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TABLE OF CONTENTS

	<i>Page</i>
Preface.....	
Definitions.....	
I – TREASURY DECISIONS	
ALCOHOL	
Yountville Viticultural Area (T.D. 410).....	
ADMINISTRATIVE	
Delegation of Authority (T.D. 409).....	
Technical Amendments (T.D. 411).....	
V – ADMINISTRATIVE MATTERS	
DELEGATION ORDERS	
Delegation of the Director’s Authorities in 27 CFR Part 24, Wine.....	
VI – ANNOUNCEMENTS	
Major Disaster Declarations.....	
Offers in Compromise/Revocations.....	
Unified Agenda of Federal Regulations.....	

Preface

The Alcohol, Tobacco and Firearms Quarterly Bulletin is the authoritative instrument of the Bureau for announcing official rulings and procedures, and for publishing Treasury decisions, legislation, administrative matters, and other items of general interest. It incorporates, into one publication, matters of the Bureau, which are of public record.

The Bureau publishes rulings and procedures to promote uniform application of the laws and regulations it administers. Rulings interpret the requirement of laws and regulations and apply retroactively unless otherwise indicated; whereas, procedures establish methods for performing operations to comply with such laws and regulations.

Rulings and procedures reported in the Bulletin do not have the force and effect of Treasury Department regulations but they may be used as precedents. In applying published rulings and procedures, the effect of subsequent legislation, regulations, court decisions, rulings and procedures must be considered. Concerned parties are cautioned against reaching the same conclusions in other cases unless the facts and circumstances are substantially the same.

Definitions

Rulings and procedures that have an effect on previous rulings or procedures use the following defined terms to describe the effect:

AMPLIFIED is used in a situation where no change is being made in a prior published position, but the prior position is being extended to apply to a variation of the fact situation set forth in the new ruling. Thus, if an earlier ruling held that a principle applied to A, and the new ruling holds that the same principle also applies to B, the earlier ruling is amplified.

CLARIFIED is used in a situation where the language in a prior ruling is being made clear because the language has caused, or may cause, some confusion. It is not used where a position in a prior ruling is being changed.

DECLARED OBSOLETE is used in a situation where a previously published ruling is not considered determinative with respect to future transactions. This term is most commonly used in a ruling that lists previously published rulings that are declared obsolete because of changes in law or regulations. A ruling may also be declared obsolete because its substance has been included in regulations subsequently adopted.

MODIFIED is used in a situation where the substance of a previously published position is being changed. Thus, if a prior ruling held that a principle applied to A but not to B, but the new ruling holds that it applies to both A and B, the prior ruling is modified.

REVOKED is used in a situation where the position in the previously published ruling is not correct and the correct position is being stated in the new ruling. Rulings which have been revoked have no further effect.

SUPERSEDED is used in a variety of situations. The term may be used where the new ruling amplifies a prior ruling if both the position taken in the prior ruling and the position as amplified are contained in the text of the new ruling. The term may be similarly used where the new ruling clarifies or modifies a prior ruling. The term may also be used where, for the purpose of updating references, the new ruling does nothing more than restate the substance and situation of a prior ruling. For example, a ruling issued under former statutes and regulations (e.g. the 1939 Code—26 CFR Part 225) may be reissued under the current statutes and regulations (e.g. the 1954 Code—Part 201). Lastly, the term may be used when it is desired to republish in a single ruling a series of situations, names, etc., that were previously published over a period of time in separate rulings.

SUPPLEMENTED is used in situations in which a list, such as a list of curios and relics, is published in a ruling and that list is expanded by adding further items in subsequent rulings. After the original ruling has been supplemented several items, a new ruling may be published that includes the list in the original ruling and the additions, and supersedes all prior rulings in the series.

Treasury Decisions – I

Subpart A – ALCOHOL

TITLE 27–ALCOHOL, TOBACCO PRODUCTS AND FIREARMS–CHAPTER I –
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS, DEPARTMENT OF THE
TREASURY

Yountville Viticultural Area

T.D. ATF - 410

27 CFR Part 9

ACTION: Final rule, Treasury decision.

SUMMARY: This Treasury decision will establish a viticultural area in Napa County, California, to be known as “Yountville.” This viticultural area is the result of a petition submitted by the Yountville Appellation Committee.

DATES: This rule is effective May 18, 1999.

FOR FURTHER INFORMATION CONTACT: Thomas B. Busey, Specialist, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., Washington, D.C. 20226, (202) 927-8230.

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1978, ATF published Treasury decision ATF-53 (43 FR 37672, 54624) revising regulations in 27 CFR part 4.

These regulations allow the establishment of definitive viticultural areas. The regulations allow the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements. On October 2, 1979, ATF published Treasury decision ATF-60 (44 FR 56692) which added a new part 9 to 27 CFR, providing for the listing of approved American viticultural areas, the names of which may be used as appellations of origin.

Section 4.25a(e)(1), Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographic features, the boundaries of which have been delineated in subpart C of part 9.

Section 4.25(e)(2), Title 27, CFR, outlines the procedure for proposing an American viticultural area. Any interested person may petition ATF to establish a grape-growing region as a viticultural area. The petition should include:

(a) Evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the area specified in the petition;

(b) Historical or current evidence that the boundaries of the viticultural area are as specified in the petition;

(c) Evidence relating to the geographical characteristics (climate, soil, elevation, physical features, etc.) which distinguish the viticultural features of the proposed area from surrounding areas;

(d) A description of the specific boundaries of the viticultural area, based on features which can be found on United States Geological Survey (U.S.G.S.) maps of the largest applicable scale, and;

(e) A copy (or copies) of the appropriate U.S.G.S. map(s) with the proposed boundaries prominently marked.

Petition

ATF received a petition from Mr. Richard Mendelson, submitted on behalf of a number of wineries and grape growers in the Yountville area, proposing to establish a new viticultural area in Napa County, California to be known as "Yountville." The viticultural area is located entirely within the Napa Valley. It contains approximately 8260 acres, of which 3500 are planted to vineyards. The viticultural area was determined by extending the wine growing area from around the town of Yountville until it abuts the already established viticultural areas of Oakville on the north, Stags Leap District on the east, and Mt. Veeder on the west. On the south is an area called Oak Knoll which has petitioned to be considered a viticultural area.

Comments

On August 26, 1998, ATF published a notice of proposed rulemaking, Notice 864, in the Federal Register, soliciting comments on the proposed viticultural area. No comments were received.

Evidence That The Name of the Area is Locally or Nationally Known

An historical survey written by Charles Sullivan spells out the historical use of the name Yountville and vineyard plantings dating back to the late 1800's. Numerous references exist indicating the general use of the name "Yountville" to refer to the petitioned area. The petitioner included copies of title pages of various publications, guide and tour book references, public and private phone book listings and Federal and State agency maps, to illustrate the use of the name. For example, an ad for wine in the 1880's stresses the source of the grapes for the wine as "Yountville." Yountville is also prominently mentioned in James Halliday's Wine Atlas of California.

Historical or Current Evidence That the Boundaries of the Viticultural Area are as Specified in the Petition

The boundaries establish a grape growing area with an identifiable character, based on climate, topography, and historical tradition. The Yountville area boundaries were

determined by extending the grape growing area from around the town itself until it abuts the already established viticultural areas of Oakville on the north, Stags Leap District on the east and Mt. Veeder on the west and an area called Oak Knoll on the south, which is currently under consideration to be recognized as a viticultural area. The boundaries of the area were determined by already existing AVA's and by the distinguishing physical features of the area. The boundary lines are accurately described using the features on the submitted U.S.G.S maps. In sum, the proposed boundaries encompass an area of remarkable uniformity with respect to soils, climate and existing AVA's.

The history of viticulture in the Napa Valley begins with George C. Yount. Yount first visited the Napa Valley in 1831. He was granted his Rancho Caymus on March 3, 1836. It amounted to approximately 11,000 acres and covered the valley and foothills from the Bale Slough in the north to a line which runs through the town of Yountville today. By the 1840's he had established a small vineyard. In 1855, he commissioned a surveyor to lay out the city. The new community was christened Sebastopol. In 1887, two years after Yount's death, the town was renamed in honor of its founder.

Evidence Relating To the Geographical Features (Climate, Soil, Elevation, Physical Features, Etc.) Which Distinguish Viticultural Features of the Area From Surrounding Areas

The geographical features of the viticultural area set it apart from the surrounding area in the Napa Valley and produce a unique microclimate. The distinguishing features of the viticultural area are the Napa River, the Napa Valley floor, the alluvial soils, the hills north of Yountville called the Yountville Mounts and the hills west of Yountville which form the western boundary of the Napa Valley.

