

**STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

**AN 2022-03**

**ADVISORY NOTICE TO THE INDUSTRY REGARDING THE PRODUCT/BRAND  
REGISTRATION AND RENEWAL PROCESS**

Changes to the Brand Registration application will be implemented beginning on January 1, 2023. These changes do not affect the ongoing current brand registration renewal process, which began on November 15, 2022. However, if a brand owner or registrant does not complete the renewal process by December 31, 2022 (the date when all New Jersey Product/Brand Registrations expire), it must follow the new process described below.

Every alcoholic beverage sold at retail in New Jersey must have a brand registration number. See N.J.S.A. 33:1-2. Brand registration applications must be completed by either the manufacturer, importer or wholesaler who owns the product (“brand owner”) or by an importer or wholesaler who is appointed as an authorized agent by the brand owner to sell the brand (“brand registrant”). See N.J.S.A. 33:1-2(c); N.J.A.C. 13:2-33.1(b). Every licensee that sells alcoholic beverages to retailers must include on its Current Price List (“CPL”) a valid brand registration number, or the product may not be sold in New Jersey. See N.J.A.C. 13:2-24.6.

**New Brand Registration/Renewal Process**

The modifications to the brand registration application will conform to the information required in N.J.A.C. 13:2-33.1(a), which includes, among other things, providing the TTB COLA number. In addition, the brand registration application will now include a field for the entry of the Universal Product Code (“UPC”)<sup>1</sup> (or an alternative “product ID” number if no UPC number is

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<sup>1</sup> UPC numbers are 12-digit numeric codes that are assigned to specific products. These codes are universal and follow the product across retailers. UPCs are regulated by the GS1 US, part of an international standards organization that maintains the guidelines for product identification and registration. See [What Is a Universal Product Code \(UPC\)? | Business.org](https://www.gs1.org/what-is-a-universal-product-code-upc), last visited 11.18.22.

available as discussed below) for each alcoholic beverage sought to be registered. If a product has **both** a UPC and TTB COLA number, both will be required when renewing or registering a new product.

The new system will also permit authorized distributors to search for their products in POSSE to see if the products have been brand registered.

The Division allows a grace period for brand registration renewals until January 16, 2023. However, if a registrant registers or renews its products **after** January 1, 2023, the registrant **must** use the new brand registration application, and include UPC (or “product ID”) and/or TTB COLA numbers.

**Products that are not renewed by January 16, 2023, will automatically expire. Unregistered brands may not be sold in New Jersey. All fees related to product registration are non-refundable.**

The Division is making this change to its brand registration system because brand registration information currently being supplied by brand owners and registrants contains errors and duplication, which impede the Division’s efforts to enforce the Alcoholic Beverage Control Act (“ABC Act”). The changes being implemented are based on the regulatory requirements in N.J.A.C. 13:2-33.1 to -33.2. Collecting accurate data on all products sold in New Jersey by way of the brand registration process is essential to the regulation of alcoholic beverages, including CPL filings, close-out permits, and other Division-mandated practices.

The Division is aware that a small percentage of alcoholic beverages sold in New Jersey may not have UPC or TTB COLA numbers. However, these products must still be brand registered timely. The new system accommodates this issue in the following manner:

1) If a registrant does *not* have a UPC number for the specific product, an alternative “product ID” number needs to be provided. A “product ID” number is defined as any other number/code that the registrant uses for internal inventory control purposes for that specific product. If the registrant has *neither* a UPC nor a “product ID” number, the registrant should enter ZERO (“0”) in the appropriate field and provide an explanation in the application stating the reason why there is no UPC or “product ID” number. In this scenario, the system will generate a unique identifying number for that specific product. The system-generated number will be provided to the registrant in the brand registration/renewal approval letter for use in future renewals and CPL filings. This system-generated number may be amended by the brand registrant. Please note that a Product ID or amended system-generated number may contain no more than 12 numbers; letters or special characters are not permitted.

2) If a registrant does *not* have a TTB COLA number, an explanation must be provided stating the reason why there is no TTB COLA number provided. (This is required in the existing brand registration application.)

**In other words, a product may be registered or renewed *without* a TTB COLA number as long as an explanation is provided. Additionally, a product may be registered or renewed *without* a UPC or an alternative “product ID” number, as long as the registrant enters ZERO (“0”) and provides an explanation.**

As noted above, the Division intends to implement this new brand registration application beginning on January 1, 2023. All brand owners or registrants will be required to use this new application for their brand renewals and registrations, beginning in the next renewal period for calendar year 2024. For those registrants who have already filed their 2023 renewals or registrations, they are encouraged to amend these registrations throughout 2023 to include the

UPC/Product ID and TTB COLA, to simplify the brand registration renewal process for 2024.

There are no fees associated with these amendments.

Detailed instructions for completing brand registrations are available on POSSE and the ABC website. Questions about this Advisory Notice or the new brand registration process should be directed to the Brand Unit at (609) 984-2830.

A handwritten signature in black ink, appearing to read "J.B. Graziano", is positioned above a horizontal line. The signature is stylized and cursive.

JAMES B. GRAZIANO  
DIRECTOR

DATED: December 19, 2022  
JBG/ABC