

TTB Expands the List of Acceptable “Standards of Fill”

The New Regulations Will Provide Industry Members with
New Packaging Opportunities



By

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On December 29, 2020, the U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) published a final rule in the Federal Register that amended the agency’s regulations governing the size of wine and distilled spirits containers by adding seven new standards of fill for wine and distilled spirits. In adding the new sizes, TTB elected not to remove any existing standards of fill.

The final rule’s announcement and full text are published on the Federal Register’s Website, which is accessible online at: <https://public-inspection.federalregister.gov/2020-28747.pdf>

The new container sizes are:

Wine

355 mL

250 mL

200 mL

Distilled Spirits

1.8 L

900 mL

720 mL

700 mL

Note that distilled spirits producers may label their products with the U.S. equivalent measurement, e.g., ounces or gallons, in addition to the metric measurement.

Long advocated by foreign producers and their U.S.-based importers, these new standards of fill will provide manufacturers and bottlers greater flexibility by allowing the use of the additional container sizes, and will facilitate the movement of goods in domestic and international commerce, while also providing consumers broader purchasing options. In addition to allowing for more foreign products on U.S. shelves, domestic producers now can use these sizes to export their products to foreign markets where the sizes are long-established standards.

Title 27, Chapter 1, Subchapter A Part 4 of the U.S. Code of Federal Regulations (CFR) governs the labeling and advertising of wine; details regarding those regulations are accessible online at:

<https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=33fc0c0194b58b6fe95208945b5c637a&rgn=div5&view=text&node=27:1.0.1.1.2&idno=27#sp27.1.4.h>

Part 5 of the same section of the CFR governs the labeling and advertising of distilled spirits; details regarding those regulations are accessible online at: <https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr;sid=33fc0c0194b58b6fe95208945b5c637a;rgn=div5;view=text;node=27:1.0.1.1.3;idno=27;cc=ecfr#sp27.1.5.e>

For more information regarding the federal government's regulation of alcohol beverages generally, or the expanded opportunities presented by TTB's new standards of fill, please contact GrayRobinson's [Nationwide Alcohol Beverage Law Group](#) by telephone at **(866) 382-5132** or via e-mail at beveragelaw@gray-robinson.com