The weather is specific to the Yountville area with cool marine air currents reaching the Yountville Mounts (northern border of the proposed area) and which form a weather barrier to further expansion of the fogs and winds. Also the soils which form the alluvial fan just across the southern boundary of the Yountville area can be seen to come from the Dry Creek watershed (see U.S.G.S. maps). The soils just north of the Yountville border come from the hills that form the western side of the area. The line along Ragatz Lane was selected to delineate the two areas. The soils between Yountville and Stags Leap District can be seen to differ north of the Yountville crossroad with the Rector canyon being the parent and the area between the Napa River and the Silverado Trail belonging to the hills immediately to the east.

The Yountville area, and specifically the area near and west of the town of Yountville, is one of the coolest vineyard regions of the Napa Valley viticultural area with long, cool growing season for grapevines. The Amerine and Winkler (1944) climate scheme rates this area as a Region II climate in a typical year, with a growing season degree-day totals of 2600 to 2900. This makes the area around the town of Yountville warmer than most of the Carneros viticultural area, but cooler than parts of Mt. Veeder and Oakville.

The Yountville area is unusual as a Napa Valley floor viticultural region in that it is not dominated geomorphically by large alluvial fans. It is most similar geologically to the Stags Leap District, which also is dominated by an old Napa River channel. However, the Yountville area is also geologically and geomorphologically distinct from the Stags Leap District, as Yountville was an area of intense coastal deposition along what must have been a nearshore current set up on the western side of the valley. The only similar coastal

deposits found in the Napa Valley are in the Hagen Road area east of the City of Napa off Olive Hill Lane. Geomorphic deposits strongly influence soil types in the regions. Pronounced differences in soils are seen between Yountville, Oakville, the Stags Leap District, Mt. Veeder, and the proposed Oak Knoll viticultural area.

Boundaries

The boundaries of the Yountville viticultural area may be found on four U.S.G.S. Quadrangle (7.5 Minute Series) maps titled: Napa, CA (1951); Rutherford, CA (1951); Sonoma, CA (1951); and Yountville, CA (1951).

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995, (44 U.S.C. 3507) and its implementing regulations, 5 CFR part 1320, do not apply to this notice of proposed rulemaking because no requirement to collect information is proposed.

Regulatory Flexibility Act

It is hereby certified that this proposed regulation will not have a significant impact on a substantial number of small entities. The establishment of a viticultural area is neither an endorsement nor approval by ATF of the quality of wine produced in the area, but rather an identification of an area that is distinct from surrounding areas. ATF believes that the establishment of viticultural areas merely allows wineries to more accurately describe the origin of their wines to consumers, and helps consumers identify the wines they purchase. Thus, any benefit derived from the use of a viticultural area name is the result of the proprietor's own efforts and consumer acceptance of wines from the region.

Accordingly, a regulatory flexibility analysis is not required because the proposal, if promulgated as a final rule, is not expected (1) to have significant secondary, or incidental effects on a substantial number of small entities; or (2) to impose, or otherwise cause a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Executive Order 12866

It has been determined that this proposed regulation is not a significant regulatory action as defined by Executive Order 12866. Accordingly, this proposal is not subject to the analysis required by this executive order.

Drafting information

The principal author of this document is Thomas B. Busey, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 9

Administrative practices and procedures, Consumer protection, Viticultural areas, and Wine.

Authority and Issuance

Title 27 Code of Federal Regulations, Part 9, American Viticultural Areas, is proposed to be amended as follows:

PART 9--AMERICAN VITICULTURAL AREAS

Paragraph 1. The authority citation for part 9 continues to read as follows:

Authority: 27 U.S.C. 205.

Par. 2. Subpart C is amended by adding Sec. 9.160 to read as follows:

Subpart C--Approved American Viticultural Areas

§ 9.160 Yountville

(a) Name. The name of the viticultural area described in this section is "Yountville."

(b) Approved maps. The appropriate maps for determining the boundary of the Yountville viticultural area are four 1:24,000 Scale U.S.G.S. topography maps. They are titled:

- (1) Napa, CA 1951 photorevised 1980
- (2) Rutherford, CA 1951 photorevised 1968
- (3) Sonoma, CA 1951 photorevised 1980
- (4) Yountville, CA 1951 photorevised 1968

(c) Boundary. The Yountville viticultural area is located in the State of California, entirely within the Napa Valley viticultural area. The boundaries of the Yountville viticultural area, using landmarks and points of reference found on appropriate U.S.G.S. maps are as follows:

(1) Beginning on the Rutherford quadrangle map at the intersection of the 500 foot contour line with an unnamed stream known locally as Hopper Creek north of the center of Section 3, T6N, R5W, Mount Diablo Meridan (MDM);

(2) Then along the unnamed stream (Hopper Creek) southeasterly, and at the fork in Section 3, northeasterly along the stream to the point where the stream intersects with an unnamed dirt road in the northwest corner of Section 2, T6N, R5W, MDM;

(3) Then in a straight line to the light duty road to the immediate northeast in Section 2, then along the light duty road in a northeasterly direction to the point at which the road turns 90 degrees to the left;

(4) Then northerly along the light duty road 625 feet, then northeasterly (N 40 deg. by 43') in a straight line 1,350 feet, along the northern property line of Assessor's Parcel Number 27-380-08, to State Highway 29, then continuing in a straight line approximately 500 feet to the peak of the 320 plus foot hill along the western edge of the Yountville hills;

(5) Then east to the second 300 foot contour line, then along said contour line around the Yountville hills to the north to the point at which the 300 foot line exits the Rutherford quadrangle for the second time;

(6) Then, on the Yountville quadrangle map, in a straight line in a northeasterly direction approximately N34 deg. by 30' E approximately 1,000 feet to the 90 degree bend in the unimproved dirt road shown on the map, then along that road, which coincides with a fence line to the intersection of Conn Creek and Rector Creek;

(7) Then along Rector Creek to the northeast past Silverado Trail to the Rector Reservoir spillway entrance, then south approximately 100 feet to the 400 foot contour line, then southerly along the 400 foot contour line approximately 4200 feet to the intersection with a gully in section 30, T7N, R4W, MDM;

(8) Then southwesterly down the center of the gully approximately 800 feet to the medium duty road known as Silverado Trail, then southeasterly along the Silverado Trail approximately 590 feet to the medium duty road known locally Yountville Cross Road;

(9) Then southwesterly along the Yountville Cross Road (denoted as GRANT BDY on the map) approximately 4,700 feet to the main branch of the Napa River, then following the western boundary of the Stags Leap District viticultural area, first southerly down the center of the Napa River approximately 21,000 feet, then leaving the Napa River northeasterly in a straight line approximately 900 feet to the intersection of the Silverado Trail with an intermittent stream at the 60 foot contour line in T6N, R4W, MDM;

(10) Then along the Silverado Trail southerly approximately 3,200 feet, passing into the Napa quadrangle, to a point which is east of the confluence of Dry Creek with the Napa River; then west approximately 600 feet to said confluence; then northwesterly along Dry Creek approximately 3,500 feet, passing into the Yountville quadrangle to a fork in the creek; then northwesterly along the north fork of Dry Creek approximately 5,700 feet to the easterly end of the light duty road labeled Ragatz Lane;

(11) Then southwesterly along Ragatz Lane to the west side of State Highway 29, then southerly along Highway 29 by 982 feet to the easterly extension of the north line boundary of Napa County Assessor's parcel number 034-170-015, then along the north line of APN 034-170-015 and its extension westerly 3,550 feet to the dividing line Between R4W and R5W on the Napa quadrangle, then southwesterly approximately 1000 feet to the peak denoted as 564 (which is about 5,500 feet easterly of the northwest corner of the Napa quadrangle); then southwesterly approximately 4,000 feet to the peak northeast of the reservoir gauging station denoted as 835;

(12) Then southwesterly approximately 1,500 feet to the reservoir gauging station, then west to the 400 foot contour line on the west side of Dry Creek, then northwesterly along the 400 foot contour line to the point where the contour intersects the north line of Section 10. T6N, R5W, MDM, immediately adjacent to Dry Creek on the Rutherford, CA map;

(13) Then northwesterly along Dry Creek approximately 6,500 feet to BM503, then northeasterly approximately 3,000 feet to the peak denoted as 1478, then southeasterly approximately 2,300 feet to the beginning of the creek known locally as Hopper Creek, then southeasterly along Hopper Creek approximately 2,300 feet to the point of beginning.

Signed: February 2, 1999.

John W. Magaw,

Director.

Approved: February 16, 1999.

Dennis M. O'Connell,

Acting Deputy Assistant Secretary (Regulatory, Tariff and Trade Enforcement).

[FR Doc. 99-6735 Filed 3-18-99; 8:45 am]

Subpart D – ADMINISTRATIVE

TITLE 27—ALCOHOL, TOBACCO PRODUCTS AND FIREARMS—CHAPTER I –
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS, DEPARTMENT OF THE
TREASURY

Delegation of Authority

T.D. ATF- 409

27 CFR Part 24

ACTION: Treasury decision, final rule.

SUMMARY: Authority delegation. This final rule places most ATF authorities contained in part 24, title 27 Code of Federal Regulations (CFR), with the “appropriate ATF officer” and requires that persons file documents required by part 24, title 27 Code of Federal Regulations (CFR), with the “appropriate ATF officer” or in accordance with the instructions on the ATF form. Also, this final rule removes the definitions of, and references to, specific officers subordinate to the Director. Concurrently with this Treasury Decision, ATF Order 1130.5 is being published. Through this order, the Director has delegated most of the authorities in 27 CFR part 24 to the appropriate ATF officers and specified the ATF officers with whom applications, notices and other reports, which are not ATF forms, are filed.

EFFECTIVE DATE: March 22, 1999.

FOR FURTHER INFORMATION CONTACT: Robert Ruhf, Revenue Operations Branch, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 (202-927-8220).

SUPPLEMENTARY INFORMATION:

Background

Pursuant to Treasury Order 120-01 (formerly 221), dated June 6, 1972, the Secretary of the Treasury delegated to the Director of the Bureau of Alcohol, Tobacco and Firearms (ATF), the authority to enforce, among other laws, the provisions of chapter 51 of the Internal Revenue Code of 1986 (IRC). The Director has subsequently redelegated certain of these authorities to appropriate subordinate officers by way of various means, including by regulation, ATF delegation orders, regional directives, or similar delegation documents. As a result, to ascertain what particular officer is authorized to perform a particular function under chapter 51, each of these various delegation instruments must be consulted. Similarly, each time a delegation of authority is revoked or redelegated, each of the delegation documents must be reviewed and amended as necessary.

ATF has determined that this multiplicity of delegation instruments complicates and hinders the task of determining which ATF officer is authorized to perform a particular function. ATF also believes these multiple delegation instruments exacerbate the administrative burden associated with maintaining up-to-date delegations, resulting in an undue delay in reflecting current authorities.

Accordingly, this final rule rescinds all authorities of the Director in part 24 that were previously delegated and places those authorities with the “appropriate ATF officer.” Most of the authorities of the Director that were not previously delegated are also placed with the “appropriate ATF officer.” Along with this final rule, ATF is publishing ATF Order 1130.5, Delegation Order--Delegation of the Director's Authorities in part 24, Wine, which delegates certain of these authorities to the appropriate organizational level. The effect of these changes is to consolidate all delegations of authority in part 24 into one delegation instrument. This action both simplifies the process for determining what ATF officer is authorized to perform a particular function and facilitates the updating of delegations in the future. As a result, delegations of authority will be reflected in a more timely and user-friendly manner.

In addition, this final rule also eliminates all references in the regulations that identify the ATF officer with whom an ATF form is filed. This is because ATF forms will indicate the officer with whom they must be filed. Similarly, this final rule also amends part 24 to provide that the submission of documents other than ATF forms (such as letterhead applications, notices and reports) must be filed with the “appropriate ATF officer” identified in ATF Order 1130.5. These changes will facilitate the identification of the officer with whom forms and other required submissions are filed.

This final rule also makes various technical amendments to Subpart C--Administrative and Miscellaneous Provisions of 27 CFR part 24. Specifically, a new § 24.19 is added to recognize the authority of the Director to delegate regulatory authorities in part 24 and to identify ATF Order 1130.5 as the instrument reflecting such delegations. Also, § 24.20 is amended to provide that the instructions for an ATF form identify the ATF officer with whom it must be filed.

ATF intends to make similar changes in delegations to all other parts of Title 27 of the Code of Federal Regulations through separate rulemakings. By amending the regulations part by part, rather than in one large rulemaking document and ATF Order, ATF minimizes the time expended in notifying interested parties of current delegations of authority.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995, Pub. L. 104-13, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because there are no new or revised recordkeeping or reporting requirements.

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for this rule, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) do not apply. A copy of this final rule was submitted to the Chief Counsel for Advocacy of the Small Business Administration in accordance with 26 U.S.C. 7805(f). No comments were received.

Executive Order 12866

It has been determined that this rule is not a significant regulatory action because it will not: (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866.

Administrative Procedure Act

Because this final rule merely makes technical amendments and conforming changes to improve the clarity of the regulations, it is unnecessary to issue this final rule with notice and public procedure under 5 U.S.C. 553(b). Similarly it is unnecessary to subject this final rule to the effective date limitation of 5 U.S.C. 553(d).

Drafting Information

The principal author of this document is Robert Ruhf, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 24

Administrative practice and procedure, Authority delegations, Claims, Electronic fund transfers, Excise taxes, Exports, Food additives, Fruit juices, Labeling, Liquors, Packaging and containers, Reporting and recordkeeping requirements, Research, Scientific equipment, Spices and flavorings, Surety bonds, Taxpaid wine bottling house, Transportation, Vinegar, Warehouses, Wine.

Authority and Issuance

Title 27, Code of Federal Regulations is amended as follows:

PART 24--WINE

Paragraph 1. The authority citation for part 24 continues to read as follows:

Authority: 5 U.S.C. 552(a); 26 U.S.C. 5001, 5008, 5041, 5042, 5044, 5061, 5062, 5081, 5111-5113, 5121, 5122, 5142, 5143, 5173, 5206, 5214, 5215, 5351, 5353, 5354, 5356, 5357, 5361, 5362, 5364-5373, 5381-5388, 5391, 5392, 5511, 5551, 5552, 5661, 5662, 5684, 6065, 6091, 6109, 6301, 6302, 6311, 6651, 6676, 7011, 7302, 7342, 7502, 7503, 7606, 7805, 7851; 31 U.S.C. 9301, 9303, 9304, 9306.

§ 24.3 [Removed]

Par. 2. Section 24.3 is removed.

Par. 3. Section 24.10 is amended by removing the definitions of “Area supervisor”, “ATF Officer”, “Region”, and “Regional director (compliance)” and by adding a new definition of “Appropriate ATF officer” to read as follows:

§ 24.10 Meaning of terms.

* * * * *

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 1130.5, Delegation Order--Delegation of the Director's Authorities in 27 CFR Part 24--Wine.

* * * * *

Par. 4. In Subpart C--Administrative and Miscellaneous Provisions, the undesignated center heading of “Authorities of the Director” is amended by removing the words “of the Director”.

Par. 5. A new § 24.19 is added in Subpart C after the undesignated center heading of “Authorities”, to read as follows:

§ 24.19 Delegations of the Director.

Most of the regulatory authorities of the Director contained in this Part 24 are delegated to appropriate ATF officers. These ATF officers are specified in ATF Order 1130.5, Delegation Order--Delegation of the Director's Authorities in 27 CFR Part 24--Wine. ATF delegation orders, such as ATF Order 1130.5, 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/>).

§§ 24.20, 24.21, 24.22, 24.87, 24.127, 24.245, 24.246, 24.247, 24.248, 24.249, and 24.250 [Amended]

Par. 6. In part 24 remove the words “Director” each place it appears and add, in substitution, the words “appropriate ATF officer” in the following places:

- (a) Section 24.20(a);
- (b) Section 24.21(a) introductory text, and (c);
- (c) Section 24.22(a) introductory text, and (b);
- (d) Section 24.87;
- (e) Section 24.127;
- (f) Section 24.245;
- (g) Section 24.246(a)(1);
- (h) Section 24.247;
- (i) Section 24.248;
- (j) Section 24.249(a); and (k) Section 24.250(b)(9).

Par. 7. Section 24.20 is amended by adding a sentence at the end of paragraph (a) and revising paragraph (b) to read as follows:

§ 24.20 Forms prescribed.

