provisions set out as a note under this section] and shall submit the results of such study not later than 180 days after the enactment of this Act [Oct. 28, 2000].''

§ 122b. General provisions

(a) Effect on Internet Tax Freedom Act

Nothing in this section may be construed to modify or supersede the operation of the Internet Tax Freedom Act (47 U.S.C. 151 note).

(b) Inapplicability to service providers

Nothing in this section may be construed to—

(1) authorize any injunction against an interactive computer service (as defined in section 230(f) of title 47[1] used by another person to engage in any activity that is subject to this Act;

(2) authorize any injunction against an electronic communication service (as defined in section 2510(15) of title 18) used by another person to engage in any activity that is subject to this Act; or

(3) authorize an injunction prohibiting the advertising or marketing of any intoxicating liquor by any person in any case in which such advertising or marketing is lawful in the jurisdiction from which the importation, transportation or other conduct to which this Act applies originates.

(Mar. 1, 1913, ch. 90, § 3, as added Pub. L. 106–386, div. C, § 2004(a), Oct. 28, 2000, 114 Stat. 1548.)

REFERENCES IN TEXT

The Internet Tax Freedom Act, referred to in subsec. (a), is title XI of Pub. L. 105–277, div. C, Oct. 21, 1998, 112 Stat. 2681–719, which is set out as a note under section 151 of Title 47, Telegraphs, Telephones, and Radiotelegraphs.

This Act, referred to in subsec. (b), is act Mar. 1, 1913, ch. 90, 37 Stat. 699, as amended, popularly known as the Webb-Kenyon Act, which is classified to this section and sections 122 and 122a of this title. For complete classification of this Act to the Code, see Tables.

EFFECTIVE DATE

Section effective 90 days after Oct. 28, 2000, see section 2004(b) of Pub. L. 106–386, set out as a note under section 122a of this title.

§ 123. Repealed. June 25, 1936, ch. 815, § 9, 49 Stat. 1930

Section, acts Mar. 3, 1917, ch. 162, § 5, 39 Stat. 1069; Mar. 4, 1917, ch. 192, 39 Stat. 1202; Feb. 24, 1919, ch. 18, § 1407, 40 Stat. 1151; Jan. 11, 1934, ch. 1, title I, § 12, 48 Stat. 316, prescribed punishment for violation of section 122 of this title.

§ 124. Direct shipment of wine

(a) Conditions for transporting certain wine

During any period in which the Federal Aviation Administration has in effect restrictions on airline passengers to ensure safety, the direct shipment of wine shall be permitted from States where wine is purchased from a winery, to another State or the District of Columbia, if—

(1) the wine was purchased while the purchaser was physically present at the winery;

(2) the purchaser of the wine provided the winery verification of legal age to purchase alcohol;

(3) the shipping container in which the wine is shipped is marked to require an adult's signature upon delivery;

(4) the wine is for personal use only and not for resale; and

(5) the purchaser could have carried the wine lawfully into the State or the District of Columbia to which the wine is shipped.

(b) Violations

If any person fails to meet any of the conditions under subsection (a) of this section, the attorney general of any State may bring a civil action under the same terms as those set out in section 122a of this title.

(c) Report

Not later than 2 years after November 2, 2002, and at 2-year intervals thereafter, the Attorney General of the United States, in consultation with the Administrator of the Federal Aviation Administration, shall prepare and submit to the Committee on the Judiciary of the Senate and to the Committee on the Judiciary of the House of Representatives a report on the implementation of this section.

(Pub. L. 107–273, div. C, title I, § 11022, Nov. 2, 2002, 116 Stat. 1829.)

CHAPTER 7—LIQUOR LAW REPEAL AND ENFORCEMENT ACT

§§ 151 to 167. Omitted

CODIFICATION

Sections contained provisions which were incorporated in various sections of the Internal Revenue Code of 1939. For distribution of the Internal Revenue Code of 1939 to the Internal Revenue Code of 1986, see Table I preceding section 1 of Title 26, Internal Revenue Code.

