

Alcohol and Tobacco Tax and Trade Bureau, Treasury

§ 25.3

Subpart M—Beer Returned to Brewery

- 25.211 Beer returned to brewery.
- 25.212 Beer returned to brewery from which removed.
- 25.213 Beer returned to brewery other than that from which removed.

Subpart N—Voluntary Destruction

- 25.221 Voluntary destruction of beer.
- 25.222 Notice of brewer.
- 25.223 Destruction of beer off brewery premises.
- 25.224 Refund or adjustment of tax.
- 25.225 Destruction of taxpaid beer which was never removed from brewery premises.

Subpart O—Beer Purchased From Another Brewer

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- 25.232 Basic permit.

Subpart P—Cereal Beverage

- 25.241 Production.
- 25.242 Markings.

Subpart Q—Removal of Brewer's Yeast and Other Articles

- 25.251 Authorized removals.
- 25.252 Records.

Subpart R—Beer Concentrate

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- 25.262 Restrictions and conditions on processes of concentration and reconstitution.
- 25.263 Production of concentrate and reconstitution of beer.
- 25.264 Transfer between breweries.

Subpart S—Pilot Brewing Plants

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- 25.273 Action on application.
- 25.274 Bond.
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- 25.276 Operations and records.
- 25.277 Discontinuance of operations.

Subpart T—Refund or Adjustment of Tax or Relief From Liability

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- 25.283 Claims for refund of tax.
- 25.284 Adjustment of tax.
- 25.285 Refund of beer tax excessively paid.
- 25.286 Claims for remission of tax on beer lost in transit between breweries.

Subpart U—Records and Reports

- 25.291 Records.
- 25.292 Daily records of operations.
- 25.293 Record of ballings and alcohol content.
- 25.294 Inventories.
- 25.295 Record of unsalable beer.
- 25.296 Record of beer concentrate.
- 25.297 Brewer's Report of Operations, Form 5130.9.
- 25.298 Excise tax return, Form 5000.24.
- 25.299 Execution under penalties of perjury.
- 25.300 Retention and preservation of records.
- 25.301 Photographic copies of records.

AUTHORITY: 19 U.S.C. 81c; 26 U.S.C. 5002, 5051–5054, 5056, 5061, 5091, 5111, 5113, 5142, 5143, 5146, 5222, 5401–5403, 5411–5417, 5551, 5552, 5555, 5556, 5671, 5673, 5684, 6011, 6061, 6065, 6091, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6651, 6656, 6676, 6806, 7011, 7342, 7606, 7805; 31 U.S.C. 9301, 9303–9308.

SOURCE: T.D. ATF–224, 51 FR 7673, Mar. 5, 1986, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 25 appear by T.D. ATF–437, 66 FR 5478, 5479, Jan. 19, 2001.

Subpart A—Scope of Regulations

§ 25.1 Production and removal of beer.

The regulations in this part relate to beer and cereal beverages and cover the location, construction, equipment, operations and qualifications of breweries and pilot brewing plants.

§ 25.2 Territorial extent.

This part applies to the several States of the United States and the District of Columbia.

§ 25.3 Forms prescribed.

(a) The appropriate ATF officer is authorized to prescribe all forms required by this part, including bonds, applications, notices, reports, returns, and records. 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 22150–5950, or

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

[T.D. ATF-224, 51 FR 7673, Mar. 5, 1986; 51 FR 10540, Mar. 27, 1986, as amended by T.D. 372, 61 FR 20724, May 8, 1996; T.D. ATF-437, 66 FR 5478, Jan. 19, 2001]

§ 25.4 Related regulations.

Regulations relating to this part are listed below:

27 CFR Part 7—Labeling and Advertising of Malt Beverages.

27 CFR Part 28—Exportation of Alcohol.

27 CFR Part 29—Stills and Miscellaneous Regulations.

31 CFR Part 225—Acceptance of Bonds, Notes, or Other Obligations Issued or Guaranteed by the United States as Security in Lieu of Surety or Sureties on Penal Bonds.