- (a) * * * 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 22150-5190, or by accessing the ATF web site (<http://www.atf.treas.gov/>).

* * * * *

§§ 24.21, 24.26, 24.27, 24.28, 24.29, 24.30, 24.31, 24.32, 24.52, 24.60, 24.62, 24.65, 24.66, 24.69, 24.70, 24.77, 24.91, 24.96, 24.105, 24.107, 24.108, 24.110, 24.111, 24.115, 24.116, 24.120, 24.123, 24.124, 24.125, 24.135, 24.137, 24.140, 24.141, 24.150, 25.154, 25.155, 24.157, 24.159, 24.165, 24.166, 24.167, 24.169, 24.170, 24.183, 24.191, 24.231, 24.236, 24.242, 24.249, 24.260, 24.265, 24.272, 24.273, 24.276, 24.278, 24.279, 24.296, 24.300 and 24.313 [Amended]

Par. 8. Part 24 is further amended by removing the words “regional director (compliance)” each place it appears and adding, in substitution, the words “appropriate ATF officer” in the following places:

- (a) Section 24.21(b);
- (b) Section 24.26;
- (c) Section 24.27;
- (d) Section 24.28;
- (e) Section 24.29;
- (f) Section 24.30;
- (g) Section 24.31;

(h) Section 24.32;
(i) Section 24.52(a);
(j) Section 24.60;
(k) Section 24.62;
(l) Section 24.65(a) introductory text, (b) introductory text, and (c) introductory text;
(m) Section 24.66(a);
(n) Section 24.69(b);
(o) Section 24.70;
(p) Section 24.77(c), (d) and (e);
(q) Section 24.91(c);
(r) Section 24.96(a);
(s) Section 24.105;
(t) Section 24.107;
(u) Section 24.108;
(v) Section 24.110(c)(1);
(w) Section 24.111;
(x) Section 24.115;
(y) Section 24.116;
(z) Section 24.120;
(aa) Section 24.123;
(bb) Section 24.124;
(cc) Section 24.125(c);
(dd) Section 24.135(b)(4), (c), (d) and (e);
(ee) Section 24.137(a), (b)(3) and (c);
(ff) Section 24.140(a) and (b)(3);
(gg) Section 24.141;
(hh) Section 24.150;
(ii) Section 24.154;
(jj) Section 24.155 (a), introductory text and (b);
(kk) Section 24.157;
(ll) Section 24.159;
(mm) Section 24.165;
(nn) Section 24.166;
(oo) Section 24.167(a);
(pp) Section 24.169;
(qq) Section 24.170(a) and (b);
(rr) Section 24.183;
(ss) Section 24.191;
(tt) Section 24.231;
(uu) Section 24.236;
(vv) Section 24.242 (a), introductory text, (b), (c)(1), introductory text, and (c)(2);
(ww) Section 24.249(c);
(xx) Section 24.260;
(yy) Section 24.265;
(zz) Section 24.272(b)(3) and (e);
(aaa) Section 24.273(b);
(bbb) Section 24.276;

(ccc) Section 24.278(h);
(ddd) Section 24.279(a);
(eee) Section 24.296(a) and (b);
(fff) Section 24.300(d); and
(ggg) Section 24.313, introductory text.

Par. 9. In Subpart C-Administrative and Miscellaneous Provisions, the undesignated center headings of “Authorities of the Regional Director (Compliance)” and “Authorities of ATF Officers” are removed.

§ 24.22 [Amended]

Par. 10. Paragraph (b) of § 24.22 is amended by removing the words “the regional director (compliance) for transmittal to”.

Par. 11. Paragraph (c) of § 24.22 is amended by removing the phrase “the regional director (compliance), or the Director” and adding, in substitution, the phrase “appropriate ATF officer”.

§§ 24.36, 24.230 and 24.235 [Amended]

Par. 12. Section 24.36, § 24.230, and paragraph (b) of § 24.235 are amended by removing the words “area supervisor” and adding, in substitution, the words “appropriate ATF officer”.

Par. 13. Section 24.25 is revised to read as follows:

§ 24.25 Emergency variations from requirements.

(a) *General.* The appropriate ATF officer may approve construction, equipment, and methods of operation other than as specified in this part, when in the judgment of such officer an emergency exists, the proposed variations from the specified requirements are necessary, and the proposed variations:

- (1) Will afford the security and protection to the revenue intended by the prescribed specifications;
- (2) Will not hinder the effective administration of this part; and
- (3) Will not be contrary to any provisions of law.

(b) *Application.* The proprietor must submit a written application to the appropriate ATF officer within 24 hours of any temporary approval granted under paragraph (c) of this section, which describes the proposed variation, and sets forth the reasons therefor.

(c) *Temporary Approval.* The proprietor who desires to employ an emergency variation from requirements must contact the appropriate ATF officer and request temporary approval until the written application, required by paragraph (b) of this section, is acted upon. The appropriate ATF officer will be a subordinate of the ATF officer designated in paragraph (a) of this section. Where the emergency threatens life or property, the proprietor may take immediate action to correct the situation without prior notification; however, the proprietor must promptly contact the appropriate ATF officer and file with

that officer a report concerning the emergency and the action taken to correct the situation.

(d) *Conditions.* The proprietor must, during the period of variation from requirements granted under this section, comply with the terms of the approved application. A failure to comply in good faith with any procedures, conditions, and limitations will automatically terminate the authority for a variation. Upon termination of the variation, the proprietor must fully comply with requirements of regulations for which the variation was authorized. Authority for any variation may be withdrawn whenever in the judgment of the appropriate ATF officer the revenue is jeopardized or the effective administration of this part is hindered by the continuation of the variation.

§§ 24.30, 24.35, 24.37, 24.40, 24.54, 24.77, 24.91, 24.117, 24.259, 24.291, 24.293, 24.300 and 24.304 [Amended]

Par. 14. Part 24 is further amended by adding the word “appropriate” before the words “ATF officer” each place it appears in the following places:

- (a) Section 24.30;
- (b) Section 24.35;
- (c) Section 24.37;
- (d) Section 24.40;
- (e) Section 24.54(c);
- (f) Section 24.77(d);
- (g) Section 24.91, introductory text;
- (h) Section 24.117;
- (i) Section 24.259(c);
- (j) Section 24.291(c);
- (k) Section 24.293(b);
- (l) Section 24.300(b) and (e)(3); and
- (m) Section 24.304(a).

§ 24.31 [Amended]

Par. 15. Section 24.31 is amended by removing the phrase “a designated”, and in substitution, adding the phrase “an appropriate”.

Par. 16. Section 24.41 is revised to read as follows:

§ 24.41 Office facilities.

The appropriate ATF officer may require the proprietor to furnish temporarily a suitable work area, desk and equipment necessary for the use of appropriate ATF officers in performing Government duties whether or not such office space is located at the specific premises where regulated operations occur or at corporate business offices where no regulated activity occurs. Such office facilities will be subject to approval by the appropriate ATF officer.

§ 24.52 [Amended]

Par. 16. The second sentence of paragraph (b) of § 24.52 is amended by removing the words “regional director (compliance) of the region in which the bonded wine premises or taxpaid wine bottling house is located” and adding, in substitution, the phrase “appropriate ATF officer”.

Par. 17. The first, fifth and sixth sentences of paragraph (b) of § 24.77 are revised to read as follows:

§ 24.77 Experimental wine.

* * * * *

(b) *Qualification.* An institution that wants to conduct experimental wine operations must apply in letter form to the appropriate ATF officer. * * * The applicant must, when required by the appropriate ATF officer, furnish as part of the application, additional information that may be necessary to determine whether the application should be approved. Operations may not begin until authorized by the appropriate ATF officer.

* * * * *

Par. 19. The second and last sentences of § 24.80 are revised to read as follows:

§ 24.80 General.

* * * The formula must be prepared and filed on ATF F 5120.29, Formula and Process for Wine, in accordance with the instructions on the form. * * * Except for research, development, and testing, no special natural wine, agricultural wine, or, if required to be covered by an approved formula, wine other than standard wine may be produced prior to approval by the appropriate ATF officer of a formula covering each ingredient and process (if the process requires approval) used in the production of the product.

* * * * *

Par. 20. The third and sixth sentences of § 24.81 are revised as follows:

§ 24.81 Filing of formulas.

* * * After a change in formula is approved, the original formula must be surrendered to the appropriate ATF officer. * * * The appropriate ATF officer may at any time require the proprietor to file a statement of process in addition to that required by the ATF F 5120.29 or any other data to determine whether the formula should be approved or the approval continued.

