

**Instructions**

**Label submittal information** - Attach labels (front, back, and neck, if applicable) to a separate sheet of paper. Submit only originals, printer's proofs, or computer-generated labels. Illegible labels and size reductions will not be accepted. Leave sufficient blank space on each sheet of paper for the Department's stamp (minimum: 2" by 2").

**Item 1 - Manufacturer** - Enter the legal name of the manufacturer. If the product is bottled by someone other than the manufacturer, the true name and address of the bottler or packager must also appear on the label.

**Item 8-9 - Shipper** - If the product is shipped into California from another state or foreign country, these items must be completed. "Shipper" is defined as the consignor on a freight bill of lading. It is unlawful to ship malt beverages to California unless the shipper holds a valid Certificate of Compliance.

**Items 12-17 - Contract Brew** - If the product is "contract-brewed," these items must be completed. A "contract brew" is when someone other than the beer manufacturer owns the brand name. Under these circumstances "contractor" means the name of the brand owner under Item #13. Typically, the true beer manufacturer will use the name of the brand owner as the name of the "manufacturer" on the label.

**Items 18-20 - Fictitious Business Name** - A beer manufacturer, bottler or packager who uses a fictitious business name on a label must file a Fictitious Business Name Statement in the appropriate county and furnish the Department with an endorsed copy of the Statement with this application.

Businesses located outside California: Fictitious Business Name Statements are filed in Sacramento County with the County of Sacramento Department of Finance, Tax Collection and Licensing, 700 H Street, Room 1710, P. O. Box 1703, Sacramento, CA 95814. Ph. (916) 874-6644. Web site: [www.co.sacramento.ca.us](http://www.co.sacramento.ca.us)

Businesses within California: Fictitious Business Name Statements are filed in the county of your principal place of business.

**Item 21** – Check yes or no if your product information is required to be labeled pursuant to Section 25205 of the ABC Act.

**Item 22** - List products by brand, size and alcohol content. Use additional sheets if necessary. If the alcohol content is over 5.7% by volume, a statement of alcohol content must appear on the label.

**General Information**

- Section 25200 Business and Professions Code states:

*All beer sold in this State shall have a label affixed to the package or container thereof, upon which shall appear the true and correct name and address of the manufacturer of the beer, and also the true and correct name of the bottler of the beer if other than the manufacturer. No manufacturer, importer, or wholesaler of beer shall use a container or carton as a package or container of a beer other than such beer as is manufactured by the manufacturer whose name or brand of beer appears upon the container or carton, or use as a package or container of a beer a container or carton which bears the name of a manufacturer of beer or the brand of any beer other than those of the manufacturer of the beer contained in the container or carton.*

- Section 25204 Business and Professions Code states:

*(a) Any beer container sold within this State shall bear a label that conforms with the alcohol content labeling requirements prescribed in Section 7.71 of Part 7 of Title 27 of the Code of Federal Regulations, as adopted pursuant to the Federal Alcohol Administration Act (27 U.S.C. Sec. 201 et seq.).*  
*(b) Any beer container sold within this State that contains more than 5.7 percent alcohol by volume shall include a statement of alcoholic content.*  
*(c) This Section shall become operative on July 1, 1997.*

- Section 25205 Business and Professions Code states:

*(a) Any container of beer or alcoholic beverage, other than sake, that is approved for labeling as a malt beverage under the Federal Alcohol Administration Act (27 U.S.C. Sec. 201 et seq.), that derives 0.5 percent or more of its alcoholic content by volume from flavors or other ingredients containing distilled alcohol and that is sold by a manufacturer or importer to a wholesaler or retailer within this state on or after July 1, 2009, shall bear a distinctive, conspicuous, and prominently displayed label, or firmly affixed sticker, containing the following information:*  
*(1) The percentage alcohol content of the beverage by volume.*  
*(2) The phrase "CONTAINS ALCOHOL" in bold capitalized letters at least three millimeters in height and that is distinguishable from the background and placed conspicuously in either horizontal or vertical lettering on the front of the brand label. A firmly affixed sticker need not be placed on the brand label provided it is placed on the front of the container.*  
*(b) The department may require licensees to submit information as it determines to be necessary, and may adopt regulations as may be required, to implement and enforce this section. The regulations shall be for the limited purpose of ensuring compliance with this section and shall not place additional requirements on the label or sticker required by this section. Any information required to be provided by any licensee to the department pursuant to this section shall be considered confidential and corporate proprietary information. This information shall not be subject to disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).*  
*(c) It is the exclusive purpose of this section to identify and specially label products described in subdivision (a) and not to classify these specially labeled products. Nothing in this section shall be construed to permit the classification of any product in a manner that is inconsistent with the definitions of beer, wine, and distilled spirits set forth in Chapter 1 (commencing with Section 23000) of this division.*

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**INSTRUCTIONS AND GENERAL INFORMATION**

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- Rule 130, California Code of Regulations states:

(a) The name and address of any manufacturer, bottler or packager appearing upon any label of beer must be the true name and address of such person at the time of packaging of such product. The true name of a manufacturer, bottler or packager shall be deemed to include a fictitious business name for which such manufacturer; bottler or packager has duly filed a Fictitious Business Name Statement pursuant to the provisions of Section 17900 et seq. of the Business and Professions Code. For purposes of this section, "address" means the city and state if domestically produced or city and country if produced outside of the United States. The manufacturer's, bottler's or packager's principal place of business may be shown in lieu of the actual place where manufactured, bottled or packaged if the address shown is a location where bottling or packaging operation takes place.

(b) Any labels or notices affixed to beer must, if such beer is produced in this State, be affixed prior to the first sale, and in the case of beer produced outside the State and imported into this State, be affixed prior to shipment into this State.

(c) A copy of any label or notice affixed to beer shall, if that beer is produced in this State, be filed with the headquarters office of the department by the manufacturer prior to the first sale, and if that beer is produced outside this State and imported into this State, be filed with the headquarters office of the department by the shipper prior to shipment into this State.

(1) No beer may be sold or delivered in this State unless the label or notice submitted to the department has been accepted for filing.

(2) The department may refuse to accept for filing any label or notice that is not in compliance with the provisions of this section or any provision of the Alcoholic Beverage Control Act.

(d) For purposes of this section, "affixed" means the placement, by any means, of a label or notice, or the information required on a label or notice, on a container of beer.

(e) Any variation or change to a label or notice shall be separately filed with the department.

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***For ABC Use Only***

Other Information Regarding Label Rejection: