

§ 19.607

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

(b) The provisions of paragraph (a) of this section shall not apply when the conveyance is accompanied by documentation which contains the information required by paragraph (a) of this section.

(c) In addition, export shipments shall conform to the requirements of 27 CFR part 28.

(d) Bulk conveyances used to transport articles or wine shall conform to the requirements of part 20 or 240 of this chapter, as applicable.

(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; T.D. TTB-8, 69 FR 3829, Jan. 27, 2004]

§ 19.607 Marks on cases.

(a) *Mandatory marks.* Except for cases marked as provided in § 19.608, the following information shall be plainly marked on each case of spirits filled in processing:

- (1) Serial number;
- (2) Kind of spirits;
- (3) Plant number where bottled;
- (4) Date filled;
- (5) Proof; and
- (6) Liters or proof gallons.

Cases removed for export, transfer to customs bonded warehouses or customs manufacturing bonded warehouses, transfer to foreign-trade zones, or for use as supplies on certain vessels and aircraft, shall bear the additional marks required by 27 CFR part 28.

(b) *Other marks.* In addition to the required marks on cases filled in processing, the proprietor may include other marks such as:

- (1) Name or trade name, and location of desired, of the bottler, and in conjunction therewith the word "Bottler";
- (2) For products actually distilled or processed by the proprietor, his name or trade name, and location, if desired, and in conjunction therewith the words "Distiller" or "Processor" as applicable;
- (3) For products actually imported and bottled by the proprietor, the words "Imported and Bottled By", followed by his name or trade name, and location if desired;
- (4) For products bottled for a dealer, the words "Bottled For", followed by the name of such dealer;

(5) Other material required by Federal or State law and regulations; or

(6) Labels or data describing the contents for commercial identification or accounting purposes, or indicating payment of State or local taxes.

The marks authorized by this paragraph shall not interfere with or detract from the mandatory marks prescribed in paragraph (a) of this section.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended (26 U.S.C. 5206); sec. 3(a), Pub. L. 91-659, 84 Stat. 1965, as amended (26 U.S.C. 5066))

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

§ 19.608 Cases of industrial alcohol.

(a) *Mandatory marks.* Each case, including encased containers, of alcohol bottled for industrial use in accordance with subpart M of this part shall be marked as applicable, to show—

- (1) "Alcohol";
- (2) Serial number or lot identification number;
- (3) Plant number;
- (4) Proof;
- (5) Proof gallons;
- (6) "Tax-Free"; and
- (7) Information required by 27 CFR part 28, for cases withdrawn for export, transferred to customs bonded warehouses, transferred to foreign-trade zones, or supplies for certain vessels and aircraft.

(b) *Other marks.* Cases may be marked with other marks which do not interfere with or detract from mandatory case marks in the manner permitted by § 19.607.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended, 1369, as amended (26 U.S.C. 5206, 5235))

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

§ 19.609 [Reserved]

§ 19.610 Obliteration of marks.

Except as provided in § 19.597(b), the marks required by this part to be placed on any container or case shall

not be destroyed or altered before the container or case is emptied.

(Sec. 454, Pub. L. 98-369, 98 Stat. 494 (26 U.S.C. 5206))

[T.D. ATF-206, 50 FR 23952, June 7, 1985]

§ 19.611 Relabeling and reclosing off bonded premises.

The proprietor of a distilled spirits plant may relabel, affix brand labels, or reclose bottled taxpaid spirits on wholesale liquor dealer premises or at a taxpaid storeroom on, contiguous to, adjacent to, or in the immediate vicinity of the plant, if such wholesale liquor dealer premises or taxpaid storeroom is operated in connection with the plant. If products which are relabeled under this section were originally bottled by another proprietor, the relabeling proprietor shall have on file a statement from the original bottler consenting to the relabeling.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1356, as amended (26 U.S.C. 5201))

[T.D. ATF-206, 50 FR 23952, June 7, 1985]

§ 19.612 Authorized abbreviations to identify marks.

In addition to the abbreviations and symbols which are authorized in this part for use in marking containers, the following abbreviations may be used to identify certain marks:

Mark	Abbreviation
Completely Denatured Alcohol	CDA
Distilled Spirits Stamps	DSS
Gallon or Wine Gallon	WG
Gross Weight	G
Proof	P
Specially Denatured:	
Alcohol	SDA
Rum	SDR
Tare	T
Tax Determined	TD
Wine Spirits Addition	WSA

(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; 50 FR 23410, June 4, 1985]

Subpart S—Liquor Bottle and Label Requirements

§ 19.631 Scope of subpart.

The provisions of §§ 19.632 through 19.639 of this subpart shall apply only

to liquor bottles having a capacity of 200 ml or more except where expressly applied to liquor bottles of less than 200 ml capacity. The provisions of §§ 19.641 through 19.650 of this subpart shall apply to all liquor bottles, regardless of size.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1360, as amended, 1374, as amended (26 U.S.C. 5206, 5301))

LIQUOR BOTTLE REQUIREMENTS

§ 19.632 Bottles authorized.

Liquor bottles for domestic use shall conform to the applicable standards of fill provided in subpart E of 27 CFR part 5, including those for liquor bottles of less than 200 ml capacity. The use of any bottle size other than as authorized in subpart E of 27 CFR part 5 is prohibited for the bottling of non-industrial distilled spirits for domestic purposes.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1374, as amended (26 U.S.C. 5301))

§ 19.633 Distinctive liquor bottles.

(a) *Application.* A proprietor desiring approval of domestic liquor bottles of distinctive shape or design, including bottles of less than 200 ml capacity, or, to use such distinctive liquor bottles, shall submit TTB Form 5100.31 to the appropriate TTB officer for approval. The applicant shall certify as to the total capacity of a representative sample bottle before closure (expressed in milliliters) on each copy of the form. In addition, the applicant shall affix a readily legible photograph (both front and back of the bottle) to the front of each copy of TTB Form 5100.31, along with the label(s) to be used on the bottle. The applicant shall not submit an actual bottle or an authentic model unless specifically requested to do so.

(b) *Approval.* Properly submitted TTB Forms 5100.31 for approval of distinctive liquor bottles shall be approved by the appropriate TTB officer if the bottles are found to—

- (1) Meet the requirements of 27 CFR part 5;
- (2) Be distinctive;
- (3) Be suitable for their intended purpose;
- (4) Not jeopardize the revenue; and
- (5) Not be deceptive to the consumer.