

## SPOTLIGHT ON SECTIONS:

# AOAC Pacific Southwest Section Launches New Nutritional Labeling of Alcohol Products Community

To meet the changing needs of its members, the Pacific Southwest (PSW) Section focuses on areas ranging from microbiology to state-of-the-art instrumentation to regulatory issues. This year's Annual Meeting (March 1-3, 2005, Sacramento, California, USA) reflected the Section's diversity with sessions on infectious diseases, LC/MS, and alcohol labeling. Indeed, alcohol labeling was a major focus as this year's Regulatory Update Session explored the "sea change" that has hit the beverage alcohol industries—wine, beer, and distilled spirits. Under the neutral umbrella of AOAC, experts from the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau (TTB), the U.S. Food and Drug Administration (FDA), and the U.S. Department of Agriculture (USDA) gathered in a unique forum to address the concerns of industry.

Anita Mishra, AOAC's Principal Scientific Liaison, Government and Industry, brought to the table the concept of forming a task force within an association of analytical communities. The *Official Methods of Analysis of AOAC INTERNATIONAL* (OMA) does not contain methods for all nutritional label components for all alcohol beverages. A number of industry members have

expressed interest in filling the gaps and updating the methodologies in the OMA. Mishra demonstrated the advantage of pooling resources as a Task Force within AOAC. Stay tuned for more on the activities of this new community in future issues of *Inside Laboratory Management*.

### Background

In December 2003, the Center for Science in the Public Interest (CSPI) and the Harvard School of Public Health petitioned the TTB to require a "Serving Facts" panel on alcohol beverages. CSPI wanted the label to establish the amount of alcohol consumed in each serving, to include the U.S. Dietary Guidelines on Moderate Drinking, and to provide an ingredient statement. The Harvard scientist was concerned about potential allergens used in the production of beer, wine, and distilled spirits.

TTB, in response to the petitions, industry initiatives, and the marketing of alcohol beverages as "low carb" or "0 carb" products, issued a ruling (TTB Ruling 2004-1) permitting industry members to use an "Alcohol Facts" panel on their products. A



As part of the Regulatory Update session, a panel discussion was held with representatives from FDA, USDA, TTB, and AOAC.

follow-up procedure detailed the content (alcohol, calories, carbohydrates, protein, and fat), the compliance limits for the label amounts, and the analytical methods TTB uses to determine compliance. In line with standard practice, TTB made it clear that they will use *AOAC Official Methods of Analysis*<sup>SM</sup> for all analytes when available.

### The Session

Bill Foster, Chief of the Regulations and Procedure Division (TTB), provided an overview of the history, current status, and future of ingredient and nutritional labeling of alcohol beverages. Since the birth of the Bureau of Alcohol, Tobacco and Firearms in 1972, there have been numerous petitions by CSPI to compel nutrition labeling on alcohol beverage

products. Until the latest petition, there was significant industry opposition to changing the labeling regulations and the public at large showed very little interest. A 1993 Advanced Notice of Proposed Rulemaking (ANPRM) only received 55 responses of which 41 opposed nutrition labels on alcohol beverages. Foster detailed the Rulemaking process and announced that TTB intends to issue another ANPRM. This notice will ask for public advice and comment on the proposed "Serving Facts" panel as well as industry advertising practices. Allergen labeling has been mandated by the Food Allergen Labeling and Consumer Protection Act of 2004 (FALCP). TTB is working closely with FDA at both the regulatory and laboratory levels to ensure this

Act is properly implemented by the deadline (January 1, 2006). TTB expects to issue a Notice of Proposed Rulemaking well in advance of the effective date to provide industry adequate time to comply.

Janet McDonald, Public Affairs Specialist with the San Francisco District of the FDA, discussed the most current FDA nutrition labeling requirements. The Nutritional Labeling Education Act of 1990 is the foundation for mandated label information. As science progresses, in response to court cases and petitions, the Act has been amended. The most current food fad is, of course, carbohydrate claims. McDonald reiterated the definition for carbohydrates from 21CFR101.9. The centerpiece of FDA policy from this point forward is the March 12, 2004, report of the Obesity Working Group. This report de-emphasized carbohydrate dieting and emphasized the principle that "calories count." Indeed, it is FDA's current position that any food that bears a claim related to the level of carbohydrate is misbranded under Section 403 of the FD&C Act. The FDA is currently working on

an ANPRM to address carbohydrate label claims to permit the use of terms like "net carbs."

Joanne Holden, Research Leader of the USDA Nutrient Data Laboratory, discussed how the USDA Standard Reference Database is constructed, where the data come from, and how to use the information in the database for science, comparison, and marketing purposes. The next publication of the database will include compositional data on alcohol beverage products from the TTB laboratory.

A highlight of the meeting was an appearance by Michael Lewis, Professor Emeritus of Brewing Science, University of California Davis. Lewis discussed the mutual acceptance of AOAC methods and those collaborated under the auspices of the American Society of Brewing Chemists. He showed the very clever techniques that brewers have used to produce low calorie and low carbohydrate beers and introduced the topic of testing beers for gluten, a known allergen that exacerbates the condition known as Celiac disease, which can lead to serious health conditions, including heart

disease.

Kenneth Falci, Director of the Office of Scientific Analysis and Support, Center for Food Safety and Applied Nutrition (CFSAN), FDA, covered the topic of the Food Allergen Labeling and Consumer Protection Act of 2004 and the probable impact of this legislation on alcohol beverage products. He indicated that the FDA and TTB are working closely together to implement the technical compliance with the Act in advance of the effective date. He made it clear that any detectable level of an allergen may trigger the warning label.

Norma Hill, Chief of the Compliance Monitoring Laboratory for TTB, covered the laboratory analysis for compliance. In a very detailed presentation, laboratory professionals were given the tools they would need to duplicate the results of the Compliance Laboratory.

### More Highlights

Many of the current issues relating to public health center on mission critical areas such as outbreaks, emergency response, and emerging pathogens. The first day of the PSW-AOAC meeting explored such mission critical areas at the federal, state, and local county levels. Presentations focused on a multistate outbreak of *Salmonella typhimurium* DT104 associated with ground beef; the work involved in a traceback investigation of an *E. coli* O157:H7 outbreak; the evolution of public health laboratories in the age of bioterrorism; current public health issues; and new technologies in the microbiology area, such as new molecular techniques, PCR, and new

sample preparation technology that are currently used for public health response.

The second day of the PSW-AOAC Annual Meeting focused on new applications of LC/MS. Speakers addressed the numerous types of LC/MS that can be used in analytical chemistry today; practical guidance and hints for what the buyer can expect when beginning the search for that ideal instrument; and LC-IRMS, a side of mass spectrometry that is used for special determinations.

### About the PSW Section

The PSW Section of AOAC INTERNATIONAL was chartered in 1989 under George Tichelaar, who was, at the time, Chief of Chemistry at the California Department of Food and Agriculture. Through the vision and the dedication of the many members of the Executive Committee, this Section has moved into the 21st century. The Section originally covered Hawaii, Utah, Nevada, Arizona, and California. In 2001-2002, the Southern California Section evolved from a subsection within the PSW. Many of the PSW members have come from California with steady support from Hawaii, Arizona, and Nevada. The ties to the state and federal laboratories have provided a valuable opportunity for the exchange of ideas, information, and contacts.

For more information regarding the activities of the PSW Section, visit the Section's Web site at [www.pswaoac.org](http://www.pswaoac.org). ■

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Treasurer Sarita Cardozo and Member-at-Large Bruce Brown man the registration table for the 2005 Annual Meeting.