

DISCUSSION DRAFT

2.23.17

§45.78 Name and Address

(a) Domestic malt beverages. On labels of containers of domestic malt beverages [~~there shall be stated~~], the name of the bottler and the place where bottled must be stated. The bottler's principal place of business may be shown in lieu of the actual place where bottled if the address shown is a location where bottling actually takes place and a license or permit issued by the commission is held at that location. If such malt beverages are bottled for a person other than the actual bottler there may be stated in addition to the name and address of the bottler (but not in lieu thereof), the name and address of such person immediately preceded by the words "bottled for," "distributed by," or some other similar appropriate phrase.

(b) Imported malt beverages. On labels of containers of imported malt beverages the name and principal place of business of the foreign manufacturer, bottler or shipper must [~~there shall~~] be stated. In addition there may, but need not, be stated the words "imported by," or a similar appropriate phrase, and immediately thereafter the name of the licensee or permittee who is the importer, together with the principal place of business of such licensee or permittee. [~~In addition there may, but need not, be stated the name and principal place of business of the foreign manufacturer, bottler, or shipper.~~]

(c) Post office address. The "place" stated shall be the post office address, except that the street address may be omitted. No additional places or addresses shall be stated for the same person, unless:

- (1) such person is actively engaged in the conduct of an additional bona fide and actual malt beverage business at such additional place or address; and
- (2) the label also contains, in direct conjunction therewith, appropriate descriptive material indicating the function occurring at such additional place or address in connection with the particular malt beverage.

(d) Notwithstanding the above, the commission may refuse an application for label approval if they believe there is any information, included or excluded, on the label that causes consumers to be confused or misled.