



Exporting Beverage Alcohol Products to the U.S.

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What is TTB?

- Organized in the Department of the Treasury in 2003 by the Homeland Security Act of 2002.
- Missions
 - Collect Federal excise taxes owed
 - Ensure that alcohol beverages in the U.S. market, including imported products are compliant



What do I need to export to the United States?

- Products must be made in accordance with law and regulations
 - Mutually accepted practices for grape wines
 - Certifications for other than grape wines – must show compliance with U.S. standards
- United States business partner – the “importer”



What wine-making practices are allowed?

- For natural grape wine – WWTG Agreement on Mutual Acceptance of Oenological Practices (Dec. 2001)
- For other wine– Subparts F and L of 27 CFR Part 24
 - <http://ecfr.gpoaccess.gov> – electronic Code of Federal Regulations
 - <http://www.ttb.gov/other/regulations.shtml>
-- TTB webpage index to TTB regulations



Do I need to certify my wines?

- MAA -- Natural grape wines between 7 and 22 percent alcohol by volume do not require certification
- Non-MAA wines – Certification required
- Copies of certification format and submitted certifications are maintained are available at:
<http://www.ttb.gov/wine/wine-certs.shtml>



Certification of Natural Wine Imported into the United States

1. Producer name and address:

2. Description of wine:

3. Check applicable box:

- a. ☐ Producing country certification and laboratory analysis results completed below.
- b. ☐ Self-certification by importer completed below. An importer must be able to demonstrate the nature of the ownership or control as well as the nature of any affiliation.

4. Certification - I certify that the practices and procedures used to produce the wine described in block 2 constitute proper cellar treatment under 26 U.S.C. 5382 and 27 CFR 27.140.

Name and address of certifying entity:

Certificate for non-grape wines

<http://www.ttb.gov/wine/webwinecertificationformat.pdf>



What does the Certification Require?

- Producer name and description of wine
- Certification statement
- Analysis of wine completed by laboratory
 - Alcohol Content
 - Total sulfur dioxide
 - Volatile acidity



Can I get a permit to export directly to the United States?

- Importer's Basic Permit
 - U.S. business office required
- Foreign producers are not required to obtain any permits in the U.S.
- Your U.S. business partners --
www.TTB.gov/FOIA/fri.shtml



How is my product labeled in the United States?

Your U.S. importer must obtain a label approval

- Certificate of Label Approval (COLA)
- COLAs Online/Public COLA Registry
- Pre-COLA Product Evaluation
- Labels with organic claims
- Sales samples



What information must be on my label?

- Mandatory Label Information
 - Brand Name
 - Class and Type designation
 - Alcohol Content (optional for malt bevs.)
 - Name and Address
 - Net Contents
 - Health Warning Statement
 - Country of Origin
 - Sulfite declaration
- <http://www.ttb.gov/labeling/>



What are the taxes and tariffs for my product?

- Federal Excise Tax (FET) for alcohol beverages
 - \$1.07 / wine gallon (alc. by vol. $\leq 14\%$)
 - \$1.57 / wine gallon (alc. by vol. $> 14\%$)
 - \$18 / barrel – equal to 31 U.S. gallons (beer)
 - \$13.50 / proof gallon (distilled spirits)
- Duties –no tariffs on Canadian wine, malt beverages, or distilled spirits
- Taxes are collected from the importer by United States Customs and Border Protection



Do individual States have requirements?

- State requirements also apply to the importers:
 - The responsible state agencies are available on the TTB website at <http://www.ttb.gov/wine/state-ABC.shtml>
- Control states and license states



Food Facility Registration

FDA regulations require:

- Registration of Food Facilities – applies to foreign producers of food and alcohol beverages. Registration can be completed at <http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/RegistrationofFoodFacilities/default.htm>



Prior Notice

- Advance notification of an importation
– to be completed by the importer.
Importer must notify FDA of
importation in advance (through their
import broker or at
<http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/PriorNoticeofImportedFoods/default.htm>)



Required Records

- Establishment/Maintenance of Records – required of the importer. Up to 2 years worth of records identifying source of product and to whom it is sold



Administrative Detention

- Applies to food from unregistered facilities or food imported without prior notice, as well as potentially hazardous product
- For further information on FDA requirements visit <http://www.fda.gov/Food/FoodDefense/Bioterrorism/default.htm>



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Questions?

