

Alcohol and Tobacco Tax and Trade Bureau, Treasury

§ 71.4

71.106 Certification and transmittal of record and decision.

ACTION BY THE APPROPRIATE TTB OFFICER

- 71.107 Application proceedings.
- 71.107a Appropriate TTB officer's decision.
- 71.108 Suspension, revocation, or annulment proceedings.
- 71.109 Notice to Administrator.

Subpart I—Review

- 71.115 Appeal on petition to the Administrator.
- 71.116 Review by Administrator.
- 71.117 Permit privileges, exceptions.
- 71.118 Court review.
- 71.119 [Reserved]

Subpart J—Miscellaneous

- 71.125 Depositions.
- 71.126 Subpoenas.
- 71.127 Witnesses and fees.

RECORD

- 71.128 What constitutes record.
- 71.129 Availability.

AUTHORITY: 26 U.S.C. 5271, 5181, 5712, 5713, 7805, 27 U.S.C. 204.

SOURCE: 21 FR 1441, Mar. 6, 1956, unless otherwise noted. Redesignated at 40 FR 16835, Apr. 15, 1975, and further redesignated by T.D. ATF-463, 66 FR 42734, Aug. 15, 2001.

EDITORIAL NOTE: Nomenclature changes to part 71 appear by T.D. ATF-414, 64 FR 49084, Sept. 10, 1999 and T.D. ATF-463, 66 FR 42734, 42735, Aug. 15, 2001.

Subpart A—Scope and Construction of Regulations

§ 71.1 Scope of part.

The regulations in this part govern the procedure and practice in connection with the disapproval of applications for basic permits, and for the suspension, revocation and annulment of such permits under sections 3 and 4 of the Federal Alcohol Administration Act (27 U.S.C. 201 *et seq.*) and disapproval, suspension, and revocation of permits under title 26 of the U.S. Code. The regulations in this part shall also govern, insofar as applicable, any adversary proceeding involving adjudication required by statute to be determined on the record after opportunity for hearing, under laws administered

by the Alcohol and Tobacco Tax and Trade Bureau.

[21 FR 1441, Mar. 6, 1956, as amended by T.D. 6389, 24 FR 4790, June 12, 1959. Redesignated at 40 FR 16835, Apr. 15, 1975]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 71.1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 71.2 Liberal construction.

The regulations in this part shall be liberally construed to secure just, expeditious, and efficient determination of the issues presented. The Rules of Civil Procedure for the U.S. District Courts (28 U.S.C. appendix), where applicable, shall be a guide in any situation not provided for or controlled by this part but shall be liberally construed or relaxed when necessary.

(5 U.S.C. 552(a) (80 Stat. 383, as amended))

[T.D. ATF-92, 46 FR 46917, Sept. 23, 1981]

§ 71.3 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.

(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.

(5 U.S.C. 552(a) (80 Stat. 383, as amended))

[T.D. ATF-92, 46 FR 46918, Sept. 23, 1981, as amended by T.D. ATF-372, 61 FR 20725, May 8, 1996; T.D. TTB-44, 71 FR 16964, Apr. 4, 2006]

§ 71.4 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 1135.71, Delegation of the Administrator's Authorities in 27 CFR Part 71, Rules of Practice in Permit Proceedings. You may obtain a copy of this order by accessing the TTB