* * * * *

§ 24.82 [Amended]

Par. 21. The fourth sentence of § 24.82 is amended by removing the words “Director or the regional director (compliance)” and adding, in substitution, the words “appropriate ATF officer”.

§ 24.100 [Amended]

Par. 22. Section 24.100 and the introductory text of paragraph (g) of § 24.300 are amended to remove the phrase “to the regional director (compliance)”.

§ 24.101 [Amended]

Par. 23. The first and second sentences of paragraph (a) of § 24.101 are amended to remove the phrase “with the regional director (compliance)” and in the first sentence only add, in substitution, the phrase “as provided in § 24.105”.

Par. 24. Section 24.103 is revised to read as follows:

§ 24.103 Other operations.

Upon the specific approval of the appropriate ATF officer, other operations not provided for in this part may be conducted on wine premises. Authority to conduct other operations may be obtained by submitting an application to the appropriate ATF officer. The application must specifically describe the operation to be conducted and the wine premises and equipment to be used. An appropriate ATF officer may make any inquiry necessary to determine whether the conduct of other operations on wine premises would jeopardize the revenue, conflict with wine operations, or be contrary to law. Other operations authorized under this section will be conducted in accordance with the conditions, limitations, procedures, and terms stated in the approved application. Authority to conduct other operations may be withdrawn whenever the appropriate ATF officer determines the conduct of the other operations on wine premises jeopardizes the revenue, conflicts with wine operations, or is contrary to law.

§ § 24.106, 24.114, 24.135, and 24.137 [Amended]

Par. 25. The fourth sentence of § 24.106, the second and third sentences of § 24.114, the introductory text of paragraph (b) of § 24.135 and paragraph (b) of § 24.137 are amended to remove the phrase “with the regional director (compliance)”.

§ 24.109 [Amended]

Par. 26. The second sentence of paragraph (k) of § 24.109 is amended by removing the words “regional director (compliance) of any ATF region” and adding, in substitution, the phrase “appropriate ATF officer” and the fourth and fifth sentences are amended by removing the words “regional director (compliance)” and by adding, in substitution, the phrase “appropriate ATF officer”.

Par. 27. Paragraph (d) of § 24.110 is revised to read as follows:

§ 24.110 Organizational Documents.

* * * * *

(d) *Availability of additional corporate documents.* The originals of documents required to be submitted under this section and additional documents that may be required by the appropriate ATF officer (such as articles of incorporation, bylaws, and any certificate issued by a State authorizing operations) must be made available to any appropriate ATF officer upon request.

* * * * *

§ 24.116 [Amended]

Par. 28. The last sentence of § 24.116 is amended to remove the words “regional director” and adding, in substitution, the phrase “appropriate ATF officer”.

§ 24.131 [Amended]

Par. 29. Section 24.131 is amended to remove the words “regional director (compliance) through the area supervisor” from the first sentence and the words “regional director (compliance)” from the third sentence and adding in both sentences, in substitution, the phrase “appropriate ATF officer”.

Par. 30. The first and second sentences of § 24.145 are revised to read as follows:

§ 24.145 General requirements.

Each person required to file a bond or consent of surety under this part must prepare, execute and submit the bond or consent of surety on the prescribed form in accordance with this part and the instructions printed on the form. A person may not commence or continue any business or operation relating to wine until all bonds and consents of surety required under this part with respect to the business or operation have been approved by the appropriate ATF officer.* * *

§ 24.201 [Amended]

Par. 31. The first sentence of § 24.201 is amended by removing the phrase “from the Director” and adding, in substitution, the word “an”.

§ 24.211 [Amended]

Par. 32. The second sentence of § 24.211 is amended by removing the words “with the Director”.

Par. 33. Paragraph (b) of § 24.249 is revised to read as follows:

§ 24.249 Experimentation with new treating material or process.

* * * * *

(b) *Application.* The proprietor who wants to conduct experimentation must file an application with the appropriate ATF officer setting forth in detail the experimentation to be conducted and the facilities and equipment to be used. The proposed experimentation must not be conducted until the appropriate ATF officer has determined that the conduct of such experimentation must not jeopardize the revenue, conflict with wine operations, or be contrary to law, and has approved the application.

* * * * *

§ 24.250 [Amended]

Par. 34. Paragraph (a) of § 24.250 is amended by removing the following phrase “regional director (compliance) of the region in which the bonded wine premises is located” and adding, in substitution, the phrase “appropriate ATF officer”.

§ 24.250 [Amended]

Par. 35. Paragraph (c) of § 24.250 is revised by removing the word “Director” in the first sentence and, in substitution, adding the phrase “appropriate ATF officer”, and removing the last two sentences.

Par. 36. Paragraph (d) of § 24.250 is revised to read as follows:

§ 24.250 Application for use of new treating material or process.

* * * * *

(d) *Processing of application.* After evaluation of the data submitted with the application, the appropriate ATF officer will make a decision regarding the acceptability of the proposed treatment in good commercial practice. The appropriate ATF officer will notify the proprietor of the approval or disapproval of the application.

* * * * *

§ 24.267 [Amended]

Par. 37. Section 24.267 is amended by removing the words “regional director (compliance) or nearest designated” and adding, in substitution, the word “appropriate”.

Par. 38. The text of 24.268 is revised to read as follows:

§ 24.268 Losses by fire or other casualty.

The proprietor must immediately report any loss by theft, fire or other casualty, or any other extraordinary or unusual loss to the appropriate ATF officer. If required by the appropriate ATF officer, the proprietor must file a claim under the provisions of § 24.65. The volume of wine loss must be reported on ATF F 5120.17 for the reporting period during which the loss occurred.

* * * * *

§ 24.272 [Amended]

Par. 39. Paragraph (b)(1) of § 24.272 is amended by removing the words “regional director (compliance) of each ATF region in which taxes are paid” and adding, in substitution, the words “appropriate ATF officer”.

Par. 40. Paragraph (a) of § 24.294 is revised to read as follows:

§ 24.294 Destruction of Wine.

(a) General. Wine on bonded wine premises may be destroyed on or off wine premises by the proprietor without payment of tax. A proprietor who wants to destroy wine on or off wine premises must file with the appropriate ATF officer an application stating the kind, alcohol content, and approximate volume of wine to be destroyed, where the wine is to be destroyed, and the reason for destruction. Wine to be destroyed must be inspected, and the destruction supervised, by an appropriate ATF officer unless the appropriate ATF officer authorizes the proprietor to destroy the wine without inspection and supervision. The wine must not be destroyed until the proprietor has received authority from the appropriate ATF officer.

Par. 41. The third sentence of paragraph (a) introductory text, of § 24.300 is amended by removing the phrase “submitted to the regional director (compliance)”.

Par. 42. § 24.300, paragraph (c) and the third and fifth sentences of paragraph (g)(2) are revised to read as follows:

§ 24.300 General.

* * * * *

(c) *Prescribed forms.* All reports required by this part must be submitted on forms prescribed by § 24.20. Entries will be made as indicated by the headings of the columns and lines, and as required by the instructions for the form. Report forms are furnished free of cost.

* * * * *

(g) *ATF F 5120.17, Report of bonded wine premises operations.* * * *

(2) * * * A proprietor who is commencing operations during a calendar year and expects to meet these criteria may use a letter notice to the appropriate ATF officer, and file an annual ATF F 5120.17 for the remaining portion of the calendar year. * * * If there is a jeopardy to the revenue, the appropriate ATF officer may at any time require any proprietor otherwise eligible for annual filing of a report of bonded wine premises operations to file such report monthly.

* * * * *

Signed: December 9, 1998.

John W. Magaw,
Director.

Approved: February 9, 1999.

John P. Simpson,
Deputy Assistant Secretary (Regulatory, Tariff and Trade Enforcement).

[FR Doc. 99-6736 Filed 3-19-99; 8:45 am]

TITLE 27 — ALCOHOL, TOBACCO PRODUCTS AND FIREARMS — CHAPTER I —
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS, DEPARTMENT OF THE
TREASURY

Technical Amendments

T.D. ATF- 411

27 CFR Part 178

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury.

ACTION: Final rule, Treasury decision.

