TITLE 27—INTOXICATING LIQUORS

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CROSS REFERENCES

Alcohol taxes, see section 5001 et seq. of Title 26, Internal Revenue Code.

District of Columbia Alcoholic Beverage Control Act, see act Jan. 24, 1934, ch. 4, 48 Stat. 319, as amended, set out in section 25–101 et seq. of the District of Columbia Code.

National minimum drinking age, see section 158 of Title 23, Highways.

CHAPTER 1—GENERAL PROVISIONS

EFFECT OF 21ST AMENDMENT; EXTENT OF REPEAL OF TITLE II OF NATIONAL PROHIBITION ACT

Act Oct. 28, 1919, ch. 85, 41 Stat. 305, as amended and supplemented, known as the National Prohibition Act, was included in chapters 1, 2, 3, and 4 of this title. Such provisions of that act and subsequent legislation as were dependent upon the 18th Amendment to the United States Constitution became inoperative by adoption of the 21st Amendment to the Constitution on Dec. 5, 1933, repealing the 18th Amendment.

Sections 2 to 5 of this chapter (acts Oct. 28, 1919, ch. 85, §1, 41 Stat. 307; Nov. 23, 1921, ch. 134, §§3, 5, 42 Stat. 223) and sections 11 to 40, 44 to 57, 61, 62, and 64 of chapter 2 (acts Oct. 28, 1919, ch. 85, §§2 to 39, 41 Stat. 308 to 319; Nov. 23, 1921, ch. 134, §§2, 5, 42 Stat. 222, 223; Mar. 31, 1933, ch. 18, §§1 to 3, 48 Stat. 23, 24) constituting title II of the National Prohibition Act as amended and supplemented, were repealed to the extent in force in the District of Columbia, Puerto Rico and the Virgin Islands, Hawaii, and Alaska by acts Jan. 24, 1934, ch. 4, §1, 48 Stat. 319; Mar. 2, 1934, ch. 37, §§2, 3, 48 Stat. 361; Mar. 26, 1934, ch. 88, §§2, 3, 48 Stat. 467; and Apr. 13, 1934, ch. 119, §§1, 5, 48 Stat. 583, 584, respectively.

§§1 to 5. Repealed. Aug. 27, 1935, ch. 740, title I, §1, 49 Stat. 872

Section 1, act Oct. 28, 1919, ch. 85, §1, 41 Stat. 305, set forth the short title of act as ''National Prohibition Act''.

Section 2, act Nov. 23, 1921, ch. 134, §3, 42 Stat. 223, provided that this title apply to the United States and all territory subject to its jurisdiction, including the Territory of Hawaii and the Virgin Islands.

Section 3, act Nov. 23, 1921, ch. 134, §5, 42 Stat. 223, authorized all laws relating to the manufacture and taxation of and traffic in intoxicating liquor, and all penalties for violations of such laws that were in force on Oct. 28, 1919, to continue in force, as to both beverage and nonbeverage liquor, except to the extent provisions of such laws were directly in conflict with provisions of this title.

Section 4, acts Oct. 28, 1919, ch. 85, title II, §1, 41 Stat. 307; Nov. 23, 1921, ch. 134, §1, 42 Stat. 222, defined ''liquor'' or ''intoxicating liquor'', ''person'', ''commissioner'', ''application'', ''permit'', ''bond'', and ''regulation''.

Section 5, act Oct. 28, 1919, ch. 85, title II, §1, 41 Stat. 308, provided that any act authorized to be done by the commissioner could be performed by any assistant or agent designated by him for that purpose, and any records required to be filed with the commissioner could be filed with an assistant commissioner or any other person designated to receive such records.

CHAPTER 2—PROHIBITION OF INTOXICATING BEVERAGES

This chapter, comprising sections 11 to 64, in large measure became inoperative by the adoption of the 21st Amendment to the Constitution. See note preceding sections 1 to 5 of this title.

Repeal of provisions of this title affecting District of Columbia, Puerto Rico, Virgin Islands, Hawaii and Alaska, see note preceding sections 1 to 5 of this title.

§§11 to 40. Repealed. Aug. 27, 1935, ch. 740, title I, §1, 49 Stat. 872

Section 11, act Oct. 28, 1919, ch. 85, title II, §2, 41 Stat. 308, authorized Commissioner of Internal Revenue, his assistants, agents, and inspectors to swear out warrants before United States commissioners or other officers or courts authorized to issue warrants, and to investigate and report violations of this title to United States attorney for district in which violations were committed.

Section 12, act Oct. 28, 1919, ch. 85, title II, §3, 41 Stat. 308, provided that no person manufacture, sell, barter, transport, import, export, deliver, furnish or possess any intoxicating liquor except as otherwise provided by provisions of this title.

Section 13, act Oct. 28, 1919, ch. 85, title II, §4, 41 Stat. 309, exempted specified articles, after having been manufactured and prepared for market, from provisions of this title, required manufacturers of such exempt articles to secure permits, give bonds, keep records, and make reports, and made unlawful the failure to comply with any of foregoing requirements.

Section 14, act Oct. 28, 1919, ch. 85, title II, §5, 41 Stat. 309, authorized commissioner to analyze specified manufactured articles in order to determine whether said articles constituted intoxicating liquors.

Section 15, act Nov. 23, 1921, ch. 134, §2, 42 Stat. 222, authorized commissioner to order a change of formula