

Bureau of Alcohol, Tobacco and Firearms, Treasury

§ 5.11

EDITORIAL NOTE 1: For a document affecting part 5, see Editorial Note 1 appearing at the beginning of part 4.

EDITORIAL NOTE 2: Nomenclature changes to part 5 appear by T.D. ATF-425, 65 FR 11891, Mar. 7, 2000.

Subpart A—Scope

§ 5.1 General.

The regulations in this part relate to the labeling and advertising of distilled spirits. This part applies to the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, but does not apply to distilled spirits for export.

§ 5.2 Related regulations.

Regulations relating to this part are listed below:

- 27 CFR Part 1—Basic Permit Requirements under the Federal Alcohol Administration Act.
- 27 CFR Part 2—Nonindustrial Use of Distilled Spirits and Wine.
- 27 CFR Part 3—Bulk Sales and Bottling of Distilled Spirits.
- 27 CFR Part 4—Labeling and Advertising of Wine.
- 27 CFR Part 7—Labeling and Advertising of Malt Beverages.
- 27 CFR Part 16—Alcoholic Beverage Health Warning Statement.
- 27 CFR Part 19—Distilled Spirits Plants.
- 27 CFR Part 200—Rules of Practice in Permit Proceedings.
- 27 CFR Part 250—Liquors and Articles from Puerto Rico and the Virgin Islands.
- 27 CFR Part 251—Importation of Distilled Spirits, Wines and Beer.
- 27 CFR Part 252—Exportation of Liquors.

(26 U.S.C. 7805 (68A Stat. 917, as amended); 27 U.S.C. 205 49 Stat. 981, as amended)

[T.D. 720, 34 FR 20637, Dec. 30, 1969, as amended by T.D. ATF-62, 44 FR 71620, Dec. 11, 1979; T.D. ATF-114, 47 FR 43947, Oct. 5, 1982; 55 FR 5421, Feb. 14, 1990]

§ 5.3 Forms prescribed.

(a) The appropriate ATF officer is authorized to prescribe all forms required by this part. All of the information called for in each form shall be furnished as indicated by the headings on the form and the instructions on or pertaining to the form. In addition, information called for in each form shall be furnished as required by this part. The form will be filed in accordance with the instructions for the form.

(b) Forms may be requested from the ATF Distribution Center, PO Box 5950, Springfield, Virginia 22153-5190, or by accessing the ATF web site (<http://www.atf.treas.gov/>).

[T.D. ATF-92, 46 FR 46912, Sept. 23, 1981, as amended by T.D. ATF-249, 52 FR 5956, Feb. 27, 1987; T.D. 372, 61 FR 20723, May 8, 1996; T.D. ATF-425, 65 FR 11891, Mar. 7, 2000]

§ 5.4 Delegations of the Director.

Most of the regulatory authorities of the Director contained in this part 5 are delegated to appropriate ATF officers. These ATF officers are specified in ATF Order 1130.2A, Delegation Order—Delegation of the Director's Authorities in 27 CFR parts 4, 5 and 7, Labeling and Advertising of Wine, Distilled Spirits and Malt Beverages. ATF delegation orders, such as ATF Order 1130.2A, are available to any interested person by mailing a request to the ATF Distribution Center, PO Box 5950, Springfield, Virginia 22150-5190, or by accessing the ATF web site (<http://www.atf.treas.gov/>).

[T.D. ATF-425, 65 FR 11891, Mar. 7, 2000]

Subpart B—Definitions

§ 5.11 Meaning of terms.

When used in this part and in forms prescribed under this part, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, terms shall have the meaning ascribed in this section. Any other term defined in the Federal Alcohol Administration Act and used in this part shall have the same meaning assigned to it by such Act.

Act. The Federal Alcohol Administration Act.

Advertisement. See § 5.62 for meaning of term as used in subpart H of this part.

Age. The period during which, after distillation and before bottling, distilled spirits have been stored in oak containers. "Age" for bourbon whisky, rye whisky, wheat whisky, malt whisky, or rye malt whisky, and straight whiskies other than straight corn whisky, means the period the whisky has been stored in charred new oak containers.