(c) The retailer has a continuing obligation to purchase or otherwise promote the industry member’s product.

(d) The retailer has a commitment not to terminate its relationship with the industry member with respect to purchase of the industry member’s products.

(e) The practice involves the industry member in the day-to-day operations of the retailer. For example, the industry member controls the retailer’s decisions on which brand of products to purchase, the pricing of products, or the manner in which the products will be displayed on the retailer’s premises.

(f) The practice is discriminatory in that it is not offered to all retailers in the local market on the same terms without business reasons present to justify the difference in treatment.

## PART 7—LABELING AND ADVERTISING OF MALT BEVERAGES

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### Subpart A—Scope

§7.1 General.

The regulations in this part relate to the labeling and advertising of malt beverages.

§7.2 Territorial extent.

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

§7.3 Forms prescribed.

(a) The appropriate TTB 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 prescribed by this part are available for printing through 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.


§ 7.4 Related regulations.

The following regulations also relate to this part:

27 CFR Part 205—National Organic Program
27 CFR Part 1—Basic Permit Requirements
Under the Federal Alcohol Administration Act, Nonindustrial Use of Distilled Spirits and Wine, Bulk Sales and Bottling of Distilled Spirits
27 CFR Part 4—Labeling and Advertising of Wine
27 CFR Part 5—Labeling and Advertising of Distilled Spirits
27 CFR Part 13—Labeling Proceedings
27 CFR Part 16—Alcoholic Beverage Health Warning Statement
27 CFR Part 23—Beer
27 CFR Part 26—Liquors and Articles from Puerto Rico and the Virgin Islands
27 CFR Part 27—Importation of Distilled Spirits, Wines, and Beer
27 CFR Part 71—Rules of Practice in Permit Proceedings


§ 7.5 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 1135.7, Delegation of the Administrator’s Authorities in 27 CFR Part 7, Labeling and Advertising of Malt Beverages. 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 16922, Apr. 4, 2006]