



# Alcohol Labeling in the United States

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# Why Alcohol Labeling?

- Alcohol preferred intoxicant of United States (and the world)
- Resistance to raising excise taxes
- Partial antidote to widespread alcohol marketing
- Consumer right to know

# U.S. Federal Alcohol Labeling Law

- Federal Alcohol Administration Act (FAA) of 1935
  - Applied by Dept. of Treasury Alcohol and Tobacco Tax and Trade Bureau (TTB)
- Alcoholic Beverage Labeling Act of 1989
  - Requires health warning label on all alcoholic beverages, preempts state law
- Nutrition Labeling and Education Act (NLEA) (1990)
  - Applied by U.S. Food and Drug Administration to small subset of alcoholic beverages (e.g. hard seltzers, ciders)

# The Elusive “Alcohol Facts” Label

| <b>Alcohol Facts</b>   |  |
|--|--|
|  Contains<br><b>5</b><br>Servings         | <b>Calories per Serving:</b> 98<br>Alcohol by Volume: 13%<br>Alcohol per serving: 0.5 oz |
| Serving Size: 5 fl oz  |  |
| U.S. Dietary Guidelines advice on moderate drinking: no more than two drinks per day for men, one drink per day for women. |  |

**Ingredients:** Grapes, yeast, sulfiting agents, and sorbates.

# Current “alcohol facts” labeling is voluntary, inconsistent, and incomplete

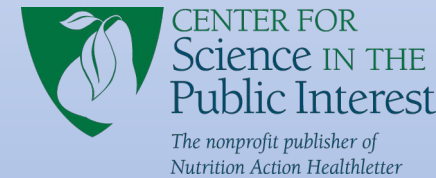


Figure 1. Voluntary Serving Facts label on Cans of Bud Light and Coors Light



# Advocacy for a mandatory Alcohol Facts Label continues on multiple fronts with many partners

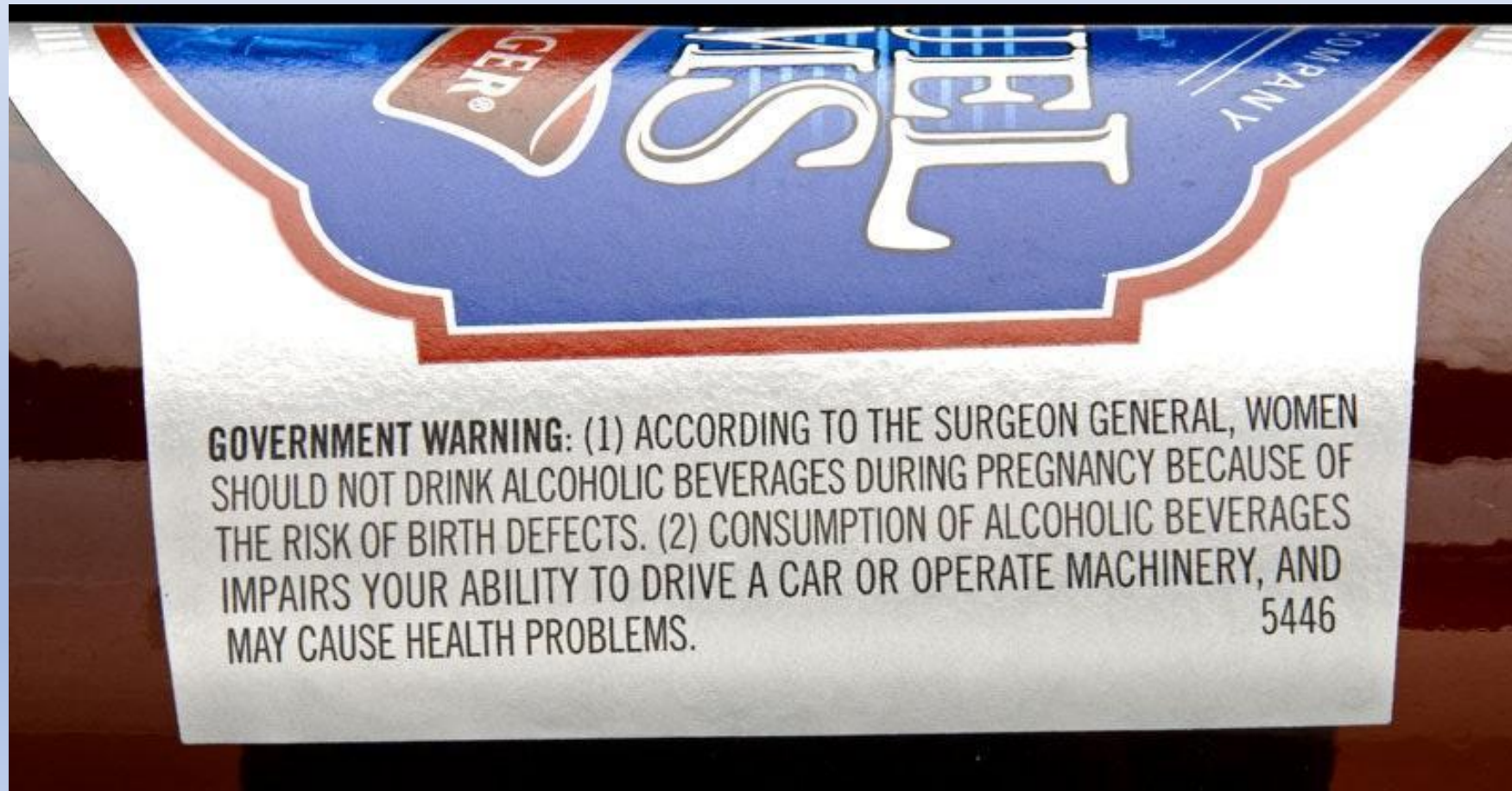
- Appeal to Executive agency officials
- Congressional lobbying
- Litigation