SUMMARY: This Treasury decision changes the titles “Regional Director (Compliance)” to “Director of Industry Operations” and “Chief, Firearms and Explosives Licensing Center” to “Chief, National Licensing Center.” It also replaces the term “region” with “division” and the term “regional counsel” with “Assistant Chief Counsel and Division Counsel.” Finally, the decision replaces the words “local ATF office (compliance)” with “local ATF office.” The changes are to provide clarity and uniformity throughout Title 27 Code of Federal Regulations (CFR).

DATES: Effective April 9, 1999.

FOR FURTHER INFORMATION CONTACT: Marsha D. Baker, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226, (202) 927-8230.

SUPPLEMENTARY INFORMATION: The Bureau of Alcohol, Tobacco and Firearms (ATF) administers regulations published in chapter I of Title 27 CFR. Upon reviewing Title 27, ATF determined that the regulations in part 178 should be revised to reflect the ATF field structure reorganization that established Directors of Industry Operations in place of Regional directors (compliance), Chief, National Licensing Center in place of Chief, Firearms and Explosives Licensing Center, and Assistant Chief Counsels and Division Counsels in place of Regional Counsels. The reorganization also replaces regions with divisions.

These amendments do not make any substantive changes and are only intended to make Title 27 consistent with the agency's reorganization.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507) and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because there are no recordkeeping or reporting requirements.

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) do not apply to this final rule because no notice of proposed rulemaking is required.

Executive Order 12866

This final rule is not subject to the requirements of Executive Order 12866 because the regulations make nonsubstantive technical corrections to previously published regulations.

Administrative Procedure Act

Because this final rule merely makes technical amendments to improve the clarity of the regulations, it is unnecessary to issue this final rule with notice and public procedure under 5 U.S.C. 553(b).

Drafting Information

The principal author of this document is Marsha D. Baker, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR 178

Administrative practice and procedure, Arms and ammunition, Authority delegations, Customs duties and inspection, Exports, Imports, Military personnel, Penalties, Reporting requirements, Research, Seizures and forfeitures, Transportation.

Authority and Issuance

For the reasons discussed in the preamble, ATF amends 27 CFR Part 178 as follows:

PART 178--COMMERCE IN FIREARMS AND AMMUNITION

Paragraph 1. The authority citation for Part 178 continues to read as follows:

Authority: 5 U.S.C. 552(a); 18 U.S.C. 847, 921-930; 44 U.S.C. 3504 (h).

Par. 2. Section 178.11 is amended by removing the title in the definition “Chief, Firearms and Explosives Licensing Center” and adding in its place “Chief, National Licensing Center,” by removing the definitions “Regional director (compliance)” and “Region,” and by adding the definitions “Director of Industry Operations” and “Division” to read as follows:

§ 178.11 Meaning of terms.

* * * * *

Director of Industry Operations. The principal ATF official in a Field Operations division responsible for administering regulations in this part.

* * * * *

* * * * *

Division. A Bureau of Alcohol, Tobacco and Firearms Division.

* * * * *

Par. 3. Remove the words “Regional director (compliance)” each place it appears and add, in place thereof, the words “Director of Industry Operations” in the following sections:

- (a) Section 178.22(a)(3) and (b);
- (b) Section 178.25;
- (c) Section 178.35;
- (d) Section 178.47(c) and (d);
- (e) Section 178.52(b);
- (f) Section 178.71;
- (g) Section 178.72;
- (h) Section 178.73;
- (i) Section 178.74;
- (j) Section 178.76;
- (k) Section 178.78;
- (l) Section 178.111(b)(1) and (c);
- (m) Section 178.115(a);
- (n) Section 178.122(c);
- (o) Section 178.123(c);

- (p) Section 178.124(i);
- (q) Section 178.125(h);
- (r) Section 178.126;
- (s) Section 178.130(e);
- (t) Section 178.144(i)(4).

Par. 4. Remove the words “Chief, Firearms and Explosives Licensing Center” each place it appears and add, in place thereof, the words “Chief, National Licensing Center” in the following sections:

- (a) Section 178.41(b) and (c);
- (b) Section 178.45;
- (c) Section 178.47;
- (d) Section 178.48;
- (e) Section 178.52;
- (f) Section 178.53;
- (g) Section 178.54;
- (h) Section 178.56(b);
- (i) Section 178.57(a);
- (j) Section 178.60;
- (k) Section 178.95;
- (l) Section 178.127.

Par. 5. Remove the word “region” each place it appears in Sec. 178.127 and add, in place thereof, the word “division.”

Par. 6. Remove the words “regional counsel” each place they appear in section 178.76 and add, in place thereof, the words “Assistant Chief Counsel or Division Counsel.”

Par. 7. Remove the words “local ATF office (compliance)” each place it appears in section 178.130(e) and add, in place thereof, the words “local ATF office.”

Signed: February 8, 1999.

John W. Magaw,
Director.

Approved: March 12, 1999.

John P. Simpson,
Deputy Assistant Secretary, (Regulatory, Tariff and Trade Enforcement).

[FR Doc. 99-8869 Filed 4-8-99; 8:45 am]

Administrative Matters – V

Subpart C – Treasury Department Orders and Delegation Orders

Delegation Order; Delegation of the Director's Authorities in 27 CFR Part 24, Wine

1. **PURPOSE.** This order delegates certain authorities of the Director to subordinate ATF officers and prescribes the subordinate ATF officers with whom persons file documents which are not ATF forms.
2. **CANCELLATION.** ATF O 1100.78B, Delegation Order - Delegation to the Associate Director (Compliance Operations) of Authorities of the Director in 27 CFR Part 240, Wine, dated 4/30/84, and ATF O 1100.97A, Delegation Order - Delegation to the Associate Director (Compliance Operations) of Authorities of the Director in 27 CFR Part 231, Taxpaid Wine Bottling Houses, dated 4/5/84, are canceled.
3. **BACKGROUND.** Under current regulations, the Director has authority to take final action on matters relating to wine. We have determined that certain of these authorities should, in the interest of efficiency, be delegated to a lower organizational level.
4. **DELEGATIONS.** Under the authority vested in the Director, Bureau of Alcohol, Tobacco and Firearms, by Treasury Department Order No. 120-1 (formerly 221), dated June 6, 1972, and by 26 CFR 301.7701-9, this ATF order delegates certain authorities to take final action prescribed in 27 CFR Part 24 to subordinate officers. Also, this ATF order prescribes the subordinate officers with whom applications, notices, and reports required by 27 CFR Part 24, which are not ATF forms, are filed. The attached table identifies the regulatory sections, documents and authorized ATF officers. The authorities in the table may not be redelegated. An ATF organization chart showing the directorates involved in this delegation order has been attached.

John W. Magaw,

Director

Regulatory Section	Officer(s) Authorized to Act or Receive Document.
§24.20(a)	Chief, Regulations Division
§24.21	Chief, Regulations Division
§24.22(a)	Chief, Regulations Division. If the alternate method does not affect an ATF approved formula, or import or export recordkeeping, Chief, National Revenue Center (NRC) may act upon the same alternate method that has been approved by the Chief, Regulations Division.
§24.22(b)	Chief, Regulations Division, or Chief, NRC
§24.22(c)	Chief, Regulations Division. If the alternate method does not affect an ATF approved formula, or import or export

Regulatory Section	Officer(s) Authorized to Act or Receive Document.
	recordkeeping, Chief, National Revenue Center (NRC) may act upon the same alternate method that has been approved by the Chief, Regulations Division.
§24.25(a)	Director of Industry Operations
§24.25(b)	Director of Industry Operations
§24.25(c)	Area Supervisor
§24.25(d)	Director of Industry Operations
§24.26	Section Chief, NRC, to approve (by affixing the signature of the Director) applications, qualifying documents and any other documents required by or filed under this part, upon the recommendation of the Area Supervisor; and to approve claims of more than \$5,000 for remission, abatement, credit, or refund of tax.
§24.26	Chief, Technical Services, to approve (by affixing the signature of the Director) applications, qualifying documents and any other documents required by or filed under this part, upon the recommendation of the Area Supervisor; and to approve claims of more than \$5,000 for remission, abatement, credit, or refund of tax other than special occupational tax.
§24.26	Unit Supervisor, NRC, to approve (by affixing the signature of the Director) claims of \$5,000 or less for remission, abatement, credit, or refund of tax.
§24.26	Technical Section Supervisor to approve (by affixing the signature of the Director) claims of more than \$5,000 for remission, abatement, credit, or refund of tax other than special occupational tax.
§24.27	Area Supervisor
§24.28	Area Supervisor
§24.29	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor
§24.30	Director of Industry Operations to require that operations be supervised by any number of ATF inspectors.
§24.31	Area Supervisor to require submission to an inspector; or Unit Supervisor, NRC, or Technical Section Supervisor to require submission to a specialist, copies of prescribed transaction forms, records, reports, or source records.
§24.32	Area Supervisor
§24.35	Inspector, Special Agent or Specialist
§24.36	Area Supervisor
§24.37	Inspector, Special Agent or Specialist
§24.40	Inspector, Special Agent or Specialist
§24.41	Area Supervisor to require office facilities for use of Inspector, Special Agent or Specialist
§24.52(a) and (b)	Section Chief, NRC, or Chief, Technical Services
§24.54(c)	Inspector, Special Agent or Specialist
§24.60	Area Supervisor, Section Chief, NRC, or Chief, Technical Services
§24.62	Section Chief, NRC, or Chief, Technical Services to notify the proprietor of a proposed tax assessment of more than \$5,000 and to take immediate jeopardy assessment action pursuant to 26 U.S.C. 6861.

