



April 16, 2025

Regulations and Rulings Division  
Alcohol and Tobacco Tax and Trade Bureau  
U.S. Department of the Treasury  
1310 G Street NW, Box 12  
Washington, DC 20005  
Submitted via [regulations.gov](https://www.regulations.gov)

Re:

Major Food Allergen Labeling for Wines, Distilled Spirits, and Malt Beverages (Docket No. TTB-2025-0003)

To Whom It May Concern:

On behalf of AAFA, the Asthma and Allergy Foundation of America, thank you for the opportunity to offer comments on proposed mandatory major food allergen labeling for wine, distilled spirits, and malt beverages with alcohol content. AAFA is the leading patient organization for people with asthma and allergies, and the oldest asthma and allergy patient group in the world. We are dedicated to improving the quality of life for people with allergic diseases and asthma through education, advocacy and research.

AAFA strongly supports the proposal to mandate major allergen labeling on the alcoholic beverages under the Bureau's jurisdiction. Our position, and responses to some of the specific questions posed by the Bureau, are detailed below.

### **The importance of mandatory major allergen labeling for alcoholic beverages**

Many consumers of alcoholic beverages have food allergies. Over 10 percent of adults in the United States have food allergies, and 38% of these adults have experienced at least one food-allergy-related emergency department visit.<sup>1</sup> Exposure to an allergen can trigger reactions ranging from mild symptoms like isolated hives to a more severe, multi-system reaction called anaphylaxis, which is potentially life-threatening.

---

<sup>1</sup> Gupta R, Warren C, Smith B, Jiang J, Blumenstock J, Davis M, Schleimer R, Nadeau K. Prevalence and Severity of Food Allergies Among US Adults. JAMA Open Network. 2019; 2: e185630



Concerns about allergens in alcoholic beverages are not theoretical. Wines, distilled spirits and beers can contain undisclosed allergens, either used as processing agents or as ingredients.<sup>2</sup> For example, wine may contain residue from egg albumen, casein (milk protein), chitin (fiber from crustacean shells), fish oil, gelatin (protein from boiling animal parts) and isinglass (gelatin from fish bladder membranes).<sup>3</sup> Consuming these particles in wine can trigger reactions for people allergic to these foods.<sup>4</sup> Craft beers and liqueurs can also contain allergenic ingredients.

To prevent a reaction, people with allergies must avoid foods and beverages containing their allergen. For over two decades, the Food Allergen Labeling and Consumer Protection Act of 2004 (FALCPA) has required major allergen labeling for FDA-regulated foods and beverages, making it far easier for people navigating food allergies to stay healthy. FALCPA applies to the “top nine” allergens – milk, egg, fish, crustacean shellfish, tree nuts, wheat, peanuts, soybeans, and sesame.

Alcoholic beverages do not fall under the FDA’s jurisdiction. However, when FALCPA was enacted, a House committee report noted that the committee expected the Tax and Trade Bureau to develop allergen labeling for alcoholic beverages.<sup>5</sup> As the preamble details, TTB has taken a long route to reaching the current proposal, and we strongly support its finally being enacted. Mandatory labeling is crucial to provide consistent, reliable information to consumers.

---

<sup>2</sup> Deckwart M, Carstens C, Webber-Witt M, Schäfer V, Eichhorn L, Schröter F, Fischer M, Brockow K, Christmann M, Paschke-Kratzin A. 2014b. Impact of wine manufacturing practice on the occurrence of fining agents with allergenic potential. *Food Addit Contam A* 31(11):1805–17.

<sup>3</sup> Uberti F, Danzi R, Stockley CS, Peñas E, Ballabio C, Di Lorenzo C, Tarantino C, Restani P. 2014. Immunochemical investigation of allergenic residues in experimental and commercially-available wines fined with egg white proteins. *Food Chem* 159(0):343–52.

<sup>4</sup> Stockley CS, Johnson DL. 2015. Adverse food reactions from consuming wine. *Aust J Grape Wine Res* 21:568–81.

<sup>5</sup> H.R. Rep. No. 608, 108th Cong., 2d Sess., at 3 (2004). Available at <https://www.congress.gov/congressional-report/108th-congress/house-report/608>. “The Committee expects, consistent with the November 30, 1987 Memorandum of Understanding, that the Alcohol and Tobacco Tax and Trade Bureau (TTB) of the Department of Treasury will pursuant to the Federal Alcohol Administration Act determine how, as appropriate, to apply allergen labeling of beverage alcohol products and the labeling requirements for those products. The Committee expects that the TTB and the FDA will work together in promulgation of allergen regulations, with respect to those products.”



