

§ 19.597

27 CFR Ch. I (4-1-08 Edition)

§ 19.597 Kind of spirits.

(a) Designation. The designations as to kind of spirits required by §19.596 shall be in accordance with the classes and types of spirits set out in 27 CFR part 5, except that:

(1) Spirits distilled at more than 160 degrees of proof, which lack the taste, aroma, and other characteristics generally attributed to whisky, brandy, rum, or gin, and which are substantially neutral in character, may be designated as "Alcohol". When alcohol is withdrawn on determination of tax, the designation shall consist of the word "Alcohol" preceded or followed by a word or phrase descriptive of the material from which the alcohol was produced.

(2) The designations for vodka, neutral spirits, or gin shall include a word or phrase descriptive of the material from which the spirits so designated were produced.

(3) Spirits distilled at less than 190 degrees of proof which lack the taste, aroma, and other characteristics generally attributed to whisky, brandy, rum, or gin, may be designated "Spirits", preceded or followed by a word or phrase descriptive of the material from which produced. However, spirits distilled on or after July 1, 1972, as provided in this paragraph may not be designated "Spirits grain" or "Grain spirits".

(4) Spirits distilled from fruit at or above 190 degrees of proof, if intended for use in wine production, shall be designated "Neutral Spirits—Fruit", preceded or followed by the name of the fruit from which produced.

(5) Spirits distilled at not more than 160 degrees of proof from a fermented mash of not less than 51 percent rye, corn, wheat, malted barley, or malted rye grain, packaged in reused cooperage, may be designated "Whisky" if further qualified with the words "Distilled from rye mash" (or bourbon, wheat, malt, or rye malt mash, as the case may be). However, such spirits shall, if distilled from a fermented mash of not less than 80 percent corn, be designated "Corn Whisky."

(b) Change of designation. A proprietor may, on written application to, and approval of the appropriate TTB officer, change the original designation

for spirits at any time, before their withdrawal from bonded premises, to a new designation properly describing the spirits in accordance with the provisions of this section.

(c) Other designations. If the proprietor proposes to produce spirits for which a designation has not been prescribed, he shall first make written application to the appropriate TTB officer for a designation for such spirits and such spirits shall be branded accordingly.

(d) Spirits for nonindustrial use. The provisions of this section shall not be construed as authority for applying designations to spirits withdrawn for nonindustrial use which designations do not comply with provisions of 27 CFR part 5.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended (26 U.S.C. 5206))

§ 19.598 [Reserved]

§ 19.599 Change of packages in storage.

When spirits are transferred from one package to another as authorized in §19.345, each new package shall be given the same package identification number and marks as the original package. The proprietor shall prepare and sign a label to be affixed to the head of each new package in the manner prescribed for affixing distilled spirits stamps. The label shall be in the following form:

The spirits in this _____, (kind of cooperage) _____, (Barrel or drum) package identification No. _____, were transferred from a _____, (kind of cooperage) _____, (Barrel or drum) on _____, (Date),

(Proprietor)

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended (26 U.S.C. 5206))

§ 19.600 [Reserved]

§ 19.601 Marks on containers of specially denatured spirits.

(a) General. Each package, case, and encased container of specially denatured spirits filled on bonded premises shall be marked or labeled to show:

- (1) Quantity in gallons;
- (2) Serial number or lot identification number;
- (3) Plant number of the proprietor;
- (4) Designation or abbreviation of the specially denatured spirits by kind (alcohol or rum);
- (5) Formula number; and
- (6) Proof of spirits which were denatured at other than 190 degrees of proof.

(b) *Bottles.* Each bottle shall be marked or labeled to show the information prescribed in paragraph (a) (1), (3), (4), (5), and (6) of this section.

(c) *Alternate formulations.* When spirits are denatured under a formula authorizing a choice of types and quantities of denaturants, the container or case shall be marked to show actual types and quantities of denaturants used.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended (26 U.S.C. 5206))

§ 19.602 Marks on containers of completely denatured alcohol.

Each container of completely denatured alcohol, except pipelines and bulk conveyances, shall have marked on the head of the package, or side of the can or carton, the name of the proprietor by whom the containers were filled, the plant number where filled, the contents in wine gallons, the apparent proof, the words "Completely Denatured Alcohol", and the formula number.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended) (26 U.S.C. 5206))

§ 19.603 [Reserved]

§ 19.604 Caution label.

Each container of completely denatured alcohol containing five gallons or less, sold or offered for sale, shall be labeled to show, in plain, legible letters, the words "Completely Denatured Alcohol" and the following statement "Caution—contains poisonous ingredients." The name and address of the denaturer may be printed on such label, but no other extraneous matter will be permitted thereon without the approval of the appropriate TTB officer. The word "pure", qualifying dena-

tured alcohol, will not be permitted to appear on the label or the container.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended (26 U.S.C. 5206))

[T.D. ATF-198, 50 FR 8464, Mar. 1, 1985, as amended by T.D. ATF-199, 50 FR 9162, Mar. 6, 1985]

§ 19.605 Additional marks on portable containers.

(a) In addition to the other marks required by this part, portable containers (other than bottles enclosed in cases) of spirits or denatured spirits to be withdrawn from the bonded premises:

(1) Without payment of tax, for export, transfer to customs manufacturing bonded warehouses, transfer to foreign-trade zones or supplies for certain vessels and aircraft, shall be marked as provided in 27 CFR part 28; or

(2) Tax-free alcohol shall be marked with the word "Tax-Free."

(b) The proprietor may show other information such as brand or trade name; caution notices and other material required by Federal, State, or local law or regulations; wine or proof gallons; and plant control data. However, marks or attachments shall not conceal, obscure, interfere with or conflict with the markings required by this subpart.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended (26 U.S.C. 5206))

[T.D. ATF-198, 50 FR 8464, Mar. 1, 1985, as amended by T.D. TTB-8, 69 FR 3829, Jan. 27, 2004]

§ 19.606 Marks on bulk conveyances.

(a) The proprietor shall securely attach to the route board, or other suitable device, of each bulk conveyance used to transport spirits or denatured spirits, a label to identify each conveyance or compartment as follows:

(1) Name, plant number, and location of the consignor;

(2) Name, plant number, permit number, or registry number (as applicable), and location of the consignee;

(3) Date of shipment;

(4) Quantity (proof gallons for spirits, wine gallons for denatured spirits); and

(5) Formula number for denatured spirits.