Section 151, act Aug. 27, 1935, ch. 740, § 2, 49 Stat. 872, defined ''person'', ''Commissioner'', ''application'', ''permit'', ''bond'', ''regulation'', and ''articles'', was incorporated in section 3124(a)(3)–(8) of the Internal Revenue Code of 1939.

Section 152, act Aug. 27, 1935, ch. 740, § 3, 49 Stat. 872, authorized Commissioner, his assistants, agents, and inspectors to investigate and report to United States attorney violations of this chapter and chapter 3 of this title, was incorporated in section 3117(a) of the Internal Revenue Code of 1939.

Section 153, act Aug. 27, 1935, ch. 740, § 4, 49 Stat. 872, subjected violators of laws relating to denatured alcohol to laws relating to nondenatured alcohol, was incorporated in section 3111 of Internal Revenue Code of 1939.

Section 154, act Aug. 27, 1935, ch. 740, § 5, 49 Stat. 873, related to revocation of manufacturer's permits for false descriptions of denatured alcohol, was incorporated in section 3114(c) of Internal Revenue Code of 1939.

Section 155, act Aug. 27, 1935, ch. 740, § 6, 49 Stat. 873, required persons manufacturing or dealing in denatured alcohol to obtain a permit from Commissioner, was incorporated in section 3114(a) of Internal Revenue Code of 1939.

Section 156, act Aug. 27, 1935, ch. 740, § 7, 49 Stat. 874, provided for revocation of permits by Commissioner where terms of permit have been violated or provisions of this chapter and chapter 3 of this title have not been conformed to or other laws and regulations relating to intoxicating liquor have been violated, was incorporated in section 3114(b) of Internal Revenue Code of 1939.

Section 157, act Aug. 27, 1935, ch. 740, § 8, 49 Stat. 874, related to search, seizure, and forfeiture of liquor or

[1] So in original. Probably should be followed by a closing parenthesis.

property to be used in violation of this chapter or chapter 3 of this title or laws or regulations with respect to intoxicating liquor, was incorporated in section 3116 of Internal Revenue Code of 1939.

Section 158, act Aug. 27, 1935, ch. 740, § 9, 49 Stat. 875, related to rights, privileges, powers, and protection of Commissioner and his assistants and employees, was incorporated in section 3121(a) of Internal Revenue Code of 1939.

Section 159, act Aug. 27, 1935, ch. 740, § 10, 49 Stat. 875, related to penalties prescribed for violation of provisions of this chapter, was incorporated in section 3115(b) of Internal Revenue Code of 1939.

Section 160, act Aug. 27, 1935, ch. 740, § 11, 49 Stat. 875, related to privileges and immunities of witnesses, was incorporated in section 3119 of Internal Revenue Code of 1939.

Section 161, act Aug. 27, 1935, ch. 740, § 12, 49 Stat. 875, related to place of sale when delivery is made by a carrier for purposes of prosecution or revocation of any permit, was incorporated in section 3114(d) of Internal Revenue Code of 1939.

Section 162, act Aug. 27, 1935, ch. 740, § 13, 49 Stat. 875, related to affidavits, information, and indictments for violation of this chapter, was incorporated in section 3120 of Internal Revenue Code of 1939.

Section 163, act Aug. 27, 1935, ch. 740, § 14, 49 Stat. 876, related to inspection of records, liquor, and property with respect to this chapter by Commissioner, was incorporated in section 3121(c) of Internal Revenue Code of 1939.

Section 164, act Aug. 27, 1935, ch. 740, § 2, 49 Stat. 872, authorized Commissioner to designate assistants or agents to perform certain duties, was incorporated in section 3121(d) of Internal Revenue Code of 1939.

Section 165, act Aug. 27, 1935, ch. 740, § 15, 49 Stat. 876, provided that a conviction under this chapter or chapter 3 of this title will bar a subsequent prosecution under another law relating to intoxicating liquors, was incorporated in section 3115(c) of Internal Revenue Code of 1939.

