

Brand/Label Registration FAQ Topics

FAQ TOPIC	FAQ EXPLANATION
1. BEVERAGE TYPE	<ul style="list-style-type: none"> ▪ Is the alcoholic beverage “type” that was previously required to be reported for each brand, e.g., distilled spirit, spirits base cooler, pre-mixed cocktail, vinous, wine based cooler, etc., still required?
	<ul style="list-style-type: none"> ○ No, the new registration application only requires the distinction between malt distributed, wine, spirit, and malt not distributed.
2. CONTAINER SIZE	<ul style="list-style-type: none"> ▪ Are the “container size(s)” still required?
	<ul style="list-style-type: none"> ○ No, container sizes do not need to be reported; however, all federal and state laws regarding container sizes must still be followed.
	<ul style="list-style-type: none"> ○ Note that to the extent that differing container sizes require separate federal approval, e.g., otherwise identical labels for a spirit, one with a container size of 50 ml and a second with a container size of 750 ml that requires separate federal label approvals, would also require two brand/label registrations with DBPR. See Form TTB F 5100.31, Section V. Allowable Revisions to Approved Labels, 4. Change the net contents statement at http://www.ttb.gov/forms/.
3. ALCOHOLIC %	<ul style="list-style-type: none"> ▪ Is “alcoholic % by volume” still required to be reported for brand/label registration?
	<ul style="list-style-type: none"> ○ No.
4. PROOF	<ul style="list-style-type: none"> ▪ Is “proof” still required to be reported for brand/label registration?
	<ul style="list-style-type: none"> ○ No. However, you are still required to follow all applicable laws regarding proof, e.g., Section 565.07, Florida Statutes.
5. DISTRIBUTORS	<ul style="list-style-type: none"> ▪ Is there a requirement that I report the distributors which will be moving the product for each brand/label?
	<ul style="list-style-type: none"> ○ No. A process change after legal analysis indicates that you are not required to report the distributors or any changes in distributors that will carry the brand/label.
6. EXCLUSIVE SALES TERRITORY AGREEMENTS	<ul style="list-style-type: none"> ▪ For malt beverages, am I required to submit an exclusive sales territory agreement between the manufacturer or importer and the distributor as part of the brand/label application?
	<ul style="list-style-type: none"> ○ No. You must attest that such an agreement exists and is on file with the division as part of your application for a malt brand/label approval.

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7. FLORIDA/FL IMPRINTING	<ul style="list-style-type: none"> ▪ For malt beverages, how do I comply with the “Florida” or “FL” imprinting requirement?
	<ul style="list-style-type: none"> ○ You must indicate on the application whether or not “Florida” or “FL” is imprinted on the container and the location of the imprinting or, indicate that the manufacturer has received an exemption from the requirement.
	<ul style="list-style-type: none"> ○ Additionally, you must attest to the above as part of your application.
	<ul style="list-style-type: none"> ○ If submitting a paper application, please do not provide a separate facsimile or other physical proof (e.g. container or bottle cap) of the imprinting. Any required physical proof will be requested if the brand/label application is audited.
8. FLORIDA/FL IMPRINTING EXEMPTION	<ul style="list-style-type: none"> ▪ For malt beverages, who is authorized to apply for an exemption from the “Florida” or “FL” imprinting requirement?
	<ul style="list-style-type: none"> ○ Pursuant to Section 563.06(5), Florida Statutes, only the manufacturer may apply for the exemption.
9. MALT BEVERAGES BREWED OR SHIPPED	<ul style="list-style-type: none"> ▪ For Malt Beverages that are brewed or shipped, am I required to register the brand/label?
	<ul style="list-style-type: none"> ○ Yes. Any malt beverage must be registered.
10. REVISED LABELS	<ul style="list-style-type: none"> ▪ Is there still a requirement to submit a letter with details of a revised label?
	<ul style="list-style-type: none"> ○ No, however, if a new label approval is required by TTB, (i.e., a new TTB #) then you are required to apply for a new Florida brand/label registration. See Form TTB F 5100.31, Section V. Allowable Revisions to Approved Labels at http://www.ttb.gov/forms/.
11. CREDIT MEMOS	<ul style="list-style-type: none"> ▪ May I use a credit memo to pay for an online brand/label application?
	<ul style="list-style-type: none"> ○ No. To use a credit memo to pay for a brand, you will have to apply on paper. You may request a refund of your credit amount if you choose to only register online. See “Request a Refund” under “For Consumers” at http://www.myfloridalicense.com/dbpr/.
	<ul style="list-style-type: none"> ○ Online payments are limited to credit cards (Visa, MasterCard, Discover, and American Express) and electronic checks.
12. BRAND/LABEL TRANSFERS	<ul style="list-style-type: none"> ▪ Is there a way to transfer a brand/label to a new registrant?
	<ul style="list-style-type: none"> ○ No. The new registrant must apply for the brand/label as

