(ii) Removed without payment of tax for export or for use as supplies on vessels and aircraft;
(iii) Removed without payment of tax for use in research, development, or testing; and
(iv) Removed for consumption or sale.

(2) Brewer's filing quarterly tax returns. Except as provided in paragraph (a)(3) of this section, for brewers filing tax returns and remitting taxes quarterly under §25.164(c)(2), the penal sum of the brewer's bond must be equal to 29 percent of the maximum amount of tax calculated at the rates prescribed by law which the brewer will become liable to pay during a calendar year during the period of the bond on beer:
(i) Removed for transfer to the brewery from other breweries owned by the same brewer;
(ii) Removed without payment of tax for export or for use as supplies on vessels and aircraft;
(iii) Removed without payment of tax for use in research, development, or testing; and
(iv) Removed for consumption or sale.

(3) Exception. For a period of three years beginning December 7, 2012 for brewers filing tax returns and remitting taxes quarterly under §25.164(c)(2), the penal sum of the brewer's bond must be equal to 29 percent of the maximum amount of tax calculated at the rates prescribed by law which the brewer will become liable to pay during a calendar year during the period of the bond on beer:
(i) Removed for transfer to the brewery from other breweries owned by the same brewer;
(ii) Removed without payment of tax for export or for use as supplies on vessels and aircraft;
(iii) Removed without payment of tax for use in research, development, or testing; and
(iv) Removed for consumption or sale.

(b) Concentrate. A brewer who concentrates beer under subpart R of this part shall calculate the penal sum of the brewer's bond by computing 10 percent of the total amount of tax at the rates prescribed by law on the maximum quantity of beer used in the production of concentrate during a calendar year. The brewer shall add this amount to the total penal sum of the brewer's bond.

(c) Maximum and minimum penal sums. The maximum penal sum of the bond (or total penal sum if original and strengthening bonds are filed) is not to exceed $150,000 when the tax on beer is to be prepaid, or $500,000 when the tax is to be deferred as provided in §25.164. The minimum penal sum of a bond is $1,000.

§ 25.94 Strengthening bonds.

(a) Requirement. When the penal sum of the brewer's bond (calculated as provided in §25.93) in effect is not sufficient, the principal may prepay the tax on beer as provided in subpart K of this part, or give a strengthening bond in sufficient penal sum if the surety is the same as on the bond in effect. If the surety is not the same, a new bond covering the entire liability is required.

(b) Restrictions. A strengthening bond may not in any way release a former bond or limit a bond to less than the full penal sum.

(c) Date of execution. Strengthening bonds will show the current date of execution and their effective date.

§ 25.95 New bond.

The appropriate TTB officer may at any time, at his or her discretion, require a new bond. A new bond is required immediately in the case of insolvency of a surety. Executors, administrators, assignees, receivers, trustees, or other persons acting in a fiduciary