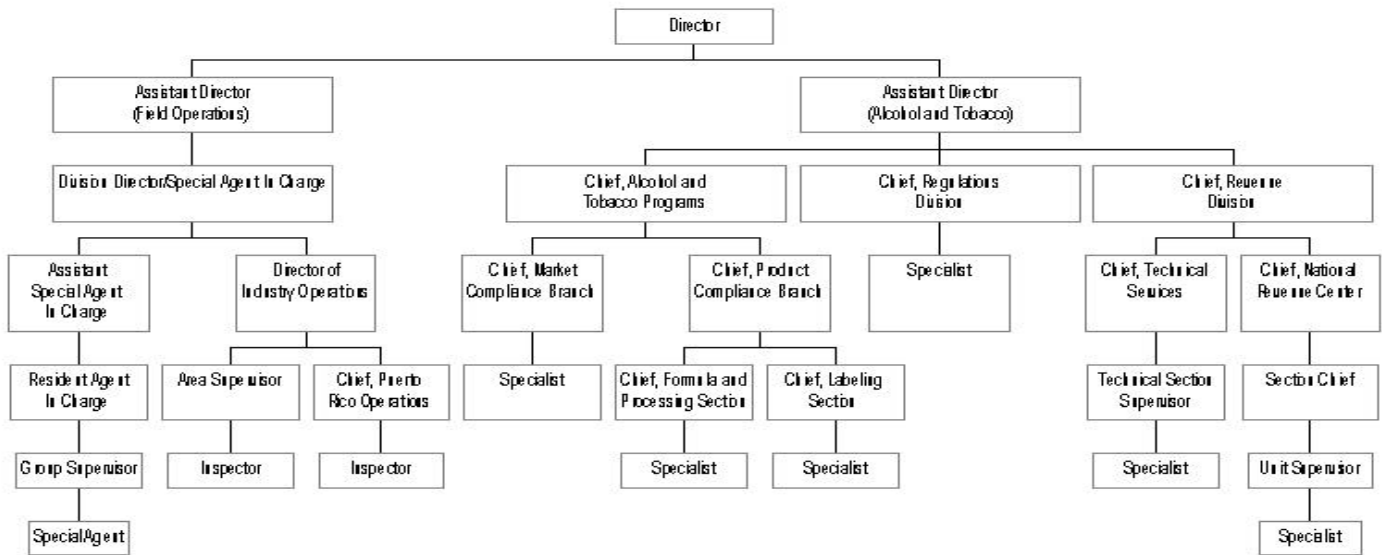
Regulatory Section	Officer(s) Authorized to Act or Receive Document.
§24.62	Unit Supervisor, NRC to notify the proprietor of a proposed tax assessment of \$5,000 or less.
§24.62	Technical Section Supervisor to notify the proprietor of a proposed tax assessment of \$5,000 or less other than special occupational tax.
§24.65(a), (b) and (c)	Section Chief, NRC, or Chief, Technical Services
§24.66(a)	Section Chief, NRC, or Chief, Technical Services
§24.69(b)	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor
§24.70	Section Chief, NRC, or Chief, Technical Services to notify a claimant of an allowance of a tax credit of more than \$5,000.
§24.70	Unit Supervisor, NRC, to notify a claimant of an allowance of a tax credit of \$5,000 or less.
§24.70	Technical Section Supervisor to notify a claimant of an allowance of a tax credit of \$5,000 or less for other than special occupational tax.
§24.77(b)	Section Chief, NRC, or Chief, Technical Services to receive application to conduct experimental wine operations and to approve (by affixing the signature of the Director) upon the recommendation of the Area Supervisor, such an application.
§24.77(b)	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor to require as part of the application, additional information as may be necessary to determine whether the application should be approved.
§24.77(c)	Section Chief, NRC, or Chief, Technical Services to receive application to procure wine spirits for an experimental winery and to approve such application, upon the recommendation of the Area Supervisor.
§24.77(d)	Inspector, Special Agent or Specialist to examine qualifying documents, applications, disposition and other required records.
§24.77(d)	Area Supervisor to require reports concerning wine or wine spirits.
§24.77(e)	Area Supervisor
§24.80	Specialist, Formula and Processing Section
§24.81	Chief, Formula and Processing Section, to receive superceded formula.
§24.81	Chief, Formula and Processing Section, or Area Supervisor to require a proprietor to file a statement of process, in addition to the requirements of ATF F 5120.29, or any other data to determine whether the formula should be approved or whether the approval should be continued.
§24.82	Chief, Formula and Processing Section, or Area Supervisor
§24.87	Chief, Alcohol and Tobacco Laboratory
§24.91	Inspector, Special Agent or Specialist
§24.91(c)	Section Chief, NRC, or Chief, Technical Services, to receive application to convey wine or spirits between different portions of the same bonded premises and to approve (by affixing the signature of the Director) such application, upon the recommendation of the Area Supervisor.

Regulatory Section	Officer(s) Authorized to Act or Receive Document.
§24.96(a)	Area Supervisor
§24.103	Section Chief, NRC, or Chief, Technical Services to receive application to conduct other operations and to approve (by affixing the signature of the Director) such application, upon the recommendation of the Area Supervisor or to withdraw such authorization for, the conduct of other operations on wine premises, upon the recommendation of the Area Supervisor; and Area Supervisor to make inquiries as necessary.
§24.105	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor
§24.107	Unit Supervisor, NRC, or Technical Section Supervisor
§24.108	Section Chief, NRC, or Chief, Technical Services
§24.109(k)	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor
§24.110(c)(1)	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor
§24.110(d)	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor to require additional documents.
§24.110(d)	Inspector, Special Agent or Specialist to request examination of documents.
§24.111	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor
§24.115	Unit Supervisor, NRC, or Technical Section Supervisor
§24.116	Section Chief, NRC, or Chief, Technical Services
§24.117	Inspector, Special Agent or Specialist
§24.120	Section Chief, NRC, or Chief, Technical Services
§24.123	Section Chief, NRC, or Chief, Technical Services
§24.124	Section Chief, NRC, or Chief, Technical Services, as recommended by Area Supervisor
§24.125	Section Chief, NRC, or Chief, Technical Services
§24.127	Specialist, Formula and Processing Section
§24.131	Section Chief, NRC, or Chief, Technical Services to receive proprietor's notice of change in building construction or use of premises.
§24.131	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor to require immediate amendment of ATF F 5120.25 for a change in building construction and use of premises.
§24.135(b)	Section Chief, NRC, or Chief, Technical Services to receive qualifying documents to alternate bonded wine premises as taxpaid wine bottling house premises or taxpaid wine premises, or other premises.
§24.135(b)(4)	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor to require any other document or additional information for premises alternation.
§24.135(c) and (e)	Section Chief, NRC, or Chief, Technical Services, upon the recommendation of the Area Supervisor, to approve alternation of wine premises; to approve alternate methods of identifying wine prior to alternation of wine premises; and to withdraw authorization for the alternation of premises.
§24.135(d)	Area Supervisor
§24.137(a) and (c)	Section Chief, NRC, or Chief, Technical Services to approve

