§ 26.315 States from Puerto Rico or the Virgin Islands, or, properly submitted TTB
Forms 5100.31 to use distinctive liquor bottles (empty) which have been
brought into the United States from Puerto Rico or the Virgin Islands, shall
be approved provided such bottles are found by the appropriate TTB officer to—
(1) Meet the requirements of 27 CFR part 5;
(2) Be distinctive;
(3) Be suitable for their intended pur-
pose;
(4) Not jeopardize the revenue; and
(5) Not be deceptive to the consumer.
The applicant shall keep a copy of the
approved TTB Form 5100.31, including
an approved photograph (both front
and back) of the distinctive liquor bot-
tle, on file at his premises. If TTB
Form 5100.31 is disapproved, the appli-
cant shall be notified of the appro-
priate TTB officer's decision and the
reasons therefor. The applicant im-
porter is responsible for furnishing a
copy of the approved TTB Form 5100.31, including
an approved photograph (both front
and back) of the distinctive liquor bot-
tle, at each affected port of entry where
the merchandise is examined.
(Sec. 201, Pub. L. 85–859, 72 Stat. 1374, as
amended (26 U.S.C. 5301))
[T.D. ATF–114, 47 FR 43950, Oct. 5, 1982, as

§ 26.316 Bottles not constituting ap-
proved containers.
The appropriate TTB officer is au-
thorized to disapprove any bottle, in-
cluding a bottle of less than 200 ml. ca-
pacity, for use as a liquor bottle which
he determines to be deceptive. The
Customs officer at the port of entry
shall deny entry of any such bottle
containing distilled spirits upon advice
from the appropriate TTB officer that
such bottle is not and approved con-
tainer for distilled spirits for consump-
tion in the United States.
(Sec. 201, Pub. L. 85–859, 72 Stat. 1374, as
amended (26 U.S.C. 5301))

§ 26.317 Bottles to be used for display
purposes.
Empty liquor bottles may be brought
into the United States and may be fur-
nished to liquor dealers for display pur-
poses, provided each bottle is marked
to show that it is to be used for such
purpose. Any paper strip used to seal
the bottle shall be of solid color and
without design or printing, except that
a border or a design, formed entirely of
the legend “not genuine—for display
purposes only” is permissible. Records
shall be kept of the receipt and disposi-
tion of such bottles, showing the names
and addresses of consignees, dates of
shipment, and size, quantity, and de-
scription of bottles.

§ 26.318 Liquor bottles denied entry.
Filled liquor bottles not conforming
to the provisions of this subpart shall
be denied entry into the United States:
Provided, That, upon letterhead appli-
cation, in triplicate, the appropriate
TTB officer may, in nonrecurring
cases, authorize the release from cus-
toms custody of distilled spirits in bot-
tles, except those coming under the
provisions of § 26.316, which, through
unintentional error, do not conform to
the provisions of this subpart, if such
officer finds that such release will not
afford jeopardy to the revenue.
[T.D. ATF–451, 66 FR 21670, May 1, 2001. Re-
designated and amended by T.D. ATF–459, 66
FR 38530, 38532, July 25, 2001]

§ 26.319 Used liquor bottles.
The appropriate TTB officer may
pursuant to letterhead application
filed in triplicate, authorize an im-
porter to receive liquor bottles assem-
bled for him as provided in §41.263 of
this chapter. Used liquor bottles so re-
cieved may be stored at any suitable
location pending return to Puerto Rico
or the Virgin Islands. Records shall be
kept of the receipt and disposition of
such bottles.
[T.D. 6954, 33 FR 6818, May 4, 1968, as amend-
ed by T.D. 7006, 34 FR 2250, Feb., 15, 1969. Re-
designated at 40 FR 16885, Apr. 15, 1975, as
15, 2005]