[T.D. ATF-224, 51 FR 7673, Mar. 5, 1986, as amended by T.D. ATF-462, 66 FR 42737, Aug. 15, 2001; T.D. TTB-8, 69 FR 3830, Jan. 27, 2004]

§ 25.5 OMB control numbers assigned under the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection requirements by the Office of Management and Budget contained in 27 CFR Part 25 under the Paperwork Reduction Act of 1980, Pub. L. 96-511.

(b) *Display, OMB control number 1512-0045.* OMB control number 1512-0045 is assigned to the following sections in 27 CFR Part 25: §§ 25.23, 25.25, 25.52, 25.61, 25.62, 25.64, 25.66, 25.67, 25.68, 25.71, 25.72, 25.73, 25.74, 25.75, 25.76, 25.77, 25.78, 25.81, 25.85, 25.103, 25.114, 25.141, 25.142, 25.144, 25.158, 25.167, 25.184, 25.213, 25.222, 25.225, 25.272, 25.273, 25.277, 25.282, 25.299.

(c) *Display, OMB control number 1512-0052.* OMB control number 1512-0052 is assigned to the following sections in 27 CFR Part 25: §§ 25.296(b), 25.297.

(d) *Display, OMB control number 1512-0079.* OMB control number 1512-0079 is assigned to the following section in 27 CFR Part 25: § 25.65.

(e) *Display, OMB control number 1512-0141.* OMB control number 1512-0141 is assigned to the following sections in 27 CFR Part 25: §§ 25.281, 25.282, 25.286.

(f) *Display, OMB control number 1512-0333.* OMB control number 1512-0333 is assigned to the following sections in 27 CFR Part 25: §§ 25.42, 25.142, 25.186, 25.192, 25.195, 25.196, 25.211, 25.252, 25.264,

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25.276, 25.284, 25.291, 25.292, 25.293, 25.294, 25.295, 25.296(a), 25.300, 25.301.

(g) *Display, OMB control number 1512-0457.* OMB control number 1512-0457 is assigned to the following section in 27 CFR Part 25: § 25.165.

(h) *Display, OMB control number 1512-0467.* OMB control number 1512-0467 is assigned to the following sections in 27 CFR Part 25: §§ 25.122, 25.160, 25.163, 25.164, 25.165, 25.166, 25.167, 25.168, 25.175, 25.224, 25.284, 25.285, 25.298.

(i) *Display, OMB control number 1512-0472.* OMB control number 1512-0472 is assigned to the following sections in 27 CFR Part 25: §§ 25.111, 25.112, 25.113, 25.114, 25.117, 25.118, 25.119, 25.121, 25.126, 25.127, 25.131, 25.132, 25.133, 25.134.

(j) *Display, OMB control number 1512-0478.* OMB control number 1512-0478 is assigned to the following sections in 27 CFR Part 25: §§ 25.24, 25.35, 25.141, 25.142, 25.143, 25.145, 25.192, 25.196, 25.231, 25.242, 25.251, 25.263.

[T.D. ATF-224, 51 FR 7673, Mar. 5, 1986; 51 FR 10540, Mar. 27, 1986; T.D. ATF-268, 53 FR 8628, Mar 16, 1988]

§ 25.6 Delegations of the Director.

Most of the regulatory authorities of the Director contained in this part 25 are delegated to appropriate ATF officers. These ATF officers are specified in ATF Order 1130.10, Delegation Order—Delegation of the Director's Authorities in 27 CFR part 25, Beer. ATF delegation orders, such as ATF Order 1130.10, are available to any interested person by mailing a request to the ATF Distribution Center, P.O. Box 5950, Springfield, Virginia 22150-5950, or by accessing the ATF web site (<http://www.atf.treas.gov/>).

[T.D. ATF-437, 66 FR 5478, Jan. 19, 2001]

Subpart B—Definitions

§ 25.11 Meaning of terms.

When used in this part, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, terms have the meanings given in this section.

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