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	if it were a new brand/label.
13. RENEW DID NOT SHIP	<ul style="list-style-type: none"> ▪ Is the “Renew did not ship” renewal option still available? <ul style="list-style-type: none"> ○ No, the annual license/renewal fee for a brand/label registration must be paid each year in order for a brand/label registration to remain in an active status. A product that will not be shipped to Florida for a given year (July 1 – June 30), does not need to be renewed. If at a later time you decide to ship the product to Florida, you will have to reapply for brand/label registration. The online registration system allows you to register or reregister brand/labels quickly and receive immediate authorization to begin shipping.
14. NO FEE RENEWALS	<ul style="list-style-type: none"> ▪ Is there a way to renew a brand/label without paying the license fee? <ul style="list-style-type: none"> ○ For Malt, Wine and Spirit brands/labels, you must pay the annual license fee to keep the brand/label “active.” ○ For an “Other” brand/label, there is no fee. ○ The “Renew did not ship” option is no longer available.
15. RENEWAL PERIOD	<ul style="list-style-type: none"> ▪ What is the renewal period? <ul style="list-style-type: none"> ○ The renewal period for Malt, Wine and Spirit brands/labels ends on June 30 of each year. After that, the brands/labels will be set to a “null and void” status and you will have to reapply as though they were a new brand/label in order to ship them. ○ Note that a product for which the brand/label was not renewed by June 30th may not be shipped until such time as it is either renewed or reregistered.
16. EXCLUSIVE AGENT APPOINTMENT DOCUMENTATION	<ul style="list-style-type: none"> ▪ Am I required to submit a copy of appointment as exclusive agent for each Wine or Spirit brand/label to be registered? <ul style="list-style-type: none"> ○ No, however, in order to register a Wine or Spirit brand/label, you are required to attest that you are either the manufacturer or the legally authorized exclusive agent. ○ Furthermore, you may be required to produce proof of legal authorization if the brand/label registration is audited.
17. FLORIDA DOCUMENT NUMBER	<ul style="list-style-type: none"> ▪ Must I provide my Florida Document Number issued by the Florida Department of State in order to register a malt brand/label? <ul style="list-style-type: none"> ○ No, however, in order to register a Malt brand/label, you are required to attest that you are currently registered with the Department of State.

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18. RECORDS SUBJECT TO AUDIT	<ul style="list-style-type: none"> ▪ What does it mean when I see “Registrant understands that records are subject to audit?”
	<ul style="list-style-type: none"> ○ If a brand/label registration is audited, you may be asked to provide proof of any Florida statutory requirement. This may include proof of registration with the Florida Department of State, exclusive territory agreements, a facsimile of “Florida” or “FL” imprinting (or exemption thereof), exclusive agent agreements, etc.
19. AUTHORIZATION TO SHIP	<ul style="list-style-type: none"> ▪ When am I authorized to ship a new alcoholic beverage product?
	<ul style="list-style-type: none"> ○ If registering a brand/label online, you are authorized to ship your product when you have received an email confirmation of your submittal AND a separate confirmation of your payment. If only registering “other” brands/labels, you are authorized to ship your product when you have received an email confirmation of your submittal since no payment is required.
	<ul style="list-style-type: none"> ○ If registering a brand/label by submitting a paper application, you are authorized to ship your product when you receive a paper confirmation. The division has up to 90 days to approve or deny the application.
20. COMPLIANCE COMPANIES	<ul style="list-style-type: none"> ▪ I have a compliance company or, I am an agent acting on behalf of a registrant or registrants. May I use the online brand/label registration mechanism?
	<ul style="list-style-type: none"> ○ Yes. However, each registrant must be managed under a separate email address since the online login mechanism requires a unique email address for each account that is created.
21. ACCOUNT ACTIVATION	<ul style="list-style-type: none"> ▪ As an existing registrant, how do I activate my account?
	<ul style="list-style-type: none"> ○ Your account is activated the same way as a new registrant with one exception. Step-by-step instructions to create your account are available at http://www.myfloridalicense.com/dbpr/abt/faq.html under the title of Brand FAQs. Once you have created your logon account, you will be provided an option to “Link an Existing License to my Account.” Step-by-step instructions to link an existing license to your account is available at http://www.myfloridalicense.com/dbpr/abt/faq.html under the title of Brand FAQs.