

§ 19.1

27 CFR Ch. I (4-1-09 Edition)

- 19.925 Continuing partnerships.
- 19.926 Change in location.

ALTERNATE OPERATIONS

- 19.930 Alternating proprietorship.

PERMANENT DISCONTINUANCE OF BUSINESS

- 19.945 Notice of permanent discontinuance.

SUSPENSION OR REVOCATION OF PERMITS

- 19.950 Suspension or revocation.

BONDS

- 19.955 Bonds.
- 19.956 Amount of bond.
- 19.957 Instructions to compute bond penal sum.
- 19.958 Conditions of bond.
- 19.959 Additional provisions with respect to bonds.

CONSTRUCTION, EQUIPMENT AND SECURITY

- 19.965 Construction and equipment.
- 19.966 Security.
- 19.967 Additional security.

SUPERVISION

- 19.970 Supervision of operations.

ACCOUNTING FOR SPIRITS

- 19.980 Gauging.
- 19.981 Inventories.
- 19.982 Records.
- 19.983 Spirits rendered unfit for beverage use in the production process.
- 19.984 Record of spirits received.
- 19.985 Record of spirits rendered unfit for beverage use.
- 19.986 Record of dispositions.
- 19.987 Maintenance and retention of records.
- 19.988 Reports.

REDISTILLATION

- 19.990 Redistillation of spirits or fuel alcohol received on the plant premises.

USES, WITHDRAWALS, AND TRANSFERS

- 19.995 Use on premises.
- 19.996 Withdrawal of spirits.
- 19.997 Withdrawal of fuel alcohol.
- 19.998 Transfer in bond of spirits.
- 19.999 Consignor premises.
- 19.1000 Reconsignment in transit.
- 19.1001 Consignee premises.
- 19.1002 Prohibited uses, transfers and withdrawals.

MATERIALS FOR RENDERING SPIRITS UNFIT FOR BEVERAGE USE

- 19.1005 Authorized materials.
- 19.1006 Other materials.
- 19.1007 Samples.

MARKS

- 19.1008 Marks.

Subpart Z—Paperwork Reduction Act

- 19.1010 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

AUTHORITY: 19 U.S.C. 81c, 1311; 26 U.S.C. 5001, 5002, 5004-5006, 5008, 5010, 5041, 5061, 5062, 5066, 5081, 5101, 5111-5113, 5142, 5143, 5146, 5148, 5171-5173, 5175, 5176, 5178-5181, 5201-5204, 5206, 5207, 5211-5215, 5221-5223, 5231, 5232, 5235, 5236, 5241-5243, 5271, 5273, 5301, 5311-5313, 5362, 5370, 5373, 5501-5505, 5551-5555, 5559, 5561, 5562, 5601, 5612, 5682, 6001, 6065, 6109, 6302, 6311, 6676, 6806, 7011, 7510, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

SOURCE: T.D. ATF-198, 50 FR 8464, Mar. 1, 1985, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 19 appear by T.D. ATF-463 and T.D. ATF-462, 66 FR 42733, 42736, Aug. 15, 2001.

Subpart A—Scope

§ 19.1 General.

The regulations in this part relate to the location, construction, equipment, arrangement, qualification, and operation (including activities incident thereto) of distilled spirits plants.

§ 19.2 Territorial extent.

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

§ 19.3 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—Wine Labeling and Advertising.
- 27 CFR part 5—Labeling and Advertising Distilled Spirits.
- 27 CFR part 20—Distribution and Use of Denatured Alcohol and Rum.
- 27 CFR part 21—Formulas for Denatured Alcohol and Rum.
- 27 CFR part 22—Distribution and Use of Tax-Free Alcohol.
- 27 CFR part 24—Wine.
- 27 CFR part 26—Liquors and Articles from Puerto Rico and the Virgin Islands.
- 27 CFR part 27—Importation of Distilled Spirits, Wine, and Beer.
- 27 CFR part 28—Exportation of Alcohol.

27 CFR part 29—Stills and Miscellaneous Regulations.

27 CFR part 30—Gauging Manual.

27 CFR part 31—Alcohol Beverage Dealers.

27 CFR part 71—Rules of Practice in Permit Proceedings.

27 CFR part 197—Drawback on Distilled Spirits Used in Manufacturing Nonbeverage Products.

31 CFR part 225—Acceptance of Bonds, Notes, or Other Obligations Issued or Guaranteed by the United States as Security in Lieu of Surety or Sureties on Penal Bonds.

[T.D. ATF-199, 50 FR 9160, Mar. 6, 1985, as amended by T.D. ATF-207, 50 FR 23681, June 5, 1985; T.D. ATF-299, 55 FR 24989, June 19, 1990; T.D. ATF-459, 66 FR 38549, July 25, 2001; T.D. ATF-479, 67 FR 30798, May 8, 2002; T.D. TTB-8, 69 FR 3829, Jan. 27, 2004; T.D. TTB-25, 70 FR 19882, Apr. 15, 2005]

§ 19.4 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 1135.19, Delegation of the Administrator's Authorities in 27 CFR Part 19, Distilled Spirits. 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 16928, Apr. 4, 2006]

Subpart B—Definitions

§ 19.11 Meaning of terms.

When used in this part and in forms prescribed under this part, terms shall have the meaning ascribed in this section. Words in the plural form include the singular, and vice versa, and words indicating the masculine gender include the feminine. The terms “includes” and “including” do not exclude other things not enumerated which are in the same general class.

Administrator. The Administrator, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, Washington, DC.

Alcoholic flavoring materials. Any nonbeverage product on which drawback has been or will be claimed under 26 U.S.C. 5131–5134 or flavors imported

free of tax which are unfit for beverage purposes. The term includes eligible flavors but does not include flavorings or flavoring extracts manufactured on the bonded premises of distilled spirits plant as an intermediate product.

Application for registration. The application required under 26 U.S.C. 5171(c).

Appropriate TTB officer. An officer or employee of the Alcohol and Tobacco Tax and Trade Bureau (TTB) authorized to perform any functions relating to the administration or enforcement of this part by TTB Order 1135.19, Delegation of the Administrator's Authorities in 27 CFR Part 19, Distilled Spirits Plants.

Article. A product, containing denatured spirits, which was manufactured under 27 CFR part 20 or this part.

Bank. Any commercial bank.

Banking day. Any day during which a bank is open to the public for carrying on substantially all its banking functions.

Basic permit. The document authorizing the person named therein to engage in a designated business or activity under the Federal Alcohol Administration Act.

Bonded premises. The premises of a distilled spirits plant, or part thereof, as described in the application for registration, on which distilled spirits operations defined in 26 U.S.C. 5002 are authorized to be conducted.

Bottler. A proprietor of a distilled spirits plant qualified under this part as a processor who bottles distilled spirits.

Bulk container. Any approved container having a capacity in excess of one wine gallon.

Bulk conveyance. A tank car, tank truck, tank ship, tank barge, or a compartment of any such conveyance, or any other container approved by the appropriate TTB officer for the conveyance of comparable quantities of spirits, including denatured spirits, and wines.

Bulk distilled spirits. The term *bulk distilled spirits* means distilled spirits in a container having a capacity in excess of one gallon.

Business day. Any day, other than a Saturday, Sunday, or a legal holiday. (The term legal holiday includes all holidays in the District of Columbia