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Federal regulators say kombucha becomes beer if it tops 0.5% ABV during production

The TTB says crossing the threshold at any stage can trigger brewer registration, labeling rules and recordkeeping obligations.

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The Alcohol and Tobacco Tax and Trade Bureau says kombucha is regulated as beer under federal law if it rises above 0.5% alcohol by volume at any point during production, even if the finished drink later falls back below that level.

The guidance appears on the agency’s kombucha information page, which describes the drink as a fermented tea made from tea, sugar, a symbiotic culture of bacteria and yeast, often called a SCOBY, and sometimes additional flavorings. The agency says kombucha with more than 0.5% ABV is considered an alcoholic beverage and is subject to TTB regulation.

The key point for producers is the timing of that threshold. According to the TTB, kombucha that exceeds 0.5% ABV “at any point in the process” is considered beer. That means the federal standard is not limited to the alcohol content of the product on the shelf. If the beverage crosses the threshold during fermentation or another production stage, the producer must be prepared to operate under the rules that apply to brewers.

The agency’s guidance says manufacturers should test their products and make sure they do not exceed 0.5% ABV unless they are registered as brewers and comply with all applicable regulations. It also says kombucha products regulated as alcoholic beverages must follow beer labeling rules. TTB further says producers need truthful and accurate labeling, including alcohol declarations where required, along with recordkeeping to support compliance.

By contrast, kombucha products that remain below 0.5% ABV are not regulated by TTB as alcoholic beverages, the agency says. Those products fall outside the federal alcohol framework that applies to beer, wine, and spirits.

The clarification is important for a fast-changing part of the beverage market, where producers have been experimenting with low-alcohol drinks, hybrid fermented products, and beer-like versions of kombucha. For those businesses, a temporary rise above 0.5% ABV during active fermentation could trigger brewer registration and other federal obligations, even if the final packaged drink is intended to be sold below the threshold. That can affect production planning, testing schedules, labeling decisions, and the choice of facility where the product is made.

The issue has practical consequences because alcohol levels in kombucha can change during production and, in some cases, after packaging if fermentation is not tightly controlled. The TTB guidance puts the burden on producers to know where their

products stand throughout the process, not only at the end. For companies marketing kombucha as a non-alcoholic or low-alcohol drink, that means closer monitoring of fermentation and stronger documentation to show the product remained under the federal limit if they want to stay outside TTB oversight.

The agency's page does not present the threshold as a new standard. Instead, it compiles basic compliance information and resources for kombucha makers under existing federal law. Still, the language used by TTB draws a clear line for the industry by stating that the 0.5% ABV test applies during the production process itself.

That distinction matters because some producers may assume the regulatory question turns only on the alcohol content of the final product. Under the TTB explanation, that is not enough. If the kombucha surpasses 0.5% ABV during production, the product is treated as beer for federal regulatory purposes, and the producer must meet the requirements that come with that status.

Those requirements can include brewer registration, compliance with beer labeling rules, and maintenance of records to support testing and regulatory reviews. TTB says labels for products it regulates must be truthful and accurate. The agency also points producers to the need for testing and analysis strong enough to ensure they understand the alcohol content of their beverages.

The guidance is especially relevant for smaller kombucha companies and new entrants to the category, many of which rely on fermentation methods that can produce fluctuating alcohol levels. It may also be significant for breweries and other beverage companies expanding into fermented tea products, since the rules can turn on how the product behaves in the tank rather than how it is ultimately marketed.

TTB's website frames the information as a compliance resource intended to help kombucha manufacturers understand federal obligations tied to alcoholic beverages. For producers near the 0.5% line, the agency's message is direct: monitor alcohol levels throughout production, not just at packaging, and do not assume a finished product below the threshold avoids brewer rules if the drink exceeded that level earlier in the process.