

Alcohol and Tobacco Tax and Trade Bureau, Treasury

§ 71.5

ACTION BY DIRECTOR OF INDUSTRY OPERATIONS

- 71.107 Application proceedings.
- 71.107a Director of Industry Operations' decision.
- 71.108 Suspension, revocation, or annulment proceedings.
- 71.109 Notice to Director.
- 71.110 Proceedings involving violations not within region of issuance of permit.

Subpart I—Review

- 71.115 Appeal on petition to the Director.
- 71.116 Review by Director.
- 71.117 Permit privileges, exceptions.
- 71.118 Court review.
- 71.119 [Reserved]

Subpart J—Miscellaneous

- 71.125 Depositions.
- 71.126 Subpoenas.
- 71.127 Witnesses and fees.

RECORD

- 71.128 What constitutes record.
- 71.129 Availability.

AUTHORITY: 26 U.S.C. 5271, 5181, 5713, 7805, 27 U.S.C. 204.

SOURCE: 21 FR 1441, Mar. 6, 1956, unless otherwise noted. Redesignated at 40 FR 16835, Apr. 15, 1975, and further redesignated by T.D. ATF-463, 66 FR 42734, Aug. 15, 2001.

EDITORIAL NOTE: Nomenclature changes to part 71 appear by T.D. ATF-414, 64 FR 49084, Sept. 10, 1999 and T.D. ATF-463, 66 FR 42734, 42735, Aug. 15, 2001.

Subpart A—Scope and Construction of Regulations

§ 71.1 Scope of part.

The regulations in this part govern the procedure and practice in connection with the disapproval of applications for basic permits, and for the suspension, revocation and annulment of such permits under sections 3 and 4 of the Federal Alcohol Administration Act (27 U.S.C. 201 *et seq.*) and disapproval, suspension, and revocation of permits under title 26 of the U.S. Code. The regulations in this part shall also govern, insofar as applicable, any adversary proceeding involving adjudication required by statute to be determined on the record after opportunity for hearing, under laws administered

by the Bureau of Alcohol, Tobacco and Firearms.

[21 FR 1441, Mar. 6, 1956, as amended by T.D. 6389, 24 FR 4790, June 12, 1959. Redesignated at 40 FR 16835, Apr. 15, 1975]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 71.1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 71.2 Liberal construction.

The regulations in this part shall be liberally construed to secure just, expeditious, and efficient determination of the issues presented. The Rules of Civil Procedure for the U.S. District Courts (28 U.S.C. appendix), where applicable, shall be a guide in any situation not provided for or controlled by this part but shall be liberally construed or relaxed when necessary.

(5 U.S.C. 552(a) (80 Stat. 383, as amended))

[T.D. ATF-92, 46 FR 46917, Sept. 23, 1981]

§ 71.3 Forms prescribed.

(a) The Director 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.

(b) Requests for forms should be mailed to the ATF Distribution Center, 7943 Angus Court, Springfield, Virginia 22153.

(5 U.S.C. 552(a) (80 Stat. 383, as amended))

[T.D. ATF-92, 46 FR 46918, Sept. 23, 1981, as amended by T.D. ATF-372, 61 FR 20725, May 8, 1996]

Subpart B—Definitions

§ 71.5 Meaning of terms.

When used in this part and in forms prescribed under this part, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, terms shall have the meaning ascribed in this subpart. Words in the plural form shall include the singular, and vice versa, and words importing the masculine gender shall include the feminine. The terms “include” and