While not directly addressed by this proposed rule, AAFA also strongly supports the mandatory inclusion of an ingredient list for alcoholic beverages. Many people have allergies to foods that are not in the “top nine,” and need to know when their allergens are present in a food or drink. In addition, this basic requirement would simply bring alcoholic beverages in line with what consumers are entitled to know about the ingredients of their FDA-regulated foods. Similarly, to ensure the health and nutrition of all consumers, AAFA believes information on nutrition and serving sizes should be required on labels. This would allow consumers to assess both their intake of alcohol, to stay within recommended safety guidelines,<sup>6</sup> and their overall consumption of calories from alcoholic beverages,<sup>7,8</sup> helping address obesity and related disease.

### **Wording and Placement of the Labeling Statement**

As noted in the preamble to the proposed rule, in our 2024 comments AAFA encouraged TTB to hew as closely as possible to allergen labeling on FDA-regulated foods.<sup>9</sup> Consumers with food allergies are familiar with FDA labeling, and would be able to most easily transition to a model that looks similar.

We understand that this proposed rule does not address full ingredient listing requirements, and that the presence or absence of such a requirement could influence the allergen labeling. Therefore:

- If there is no full ingredient labeling requirement, AAFA supports TTB’s proposal to require “Contains Major Food Allergens:” followed by the relevant food

---

<sup>6</sup> U.S. Department of Agriculture and U.S. Department of Health and Human Services. Dietary Guidelines for Americans, 2020–2025. 2020.

[https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary\\_Guidelines\\_for\\_Americans\\_2020-2025.pdf](https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary_Guidelines_for_Americans_2020-2025.pdf)

<sup>7</sup> Dietary Guidelines Advisory Committee. Scientific Report of the 2020 Dietary Guidelines Advisory Committee: Advisory Report to the Secretary of Agriculture and the Secretary of Health and Human Services. July 2020. <https://www.dietaryguidelines.gov/2020-advisory-committee-report>

<sup>8</sup> Nielsen S J, et al. Calories consumed from alcoholic beverages by U.S. adults, 2007–2010. U.S. Centers for Disease Control and Prevention. November 2012. <https://www.cdc.gov/nchs/products/databriefs/db110.htm>

<sup>9</sup> Letter from Kenny Mendez, President and CEO, AAFA, to TTB (March 29, 2024). Available at <https://aafa.org/wp-content/uploads/2024/04/aafa-letter-supporting-allergen-labeling-alcoholic-beverages-29-march-2024.pdf>



sources. We agree that using the modifier “Major” can help reduce confusion regarding whether other, non-“top” allergens are addressed. We do not support the inclusion of allergens in a voluntary ingredients statement because this would create inconsistency across products for consumers. Other ingredients (such as sulfites) should be listed in a statement that is separate from the “Contains Major Allergens” statement.

- In the context of full ingredients listing, we would support TTB echoing the FDA’s requirements for major allergen labeling (permitting inclusion of allergens in the ingredients list or in a Contains statement).

In either scenario, AAFA encourages TTB to require that all disclosures appear in one place on the label, with standard placement, type, size and presentation requirements to ensure consumer ease. We note that a 2022 meta-analysis of studies that assessed health warning labels on alcohol bottles found that placement of the label, as well as size, were associated with attention paid to them by consumers.<sup>10</sup> While allergen labels are somewhat different from other alcohol warnings because consumers with allergens will likely specifically seek them out, TTB should still consider minimum size requirements and consistent placement to ensure that this information is easy for consumers to find and read.

AAFA strongly urges TTB to ensure that, as for FDA-regulated foods, major allergen information is included on the label itself, and not provided separately via QR code or any other electronic link. On-package labeling is the standard for FDA-regulated products and ensures that all consumers, regardless of technology access or skills, can understand the information and make decisions to protect their health.

### **Compliance Date**

AAFA encourages TTB to establish a compliance date of 3.5 years or less from the date of publication of a final rule. This policy has been under discussion for decades, and producers of alcoholic beverages should be able to accomplish this on that

---

<sup>10</sup> Citation: Giesbrecht, N.; Reisdorfer, E.; Rios, I. Alcohol Health Warning Labels: A Rapid Review with Action Recommendations. *Int. J. Environ. Res. Public Health* 2022, 19, 11676.  
<https://doi.org/10.3390/ijerph191811676>



timeframe. TTB should work to assist any small producers who present with questions or need technical support to comply.

### **Conclusion**

AAFA strongly supports common-sense regulation to mandate major allergen labeling for wine, distilled spirits and malt beverages, to align with FDA's requirements and consistently protect consumer health. If you would like any further information on food allergies or the consumer perspective on labeling, please do not hesitate to contact Jenna Riemenschneider, AAFA's Vice President of Advocacy and Policy, at [jennar@aafa.org](mailto:jennar@aafa.org).

Sincerely,

Kenneth Mendez  
President and Chief Executive Officer  
Asthma and Allergy Foundation of America