

§ 19.155

§ 19.155 Maintenance of registration file.

The proprietor shall maintain the registration file in looseleaf form in complete and current condition, readily available at the plant for inspection by ATF officers.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1349, as amended (26 U.S.C. 5172))

§ 19.156 Powers of attorney.

The proprietor shall execute and file with the regional director (compliance) a Form 1534 (5000.8) for each person authorized to sign or to act on behalf of the proprietor. (Not required for persons whose authority is furnished in the application for registration.)

(See 201, Pub. L. 85-859, 72 Stat. 1349, as amended (26 U.S.C. 5172))

§ 19.157 Operating permits.

(a) *General.* Except as provided in paragraph (b) of this section, each person required to file an application for registration under §19.151 shall make application for and obtain an operating permit before commencing any of the following operations:

- (1) Distilling for industrial use.
- (2) Warehousing of spirits for industrial use.
- (3) Denaturing spirits.
- (4) Warehousing of spirits (without bottling) for nonindustrial use.
- (5) Bottling or packaging of spirits for industrial use.
- (6) Manufacturing articles.
- (7) Any other distilling, warehousing, or processing operation not required to be covered by a basic permit under the Federal Alcohol Administration Act (49 Stat. 978, 27 U.S.C. 203, 204). Application for such operating permit shall be made on Form 5110.25 to the regional director (compliance).

(b) *Exceptions.* The provisions of paragraph (a) of this section shall not apply to any agency of a State or political subdivision thereof, or to any officer or employee of any such agency acting for the agency.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1370, as amended (26 U.S.C. 5271); sec. 805(a), Pub. L. 96-39, 93 Stat. 275 (26 U.S.C. 5171))

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§ 19.158 Data for application for operating permits.

Each application on Form 5110.25 shall be executed under the penalties of perjury, and all written statements, affidavits, and other documents submitted in support of the application shall be deemed to be a part thereof. Applications on Form 5110.25 shall include the following information:

- (a) Name and principal business address of the applicant.
- (b) Plant address, if different from the business address.
- (c) Description of the operation to be conducted for which an operating permit must be obtained.
- (d) Statement of type of business organization and of the persons interested in the business, supported by the items of information listed in §19.167.
- (e) Trade names (see §19.165).

(f) On specific request of the regional director (compliance), furnish a statement as to whether the applicant or any of the persons whose names and addresses are required to be furnished under the provisions of §19.167(a)(2) and (c) has ever: (1) Been convicted of a felony or misdemeanor under Federal or State law; (2) Been arrested or charged with any violation of State or Federal law (convictions or arrests or charges for traffic violations need not be reported as to paragraphs (f)(1) and (f)(2) of this section, if these violations are not felonies); or (3) Applied for, held, or been connected with a permit, issued under Federal law to manufacture, distribute, sell or use spirits or products containing spirits, whether or not for beverage use, or held any financial interest in any business covered by any such permit, and, if so, give the number and classification of the permit, the period of operation, and state in detail whether the permit was ever suspended, revoked, annulled, or otherwise terminated.

Where any of the information required by paragraph (d) or (f)(3) of this section is on file with the regional director (compliance), the applicant may, by incorporation or by reference, state that the information is made a part of the application for an operating permit. The applicant shall, when required by the regional director (compliance), furnish as a part of his application for an