

# November 2021 Legal & Legislative Update

## FEDERAL / NATIONAL / INTERNATIONAL

*For the latest information on federal issues of importance to brewers, please link to the BA's [Federal Affairs Updates](#).*

### **BA Submits Ingredient Exemption Petition to TTB**

The Brewers Association submitted a [petition](#) to the Tax and Trade Bureau (TTB) requesting that eleven ingredients be exempted from formula requirements.

### **TTB Expands Allowable Revisions to Approved Labels**

In [TTB Industry Circular 2021-1](#) the Alcohol and Tobacco Tax and Trade Bureau (TTB) has expanded the list of changes that can be made to approved labels without requiring resubmittal for review, including: dividing/combining approved labels; adding/deleting the claims of “Environmentally Conscious” and “Eco-Conscious”; adding/deleting the name or name and address of the container manufacturer; adding, changing, or deleting a statement providing tapping instructions for a keg; and changing the stated numerical representation of the International Bitterness Units or Original Gravity on malt beverage labels.

## THE STATES

### **Sales, Distribution and Franchise:**

#### **Pennsylvania**

Passing the House, [H.B. 1615](#) stipulates that malt or brewed beverages produced for a brewery under a contract brewing agreement or alternating proprietorship with an out-of-state manufacturer may only be distributed through the three-tier system.

### **Taxation:**

#### **New York**

[Assembly Bill 8336](#) seeks to create a tax credit for small businesses, including breweries, that sell a certain percentage of products produced in New York state.

### **Trade Practice & Other:**

#### **California**

The California Department of Alcoholic Beverage Control (ABC) has issued [Cannabis Products, Industrial Hemp Products, and Alcoholic Beverages](#), an industry advisory providing guidance on

which activities are permissible on or in premises licensed by ABC to manufacture or sell food, beverages, and other types of products.

**Wisconsin**

Substitute companions [S.B. 285](#) / A.B. 205 seek to expand the definition of a fermented malt beverage to include any beverage that is recognized under federal regulations as beer, except sake or similar products.