SPIRITS-BASED READY TO DRINK (RTD) PRODUCT TAXES

Congress can help support distillers looking to enter the RTD market by addressing the federal excise tax (FET) discrepancy on these products with the same alcohol content.

The U.S. Distilled Spirits industry contributes to the vibrancy of the manufacturing, hospitality, tourism, and agriculture industries.

Exports American products around the world. In 2020, U.S. distilled spirits exports totaled $1.4 billion.

Creates jobs. Today, there are over 2,300 distilleries nationwide. The economic activities of exporting, importing, and sale and distribution within the U.S. support approximately 1.7 million U.S. jobs.

Is heavily taxed and regulated. The Alcohol and Tobacco Tax & Trade Bureau (TTB) within the Department of Treasury approves permits and labels and establishes other industry standards.

The market for spirits-based RTD products that are 10% ABV and below is growing at a rate of more than 250% annually.

Despite this growth, approximately 62% of craft distillers not producing spirits-based RTDs identified the federal excise tax (FET) rate as a barrier to entry.

FEDERAL EXCISE TAX RATES FOR 5% ABV READY-TO-DRINK PRODUCTS

The federal excise tax (FET) rates for 5% ABV ready-to-drink products are as follows:

- Malt Based Beverage: 5 cents
- Sugar Based Seltzer RTD: 5 cents
- Wine Based Spritzer: 10 cents
- Spirit Based Cocktail: 13 cents
U.S. POSTAL SERVICE (USPS) SHIPPING EQUITY ACT (H.R. 3287/S. 1663)

Direct-to-consumer shipping serves as an important complement to the traditional three-tier system of beverage alcohol distribution. The USPS Shipping Equity Act (H.R. 3287/S. 1663), if enacted, would:

Enable the USPS to ship beverage alcohol products where direct-to-consumer shipping is permissible by law.

Generate an estimated $180 million annually for the USPS and support consumer choice and small businesses alike.

Provide for regulations that will enable the USPS to safely deliver beverage alcohol products to adult consumers with appropriate ID checks and verifications in place.

Request: Cosponsor the USPS Shipping Equity Act (H.R. 3287/S. 1663) today.

REMOVAL OF TARIFFS ON DISTILLED SPIRITS PRODUCTS

While there has been much progress in 2021 in removing tariffs on distilled spirits, the UK’s 25% retaliatory tariff on American Whiskeys in the steel and aluminum dispute remains. Effective January 1, 2022, the EU agreed in the steel and aluminum dispute to suspend for two years its 25% retaliatory tariff on American Whiskeys. In June 2021, the U.S. agreed with the EU and UK to suspend tariffs for five years on a range of U.S., EU, and UK distilled spirits in the WTO Boeing-Airbus dispute. Securing the permanent return to duty free access for all spirits would bring much-needed certainty to U.S. producers and hospitality businesses, many of which continue to be negatively impacted by the pandemic.

Request: Urge the Administration to secure the immediate removal of the UK’s retaliatory tariff on American Whiskeys and the permanent return to zero-for-zero tariffs on distilled spirits between the U.S., EU, and UK in both the Section 232 Steel and Aluminum and WTO Boeing-Airbus disputes.

SUPPORT THE RECOVERY OF THE HOSPITALITY INDUSTRY FROM THE PANDEMIC

Many restaurants, bars, and distillers that depend on in-person sales have been deeply affected by the pandemic. Demand for the Restaurant Revitalization Fund last year far exceeded what Congress initially provided for this COVID-19 relief program. Now, these businesses face an uncertain future with the arrival of new variants and cold winter weather impacting outdoor dining in many parts of the country.

Request: Support the replenishment of the Restaurant Revitalization Fund (RRF).
According to the Dietary Guidelines for Americans, one standard drink or “drink equivalent” contains 0.6 ounces of ethanol. Each of these standard drink examples contains the same amount of alcohol:

According to the Centers for Disease Control (CDC), “it is the amount of alcohol consumed that affects a person most, not the type.” That’s why, when it comes to drinking alcohol: There is no beverage of moderation, only the practice of moderation.

You can learn more about standard drink equivalence at https://standarddrinks.org/

About DISCUS

The Distilled Spirits Council of the United States (DISCUS) represents distilled spirits producers, marketers, and importers. DISCUS advocates on issues impacting distilled spirits producers, promotes the distilled spirits sector by raising awareness and opening markets in the United States and around the globe, and encourages responsible consumption among adults who choose to consume distilled spirits products.

Responsibility

DISCUS encourages responsible and moderate consumption of distilled spirits among those of age who choose to consume distilled spirits products. DISCUS and its members are strongly committed to the principles of responsible alcohol consumption and the elimination of impaired driving. The Dietary Guidelines for Americans, 2020-2025, reaffirms the longstanding definition of moderate alcohol consumption among adults of drinking age as two drinks or less in a day for men and one drink or less in a day for women. For nearly 40 years, our industry has advocated for effective legislative countermeasures to eliminate underage drinking and impaired driving, which are both at all-time low levels.

Contact

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