# The special case of hard seltzers (Food and Drug Administration)



# Modernizing the Alcohol Warning Label





# Original labeling bill proposed in 1988 would have required rotation of five health warnings:

- **WARNING:** The Surgeon General has determined that the consumption of this product, which contains alcohol, during pregnancy can cause mental retardation and other birth defects.”
- “**WARNING:** Drinking this product, which contains alcohol, impairs your ability to drive a car or operate machinery.”
- “**WARNING:** This product contains alcohol and is particularly hazardous in combination with some drugs.”
- “**WARNING:** The consumption of this product, which contains alcohol, can increase the risk of developing hypertension, liver disease, and cancer.”
- “**WARNING:** Alcohol is a drug and may be addictive. (S. 2047, 100th Cong., 2nd. Sess. (1988).)

# 2020 Consumer Group Petition\*

- Asks TTB to report to Congress
- Recommends rotating warning statements, including:
- **GOVERNMENT WARNING: According to the Surgeon General, consumption of alcoholic beverages can cause cancer, including breast and colon cancers.**

\*Petition submitted by Alcohol Justice, American Institute for Cancer Research, American Society of Clinical Oncology, American Public Health Association, Breast Cancer Prevention Partners, Consumer Federation of America, Center for Science in the Public Interest, and the U.S. Alcohol Policy Alliance

# The case for a cancer warning: high public health burden, low public awareness



# Supporting Arguments

- Scientific consensus on alcohol-cancer connection
- Not just heavy drinking
- Cancer warnings outside of the U.S.
- Abysmal public awareness
- Lessons from tobacco

# Potential for state-level reform



# Point-of-sale cancer warnings

- 23 states and the District of Columbia currently require POS warnings re risks of drinking while pregnant
- These warnings associated with 11% decrease in the odds of alcohol consumption during pregnancy; 3.5% decrease in odds of very low birth weight\*

\* Cil G. Effects of posted point-of-sale warnings on alcohol consumption during pregnancy and on birth outcomes. *J Health Econ.* 2017 May;53:131-155. doi: 10.1016/j.jhealeco.2017.03.004.

# Cancer Warning on Advertising

- Tobacco precedent
- Potential 1<sup>st</sup> Amendment challenge
  - American Beverage Ass'n v. City & County of San Francisco





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**QUESTIONS ARE MY  
FAVORITE**