflect a different name already approved by TTB for use by that industry member.
  - optional “produced by” or “made by” statements on wine labels to “blended by,” “vinted by,” “cellared by” or “prepared by” statements.
  - the address of the industry member if it is in the same state as the previous address.
- Delete or change optional age statements for all alcohol beverage labels and barrel aging statements for wine and malt beverage labels.
- Add, delete, or change:
  - a vintage date on wine labels, including wines with organic claims.

- an optional alcohol content statement on malt beverage labels.
- stated bottling date, production date or freshness information including bottling, production, or expiration dates or codes.
- UPC barcodes and 2D mobile barcodes (for example, QR codes or Microsoft Tags).
- Trademark and copyright symbols (for example, TM, ©, or ®), kosher symbols, company logos, and social media icons.
- optional information about awards or medals.
- holiday and seasonal graphics, artwork, and salutations.

Any revisions made to previously approved labels must comply with all applicable regulations and the conditions shown on the [COLA form](#).

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**May I make these changes to labels that were approved on previous versions of the COLA? For example, if my wine label was approved two years ago, may I add optional information about an award to the label without submitting a new application to TTB?**

Yes. You may make any of the revisions to labels outlined on the revised version of the COLA form regardless of the version of the COLA on which the original approval was made, subject to the conditions set forth on the revised form, including compliance with all applicable regulations.

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**May I still submit a COLA application on the previous version of the COLA form?**

Yes, we will accept the previous version of the COLA form for a short period of time. The previous version has been made obsolete by the new version, and after December 31, 2012, we will not process your application if you submit the old version.

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**What is TTB's legal authority for regulating alcohol beverage labels?**

Our jurisdiction over the labeling of distilled spirits, wine, and malt beverages comes from the labeling provisions of the FAA Act ([27 U.S.C. 205\(e\)](#)) and the regulations issued under the authority of those provisions, found in Title 27 of the Code of Federal Regulations (27 CFR parts [4](#), [5](#) and [7](#)). The statute and regulations generally require

industry members to obtain label approval prior to bottling, or removing from customs custody in bottles, alcohol beverages for introduction in interstate commerce. In addition, alcohol beverage containers are required to bear a health warning statement in accordance with the provisions of the Alcoholic Beverage Labeling Act of 1988 ([27 U.S.C. 215](#)) and the regulations in 27 CFR part [16](#). Finally, distilled spirits, wine, and beer containers must comply with the labeling and marking requirements of Chapter 51 of the Internal Revenue Code of 1986 and the implementing regulations under 27 CFR parts [19](#), [24](#), [25](#), and [27](#).

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### **Whom do I contact for more information?**

You may contact our Advertising, Labeling and Formulation Division:

- By telephone at 202-453-2250 or toll free at 866-927-2533
  - Choose option 4 for Distilled Spirits and Malt Beverage Labeling
  - Choose option 6 for Wine Labeling; or
- By email at [alfd@ttb.gov](mailto:alfd@ttb.gov).

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