Section 166, act Aug. 27, 1935, ch. 740, § 16, 49 Stat. 876, provided that no tax will be assessed or collected where distilled spirits are lost, stolen, or destroyed by fire or other casualty, was incorporated in section 3113(a) of Internal Revenue Code of 1939.

Section 167, act Aug. 27, 1935, ch. 740, § 1, 49 Stat. 872, provided that this chapter may be cited as ''Liquor Law Repeal and Enforcement Act''.

CHAPTER 8—FEDERAL ALCOHOL ADMINISTRATION ACT

SUBCHAPTER I—FEDERAL ALCOHOL ADMINISTRATION

Sec.
201. Short title.
202. General provisions.
202a to 202c. Repealed or Omitted.
203. Unlawful businesses without permit; application to State agency.
204. Permits.
205. Unfair competition and unlawful practices.
206. Bulk sales and bottling.
207. Penalties; jurisdiction; compromise of liability.
208. Interlocking directorates.
209, 210. Omitted.
211. Miscellaneous provisions.
212. Omitted.

SUBCHAPTER II—ALCOHOLIC BEVERAGE LABELING

213. Declaration of policy and purpose.
214. Definitions.
215. Labeling requirement.
216. Preemption.
217. Report to Congress.
218. Civil penalties.
219. Injunction proceedings; compromise of liability.
219a. Severability.

SUBCHAPTER I—FEDERAL ALCOHOL ADMINISTRATION

§ 201. Short title

This subchapter may be cited as the ''Federal Alcohol Administration Act''.

(Aug. 29, 1935, ch. 814, title I, § 101, formerly § 1, 49 Stat. 977; renumbered title I, § 101, and amended Pub. L. 100–690, title VIII, § 8001(a)(1), (2), (b)(1), Nov. 18, 1988, 102 Stat. 4517, 4521.)

AMENDMENTS

1988—Pub. L. 100–690, § 8001(b)(1), amended section generally, substituting ''subchapter'' for ''chapter''.

SHORT TITLE

Section 201 of title II of act Aug. 29, 1935, as added Nov. 18, 1988, Pub. L. 100–690, title VIII, § 8001(a)(3), 102 Stat. 4518, provided that: ''This title [enacting subchapter II of this chapter] may be cited as the 'Alcoholic Beverage Labeling Act of 1988'.''

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Bureau of Alcohol, Tobacco and Firearms, including the related functions of the Secretary of the Treasury, to the Department of Justice, see section 531(c) of Title 6, Domestic Security, and section 599A(c)(1) of Title 28, Judiciary and Judicial Procedure.

Federal Alcohol Administration and offices of members and Administrator thereof were abolished and their functions directed to be administered under direction and supervision of Secretary of Treasury through Bureau of Internal Revenue [now Internal Revenue Service] in Department of Treasury, by Reorg. Plan No. III of 1940, § 2, eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1232, set out in the Appendix to Title 5, Government Organization and Employees. See also, sections 8 and 9 of said plan for provisions relating to transfer of records, property, personnel, and funds. Section 2 of Reorg. Plan No. III of 1940 was repealed as executed by Pub. L. 97–258, § 5(b), Sept. 13, 1982, 96 Stat. 1068, 1085, the first section of which enacted Title 31, Money and Finance. Department of the Treasury Order 221 of July 1, 1972, established the Bureau of Alcohol, Tobacco and Firearms and transferred to it functions of the Internal Revenue Service arising under certain laws relating to alcohol, tobacco, firearms, and explosives.

§ 202. General provisions

(a) to (d) Omitted

(e) Expenditures

Appropriations to carry out powers and duties of the Secretary of the Treasury under this chapter shall be available for expenditure, among other purposes, for personal services and rent in the District of Columbia and elsewhere, expenses for travel and subsistence, for law books, books of reference, magazines, periodicals, and newspapers, for contract stenographic reporting services, for subscriptions for library services, for purchase of samples for analysis or use as evidence, and for holding conferences of State and Federal liquor control officials.

(f) Utilization of other governmental agencies

The Secretary of the Treasury may, with the consent of the department or agency affected,