

August 22, 2008

John Manfreda
Administrator
Alcohol and Tobacco Tax and Trade Bureau
U.S. Department of the Treasury
1310 G Street, NW
Washington, D.C. 20220

Re: Alcohol Labeling

Dear Mr. Manfreda:

For your information, I am enclosing a copy of a recent study (“Monitoring Implementation of Alcohol Labeling Regime (including advice to women on alcohol and pregnancy)”) that examined compliance with the implementation of Britain’s voluntary alcohol labeling regime. I forward this document because its conclusions are instructive for TTB’s current consideration of regulations for the labeling of alcoholic beverages.

Although the British labeling “requirements” are voluntary, they were the result of an agreement by the alcohol industry to introduce, by the end of 2008, labels on beverage containers showing alcohol unit and other health information. A typical presentation of such a label is found on Page 5 of the study. According to the agreement with industry, the labels were to include:

- The drink’s unit content;
- The recommended Government sensible drinking guidelines: “UK Chief Medical Officers’ recommend men do not regularly exceed 3-4 units daily and women, 2-3 units daily (British “units” are smaller than an American “standard drink”)
- The website address of an independent charity, the Drinkaware Trust; www.drinkaware.co.uk – detailing sensible drinking messages; and
- “Know your Limits” or “Enjoy Responsibly” or “Drink Responsibly” as a heading.

In addition, the label was to include a warning about drinking during pregnancy.

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Unlike the “serving facts” label proposed by TTB, the agreed-upon British label focuses on providing objective, clear information about the beverage’s alcohol content and its relationship to established levels of safe alcohol consumption. That focus on alcohol units reinforces the ability of consumers to measure and moderate their drinking.

The uncluttered “typical presentation” of the label (see p. 5 of the enclosed report) offers quite a contrast to TTB’s proposals, which include extraneous and irrelevant nutrition information (fat and protein disclosure) and fail to inform consumers of government recommendations for moderate drinking. Although TTB’s “Serving Facts” panel would require information on serving size and number of servings per container, it could, under TTB’s proposal, be totally devoid of information on alcohol content.

Confusingly, TTB’s proposed “Serving Facts” panel could express alcohol content three ways: not at all, as a percentage of alcohol by volume, or as a percentage of alcohol by volume *and* in fluid ounces of ethanol.

We do not suggest that TTB necessarily adopt the UK model for an “alcohol facts” label. We merely point out its correct emphasis on *alcohol* information, including alcohol content and guidelines for safe drinking and, compared to TTB’s proposal, its relative clarity and directness. We note that it includes a helpful link to an independent website that provides more information about “responsible alcohol consumption.” Its content, design, and “responsible drinking” elements could be adapted for American labels.

Center for Science in the Public Interest (CSPI) has previously commented that TTB’s proposal needs more work. At the very least, TTB should assure consistency among all labels and “Serving Facts” panels and add a reference to the definition of moderate drinking found in the Dietary Guidelines for Americans. Currently, it is entirely unclear that the current proposal will provide label information on alcoholic beverages that is useful, easily found and read, and comprehensible for most consumers. As far as we know, there is no legitimate, comprehensive consumer research that has tested varying forms of “Serving Facts” labels or probed consumer comprehension and attitudes regarding different information disclosures. We believe that the public would be greatly disserved by a new labeling rule that is issued hastily without adequate research and consumer testing.

According to the enclosed report, the British labeling regime is not without its problems, particularly because it has not yet been fully implemented. Nonetheless, it attempts to send the right message regarding drinking (“Know your limits,” etc.) and reinforces that “responsibility” message with clear information about safe consumption

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guidelines that will help consumers measure and moderate their drinking. In contrast, TTB's proposal and the liquor industry's advocacy of many of its elements, would serve to obfuscate and confuse when it comes to addressing the principle element of alcoholic beverages.

CSPI strongly urges that TTB delay issuing a final rule on its "serving facts" labeling proposal, pending reconsideration of its essential elements and further research that will document its effectiveness and utility for consumers.

Sincerely,

A handwritten signature in black ink, appearing to read "George A. Hacker". The signature is fluid and cursive, with a prominent initial "G" and "H".

George A. Hacker
Director
Alcohol Policies Project