



For ABC Use Only: Approved _____
 Disapproved _____
 Approval Date _____
 Received Date _____
 Product Code _____

North Carolina Alcoholic Beverage Control Commission
Application for Malt Beverage Label and Products

Trade Name: _____ N.C. Permit # _____
 Mailing Address: _____
 Contact Person: _____ Email Address: _____
 Phone #: _____

New Product *Label Revision - Product Code # _____* *Transfer of Brand*

Brand Name: _____
 Fanciful Name: _____
 Varietal/Type: _____
 Type of Container/Sizes (oz, gal): _____
 Selling only in NC (In State Brewery): No (Attach TTB COLA) Yes (COLA exempt)
 IRC (COLA exempt)
 Private Label? No Yes (See instructions)

PRODUCT ANALYSIS CERTIFICATION

I, _____, hereby verify that the above product is analyzed to be _____% alcohol by volume.

Signature: _____ Title: _____

This form must be submitted with the Federal Certificate of Label Approval

(COLA.) Please email all documents in PDF form to product@abc.nc.gov.

ABC Malt Beverage Label/Product Application Checklist

14B NCAC 15C .0103 BEER FRANCHISE LAW; "BRAND" DEFINED: For purposes of Article 13 of Chapter 18B, the Beer Franchise Law, a distribution agreement between a supplier and wholesaler applies to all products distributed by the supplier under the same brand name. Different categories of products manufactured and marketed under a common identifying trade name are considered to be the same brand; e.g., the "Old Faithful" brand manufactured by Yellowstone Brewery Co. would include "Old Faithful", "Old Faithful Light", "Old Faithful Draft", "Old Faithful Dry" and other products identified principally by and relying upon the "Old Faithful" name, but would not include "Old Teton" which was also manufactured by Yellowstone Brewery Co. Determination of a product's brand shall be made by the Commission at the time the product is approved for sale in North Carolina and shall not be affected by later changes in the manufacturer's advertising strategy or labeling. Differences in packaging, such as different style, type or size of container, do not establish different brands.

North Carolina regulations require that each malt beverage (beer) and wine (fortified and unfortified) products be approved by the Commission prior to being sold in this state.

- [Malt beverage](#): beer, lager, malt liquor, ale, porter, and any other brewed or fermented beverage containing at least one-half of one percent (.5%), and not more than fifteen percent (15.0%), alcohol by volume. Any malt beverage containing more than six percent (6.0%) alcohol by volume shall bear a label clearly indicating the alcohol content of the malt beverage.

Who Must Submit for Approval:

- Suppliers currently holding a Nonresident Malt Beverage Permit, Brewery Permit, or Malt Beverage Importer Permit.

Documents Needed:

- **New Product/Brand Extension:** Label/Product Application form, Copy of labels in color (if different from labels on COLA); Tax and Trade Bureau Certificate of Label Approval (if applicable); Authorization Letter (if COLA is under a different name);
- **Revision:** Label/Product Application for, Copy of labels in color (if different from labels on COLA); TTB COLA (if applicable), Authorization Letter if COLA is under a different name.
 - Do not submit revisions for change in packaging.
- **New Brand:** Label/Product Application form for each product, Copy of labels in color (if different from labels on COLA); TTB COLA (if applicable), Primary Source letter (if applicable), Authorization Letter (if applicable), Distribution Agreement Filing Form.



- **Brand Transfer:** Label/Product Application form for each product, Copy of labels in color (if different from labels on COLA); TTB COLA (if applicable); Primary Source letter (if applicable); Authorization Letter (if applicable); Distribution agreement Filing Form, release letter from the current wholesaler(s), if appointing a new one.

Checklist

- **Application**
 - Must be completed in its entirety. Only one product per form.
 - Only **one** label application form should be submitted for multiple sizes of the same product.
 - Sizes must be converted to ounces or gallons.
 - Only include size of the individual containers, not the size of the packaging.
 - For brand extensions/revisions, the brand name on the form should reflect the name as it was approved by the Commission.
 - If the Product Analysis Certification portion is completed, a third party analysis is not needed.
 - ABV must not exceed .3% allowable difference between analysis and labels.
 - Include English translations to foreign text if not shown on TTB COLA #15.
- **Labels**
 - The following must be stated on **all** labels:
 - 1) brand name of product;
 - 2) name and address of brewer or bottler;
 - 3) class of product (e.g., beer, ale, porter, lager, bock, stout, or other brewed or fermented beverage);
 - 4) net contents (size, ABV);
 - 5) the alcoholic beverage health warning statement as required by the Federal Alcohol Administration Act, 27 C.F.R. Sections 16.20 through 16.22.
 - Labels for **all** containers must be submitted (e.g., kegs, bottles, cans, growlers, crowlers).
 - No keg caps.
 - Serving Tanks only need an image of the Government Warning for approval. Please specify the size of the tank on the label application form.
 - If container is smaller than 7oz, submit an image of the container.
 - Growlers and Crowlers that are filled on demand do not require label approval.

- Revised labels should state the same varietal/type as the original submission. If there is a change, please make note of it on the label application form to confirm it is the same product.
- All labels should state same beer class and product type.
- **TTB COLAS**
 - A TTB COLA for each different container must be submitted (e.g., kegs, bottles, cans, growlers, crowlers).
 - In state breweries only selling in North Carolina are not required to get TTB approval.
- **Primary Source/Authorization Letters**
 - If the product is being imported, a letter from the bottler/producer is required.
 - If the product is being contract brewed a letter from the contract brewer is required.
- **Distribution Agreement Filing Form**
 - Must be submitted for new brands only, not new products.
 - New brand origins require new distribution agreements.
 - If in state and self-distributing, a form is still required.
 - If removing a wholesaler, a release letter is always required.
- **Private Labels**
 - The following are required for approval:
 - Authorization letter from the retailer;
 - Distribution agreement form (They are registered as new brands, not brand extensions);
 - See Private Label Guide on the ABC website for more information on how the labels should look.
- **Variety Packs**
 - See ABC website for form and instructions. This label application form is not for variety pack approval.

A number will be assigned to each product submitted whether it is approved or disapproved. The suffix of the code number determines how the product is classified by the state.

B – malt beverage

Please do not include instructions page when submitting registrations.