

## SUBCHAPTER A—LIQUORS

### PART 1—BASIC PERMIT REQUIREMENTS UNDER THE FEDERAL ALCOHOL ADMINISTRATION ACT, NONINDUSTRIAL USE OF DISTILLED SPIRITS AND WINE, BULK SALES AND BOTTLING OF DISTILLED SPIRITS

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AUTHORITY: 27 U.S.C. 203, 204, 206, 211 unless otherwise noted.

SOURCE: T.D. ATF-373, 61 FR 26098, May 24, 1996, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 1 appear by T.D. ATF-463, 66 FR 42733, Aug. 15, 2001.

### Subpart A—Scope

#### § 1.1 General.

(a) The regulations in this part relate to requirements governing the issuance, amendment, denial, revocation, suspension, automatic termination, and annulment of basic permits and the duration of permits, except that the provisions of part 71, Rules of Practice in Permit Proceedings, of this chapter are hereby made applicable to administrative proceedings with respect to the application for, and to the suspension, revocation, or annulment of, basic permits under the Federal Alcohol Administration Act.

(b) The regulations in this part also specify what uses of distilled spirits and wine are “nonindustrial,” as that term is used in section 117 of the Federal Alcohol Administration Act (27 U.S.C. 211). Finally, this part, in accordance with section 106 of the Federal Alcohol Administration Act (27 U.S.C. 206), contains the substantive requirements relative to bulk sales and bottling of distilled spirits under the Federal Alcohol Administration Act, including the terms of warehouse receipts for distilled spirits in bulk. No procedural requirements are prescribed.

#### § 1.2 Territorial extent.

The provisions of this part are applicable to the several States of the United States, the District of Columbia and Puerto Rico.

#### § 1.3 Forms prescribed.

(a) The appropriate ATF 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. The form will be filed in accordance with the instructions for the form.

(b) Forms may be requested from the ATF Distribution Center, P.O. Box 5950, Springfield, Virginia 22153–5190, or

by accessing the ATF web site (<http://www.atf.treas.gov/>).

[T.D. ATF–373, 61 FR 26098, May 24, 1996, as amended by T.D. ATF–416, 64 FR 49985, Sept. 15, 1999]

#### § 1.4 Delegations of the Director.

Most of the regulatory authorities of the Director contained in this part 1 are delegated to appropriate ATF officers. These ATF officers are specified in ATF Order 1130.6, Delegation Order—Delegation of the Director’s Authorities in Part 1, Basic Permit Requirements Under the Federal Alcohol Administration Act, Nonindustrial Use of Distilled Spirits and Wine, Bulk Sales and Bottling of Distilled Spirits. ATF delegation orders, such as ATF Order 1130.6, are available to any interested person by mailing a request to the ATF Distribution Center, P.O. Box 5950, Springfield, Virginia 22150–5190, or by accessing the ATF web site (<http://www.atf.treas.gov/>).

[T.D. ATF–416, 64 FR 49985, Sept. 15, 1999]

### Subpart B—Definitions

#### § 1.10 Meaning of terms.

As used in this part, unless the context otherwise requires, terms shall have the meaning ascribed in this part.

*Act.* The Federal Alcohol Administration Act.

*Alcohol.* Ethyl alcohol distilled at or above 190° proof.

*Applicant.* Any person who has filed an application for a basic permit under the Federal Alcohol Administration Act with the appropriate ATF officer.

*Appropriate ATF officer.* An officer or employee of the Bureau of Alcohol, Tobacco and Firearms (ATF) authorized to perform any functions relating to the administration or enforcement of this part by ATF Order 1130.6, Delegation Order—Delegation of the Director’s Authorities in 27 CFR Part 1, Basic Permit Requirements Under the Federal Alcohol Administration Act, Nonindustrial Use of Distilled Spirits and Wine, Bulk Sales and Bottling of Distilled Spirits.

*Basic permit.* A document issued under the Act authorizing a person to engage in activities at a particular location.