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64 at Griffins Crossroads in Chatham County; then

(6) Proceed generally west along U.S. Route 64 approximately 20.7 miles to its intersection with U.S. Route 421 in Siler City, Chatham County; then

(7) Proceed generally northwest on U.S. Route 421 approximately 5.6 miles to its intersection with the Randolph County line, southeast of Staley; then

(8) Proceed straight north along the Randolph County line 7.4 miles to its intersection with the Guilford County line; then

(9) Proceed straight west along the Randolph County line 5.8 miles to its intersection with U.S. Route 421; then

(10) Proceed in a straight line north-northwest 20.5 miles, crossing onto the Greensboro map, to its intersection with U.S. Route 29 and North Carolina State Highway 150, between Browns Summit and Monticello in Guilford County; then

(11) Proceed generally east and north on North Carolina State Highway 150 approximately 4.3 miles to its intersection with North Carolina State Highway 87, east-northeast of Williamsburg in southeast Rockingham County; then

(12) Proceed in a straight line east-northeast 8.3 miles, crossing over the Caswell County line to a point at the intersection of the 236-meter elevation line, as marked on the map, and an unnamed road, known locally as Cherry Grove Road; then

(13) Proceed east and southeast along the unnamed road, known locally as Cherry Grove Road, 5 miles to its intersection with North Carolina State Highway 62 at Jericho in Caswell County; then

(14) Proceed generally southeast on North Carolina State Highway 62 approximately 1.8 miles to its intersection with an unnamed road, known locally as Bayne's Road at Anderson in Caswell County; then

(15) Proceed generally east on the unnamed road known locally as Baynes Road 2 miles to its intersection with North Carolina State Highway 119 at Baynes in Caswell County; then

(16) Proceed generally south-southeast along North Carolina State Highway 119 approximately 1.7 miles to its intersection with the Caswell County line; then

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(17) Proceed straight east along the Caswell County line 4.3 miles to the beginning point.

[74 FR 14045, Mar. 30, 2009]

EFFECTIVE DATE NOTE: At 74 FR 14045, Mar. 30, 2009, §9.214 was added, effective April 29, 2009.

PART 10—COMMERCIAL BRIBERY

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AUTHORITY: 15 U.S.C. 49-50; 27 U.S.C. 202 and 205; 44 U.S.C. 3504(h).

SOURCE: T.D. ATF-74, 45 FR 63257, Sept. 30, 1980, unless otherwise noted.

Subpart A—Scope of Regulations

§ 10.1 General.

The regulations in this part, issued pursuant to section 105 of the Federal Alcohol Administration Act (27 U.S.C. 205), specify practices which may result in violations of section 105(c) of the Act and criteria for determining whether a practice is a violation of section 105(c) of the Act. This part does not attempt to enumerate all of the practices prohibited by section 105(c) of the Act. Nothing in this part shall operate to

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exempt any person from the requirements of any State law or regulation.

[T.D. ATF-364, 60 FR 20426, Apr. 26, 1995]

§ 10.2 Territorial extent.

This part applies to the several States of the United States, the District of Columbia, and Puerto Rico.

§ 10.3 Application.

(a) *General.* The regulations in this part apply to transactions between industry members and employees, officers, or representatives of trade buyers.

(b) *Transactions involving State agencies.* The regulations in this part apply only to transactions between industry members and employees of State agencies operating as retailers, wholesalers, or both. The regulations do not apply to State agencies with regard to their dealings with employees, officers, or representatives of trade buyers.

§ 10.4 Jurisdictional limits.

(a) *General.* The regulations in this part apply where:

(1) The industry member induces a trade buyer to purchase distilled spirits, wine, or malt beverages from such industry member to the exclusion, in whole or in part, of products sold or offered for sale by other persons in interstate or foreign commerce; and

(2) If: (i) The inducement is made in the course of interstate or foreign commerce; or

(ii) The industry member engages in the practice of using an inducement to such an extent as substantially to restrain or prevent transactions in interstate or foreign commerce in any such products; or

(iii) The direct effect of the inducement is to prevent, deter, hinder, or restrict other persons from selling or offering for sale any such products to such retailer in interstate or foreign commerce.

(b) *Malt beverages.* In the case of malt beverages, this part applies to transactions between an employee, officer, or representative of a trade buyer in any State and a brewer, importer, or wholesaler of malt beverages inside or outside such State only to the extent that the law of such State imposes re-

quirements similar to the requirements of section 5(c) of the Federal Alcohol Administration Act (27 U.S.C. 205(c)), with respect to similar transactions between an employee, officer, or representative of a trade buyer in such State and a brewer, importer, or wholesaler of malt beverages in such State.

[T.D. ATF-74, 45 FR 63257, Sept. 30, 1980, as amended by T.D. ATF-364, 60 FR 20426, Apr. 26, 1995]

§ 10.5 Delegations of the Administrator.

Most of the regulatory authorities of the Administrator contained in this part are delegated to appropriate TTB officers. These TTB officers are specified in TTB Order 1135.10, Delegation of the Administrator's Authorities in 27 CFR Part 10, Commercial Bribery. You may obtain a copy of this order by accessing the TTB Web site (<http://www.ttb.gov>) or by mailing a request to the Alcohol and Tobacco Tax and Trade Bureau, National Revenue Center, 550 Main Street, Room 1516, Cincinnati, OH 45202.

[T.D. TTB-44, 71 FR 16923, Apr. 4, 2006]

§ 10.6 Administrative provisions.

(a) *General.* The Act makes applicable the provisions including penalties of sections 49 and 50 of Title 15, United States Code, to the jurisdiction, powers and duties of the Administrator under this Act, and to any person (whether or not a corporation) subject to the provisions of law administered by the Administrator under this Act. The Act also provides that the Administrator is authorized to require, in such manner and such form as he or she shall prescribe, such reports as are necessary to carry out the powers and duties under this chapter.

(b) *Examination and subpoena.* Any appropriate TTB officer shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any person, partnership, or corporation being investigated or proceeded against. An appropriate TTB officer shall also have the power to require by subpoena the attendance and testimony of witnesses and the production of all such documentary evidence