



CBMA Key Terms – Calendar Year 2023

Please review the key terms below as you prepare to submit your assignment documentation for the 2023 Craft Beverage Modernization and Tax Reform Act (CBMA) tax benefit allocation to Swirl Bev.

Manufacturer or Producer

“Manufacturer” and “Producer” are used interchangeably for the purposes of CBMA. A manufacturer or producer is an entity that produces beverage alcohol. For wine, this would be the winery producing the wine. For distilled spirits, this would be the distillery or production facility making the product. For beer, this would be the brewery. In each case, the entity who is the manufacturer or producer for the purposes of CBMA is the one which processes the product into the state (class/type designation) in which it will be tax paid.

“Manufacturer” and “Producer” must possess an up-to-date FDA Registration Number in order to qualify.

Importer of Record

CBMA allocations are issued from the producer to the Importer of Record – not the brand owner. Depending upon your relationship with Swirl Bev, Swirl Bev may act as the importer or record or you may be your own importer of record with Swirl Bev handling the logistics and importation. In these two cases, Swirl Bev can support your CBMA processing and management.

TTB Foreign Producer Portal

https://www.ttb.gov/images/pdfs/cbma/Foreign_Producer_System_External_User_Guide_2022-10-25.pdf This is the training manual where you can find hyperlinks to the sites to register a foreign producer, manage your registration, authorize additional users, and make assignments of U.S. tax benefits. “Manufacturer” and “Producer” must possess an up-to-date FDA Registration Number in order to register on the portal.

CBMA Control Group / Foreign Producer Ownership

A Control Group is a collection of manufacturers or producers that share 51% or more ownership. A group of producers that share 51% ownership (a Control Group) receive a single CBMA allocation. The Control Group may choose how to manage production and import of products into the US, as well as how it chooses to allocate the CBMA allocation between its controlled producers, as long as the assignment of CBMA benefit does not exceed a single allocation.



If the individuals or entities that have an ownership interest of 10% or more in the Foreign Producer also have an ownership interest in other foreign or U.S. distilled spirits operations, wineries, or breweries using or assigning U.S. tax benefits, you must provide the TTB (via the portal) information for any individual or entity that owns 10% or more of the foreign producer being registered. (However, 51% or more ownership is still the requirement to classify a collection of manufacturers or producers as a control group).

CBMA Allocations

Assigns U.S. tax benefits to U.S. importers by product, tax benefit category, and quantity.

Allocation of Volume

Each control group/producer based on the situation may choose how to allocate wine gallons/proof gallons/barrels to the US importers of record they work with by tax benefit tier. The following tables show the tax rate for each tier of benefit and type of beverage alcohol. The control group/producer indicates the amount of allocation given to the importer in the CBMA Assignment Letter. Each eligible entity (Control Group, if applicable, or independent producer) receives one allocation at each volume tier.

Contact the Swirl Bev CBMA team at cbma@swirlbev.com
if you have any questions.