

# UNCLE NEAREST<sup>®</sup>

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PREMIUM WHISKEY

## MEMORANDUM

To: Alcohol and Tobacco Tax and Trade Bureau (TTB)

From: Fawn Weaver, CEO and Founder, Uncle Nearest, Inc.

Subject: Justification for Use of “Tennessee Whiskey” on Front Label and “Straight Bourbon Whiskey” on Back Label

Date: February 5, 2025

## OVERVIEW

Uncle Nearest, Inc. seeks to clarify and justify the use of “Tennessee Whiskey” on the front label and “straight bourbon whiskey” on the back label of its products. This labeling approach is fully compliant with both U.S. regulations and international trade agreements, and it reflects the factual and legal identity of the product.

### 1. TENNESSEE WHISKEY AS A SUBCATEGORY OF STRAIGHT BOURBON WHISKEY

Although “Tennessee Whiskey” is not specifically defined in the Code of Federal Regulations (27 CFR), it is recognized by the TTB through international trade agreements as a type of straight bourbon whiskey. This includes:

- NAFTA (1994), Article 313
- USMCA (2020), Annex 3-A, Paragraph 11

These treaties require the U.S. to treat Tennessee whiskey as a distinctive product that: “...is a straight bourbon whiskey authorized to be produced only in the State of Tennessee.”

This recognition is binding on U.S. regulatory agencies, including the TTB.

### 2. TTB RULING 2013-2

In TTB Ruling 2013-2, the Bureau affirmed that:

“Tennessee whiskey is a type of straight bourbon whiskey produced in Tennessee that has undergone the Lincoln County Process (i.e., charcoal mellowing before aging).”

To qualify as Tennessee whiskey, a product must:

- Meet all production requirements of 27 CFR § 5.22(b)(1)(i) (the federal standard for straight bourbon whiskey)
- Be produced in Tennessee
- Undergo charcoal filtering prior to barreling (Lincoln County Process)

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This ruling reinforces that all Tennessee whiskey is, by definition, a straight bourbon whiskey with additional geographic and process-based requirements.

### 3. LABELING PRACTICE

Our proposed labeling adheres to TTB guidance:

- Front Label: “Tennessee Whiskey” is used as the class/type, in compliance with 27 CFR and consistent with how TTB expects distilled spirits to be categorized.
- Back Label: A factual explanatory statement is included:

“Uncle Nearest is a straight bourbon whiskey that undergoes the Lincoln County Process—filtering through sugar maple charcoal before aging. This traditional step qualifies it as both a straight bourbon and a Tennessee whiskey under U.S. law.”

This statement:

- Does not present dual class/type designation
- Is not misleading
- Is grounded in the legal and regulatory framework acknowledged by TTB itself
- Aligns with similar back-label practices in use by other Tennessee whiskey producers

### CONCLUSION

We respectfully request approval of our label design with:

“Tennessee Whiskey” on the front label as the formal class/type

A descriptive statement on the back label referring to its compliance with straight bourbon whiskey standards and the Lincoln County Process

This approach is factually accurate, legally justified, and consistent with longstanding TTB precedent and international treaty obligations.

We appreciate your consideration and look forward to your approval.

Submitted by:



Fawn Weaver  
Founder & CEO  
Uncle Nearest, Inc.