Regulatory Section	Officer(s) Authorized to Act or Receive Document.
	alternate use of the wine premises purposes (by affixing the signature of the Director) upon the recommendation of the Area Supervisor.
§24.137(b)(3)	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor
§24.140	Section Chief, NRC, or Chief, Technical Services
§24.141	Section Chief, NRC, or Chief, Technical Services
§24.145	Section Chief, NRC, or Chief, Technical Services
§24.150	Unit Supervisor, NRC, or Technical Section Supervisor
§24.154	Area Supervisor, Unit Supervisor, NRC, or Technical Section Supervisor
§24.155	Section Chief, NRC, or Chief, Technical Services
§24.157	Section Chief, NRC, or Chief, Technical Services
§24.159	Section Chief, NRC, or Chief, Technical Services
§24.165	Area Supervisor
§24.166	Area Supervisor
§24.167	Area Supervisor
§24.169	Area Supervisor
§24.170(a)	Area Supervisor
§24.170(b)	Area Supervisor
§24.183	Area Supervisor
§24.191	Area Supervisor
§24.230	Area Supervisor
§24.231	Area Supervisor
§24.235(b)	Area Supervisor
§24.236	Area Supervisor
§24.242	Chief, Regulations Division
§24.245	Chief, Formula and Processing Section
§24.246(a)(1)	Assistant Director (Alcohol and Tobacco)
§24.247	Assistant Director (Alcohol and Tobacco)
§24.248	Assistant Director (Alcohol and Tobacco)
§24.249(a) and (b)	Chief, Regulations Division
§24.249(c)	Area Supervisor
§24.250(a), (b)(9), (c) and (d)	Chief, Regulations Division
§24.259(c)	Inspector, Special Agent or Specialist
§24.260	Section Chief, NRC, or Chief, Technical Services
§24.265	Area Supervisor
§24.267	Area Supervisor
§24.268	Area Supervisor
§24.272(b)	Section Chief, NRC, or Chief, Technical Services
§24.272(e)	Unit Supervisor, NRC, or Technical Section Supervisor
§24.273(b)	Section Chief, NRC, or Chief, Technical Services
§24.276	Section Chief, NRC, or Chief, Technical Services
§24.278(h)	Section Chief, NRC, or Chief, Technical Services
§24.279(a)	Unit Supervisor, NRC, or Technical Section Supervisor
§24.291(c)	Inspector, Special Agent or Specialist
§24.293(b)	Inspector, Special Agent or Specialist
§24.294(a)	Inspector, Special Agent or Specialist to supervise destruction

Regulatory Section	Officer(s) Authorized to Act or Receive Document.
	of wine; and Area Supervisor to receive and authorize application to destroy wine.
§24.296(a)	Area Supervisor
§24.296(b)	Chief, Regulations Division
§24.297(g)	Area Supervisor, Section Chief, NRC, or Chief, Technical Services
§24.298(a)	Area Supervisor, Section Chief, NRC, or Chief, Technical Services
§24.300(b)	Inspector, Special Agent or Specialist
§24.300(d)	Director of Industry Operations
§24.300(e)(3)	Inspector, Special Agent or Specialist
§24.300(g)(2)	Section Chief, NRC, or Chief, Technical Services, to receive notice to file an annual ATF F 5120.17 for the remaining portion of the calendar year.
§24.300(g)(2)	Area Supervisor, Section Chief, NRC, or Chief, Technical Services to require monthly filing of a report of bonded wine premises operations for any proprietor otherwise eligible for annual filing
§24.304	Inspector, Special Agent or Specialist
§24.313	Section Chief, NRC, or Chief, Technical Services

ATF Organization



This is not a complete organizational chart of ATF

Announcements – VI

Announcement 99-5

Major Disaster Areas Proclaimed by the President

The President has determined that certain areas of the United States were adversely affected by disasters of sufficient magnitude to warrant Federal assistance under the Disaster Relief Act of 1974. The specific areas adversely affected as identified by the Administrator, Federal Emergency Management Agency (FEMA) are listed below.

Persons in the affected areas holding for sale alcoholic beverages, cigars, cigarettes, or cigarette papers or tubes, which were lost, rendered unmarketable, or condemned by a duly authorized official by reason of these disasters, may be paid an amount equal to the internal revenue taxes and customs duties paid on such products, as provided in 26 U.S.C. 564 and 5708. Claims for such payments should be filed with the District Director (Regulatory Enforcement Operations), Bureau of Alcohol, Tobacco and Firearms, for the ATF district in which the alcoholic beverages, cigarettes, etc., were held for sale. Claims may be allowed only if filed within six months after the date the FEMA identifies the specific disaster area.

FLORIDA 3139

Type of Disaster:

Counties:

May 17, 1999

Fire Hazards

Alachua, Baker, Bay,
Bradford, Brevard, Broward,
Calhoun, Charlotte, Collier,
Columbia, Dade, DeSoto,
Franklin, Gadsen, Gilchrist,
Glades, Gulf, Hamilton,
Hardee, Henry, Highlands,
Hillsborough, Holms, Indian
River, Jackson, Jefferson,
Leo, Leon, Levy, Liberty,
Manatee, Marion, Monroe,
Okeechobee, Orange,
Osceola, Palm Beach,
Pinellas, Polk, Putnam,
Sarasota, Seminole, St.
Lucie, Swannee, Union,
Wakulla, Walton,
Washington

GEORGIA 1271

Type of Disaster:

Counties:

April 30, 1999

Severe storms and tornadoes
Candler, Dooly

KANSAS 1273

Type of Disaster:

Counties:

May 17, 1999

Severe storms and tornadoes
Reno, Sedgwick, Sumner

LOUISIANA 1269

Type of Disaster:

Parishes:

April 26, 1999

Severe storms, tornadoes, and floods

Bossier, Caddo, Claiborne, Webster

MISSOURI 1270

Type of Disaster:

Counties:

April 30, 1999

Severe storms and flooding

Andrew, Iron, Macon, Madison, Osage

NEW YORK 3138

Type of Disaster:

Counties:

March 29, 1999

Near record snow

Livingston, Monroe, Ontario, Orleans, Wayne, Wyoming

OKLAHOMA 1272

Type of Disaster:

Counties:

May 17, 1999

Severe storms and tornadoes

Caddo, Cleveland, Creek, Grady, Kingfisher, Lincoln, Logan, McClain, Oklahoma, Pottawatomie, Tulsa

TENNESSEE 1275

Type of Disaster:

Counties:

May 21, 1999

Severe storms, tornadoes and flooding

TEXAS 1274

Type of Disaster:

Counties:

May 21, 1999

Severe storms and tornadoes

Bowie, Red River

WYOMING 1268

Type of Disaster:

Counties:

March 22, 1999

Severe winter storm

Goshen, Niobrara

Amendments to Previously Declared Disasters

ILLINOIS 3134

County:

Amendment

Christian

MICHIGAN 3137

County:

Amendment

Monroe

Announcement 99-6

Offers in Compromise

<i>Company/Individual Location</i>	<i>Amount</i>	<i>Alleged</i>
Coors Brewing Company	\$45,000	Violated 26 U.S.C. 5051 and 5053 (a) as well as 27 CFR 25.203 and 252.43. During a national inspection, a potential tax liability was established resulting from the inadequate documentation of beer exports.

Announcement 99-7

Revocations

Permittees not engaged in the operations authorized by their permit for a period of more than (2) years are subject to revocation. The following permit(s) have been revoked for this reason.

<i>Company/Location</i>	<i>Company/Location</i>
Asher Jacob Ekstein t/a A.J. Import Company Brooklyn, NY	Jacques Imports, Inc. New York, NY
Bio-Polymers, Inc. Plainville, CT	Longwood Distributors Oak Ridge, NJ
Champale Beer Distributors, Inc. Staten Island, NY	M.J. Magnello & Company, Inc. Hartford, CT
Continental Distilling Corporation Greenwich, CT	Oasis Cosmetics Corporation Wilmington, MA
Deinhard and Partners, Inc. Tenafly, NJ	Tri-Star Distributors, Inc. Saddlebrook, NJ
General Provisions Corp. Brooklyn, NY	V & M Food Distributors, Inc. East Hartford, CT
India Glass & Mirror, Inc. Irona, NY	Ventrex Laboratories, Inc. Portland, ME

Announcement 99-8

Unified Agenda of Federal Regulations

ATF published its Unified Agenda of Federal Regulatory and Deregulatory Action in the April 26, 1998 issue of the Federal Register. The Unified Agenda is designed to give the public notice of ATF regulatory activities which will be under development and review during the period of October 1998 through April 1999. Information containing specific items appearing in the following Unified Agenda should be directed to the appropriate contact person.

Prerule Stage

ALCOHOL

2601. COUNTRY OF ORIGIN STATEMENTS ON DISTILLED SPIRITS LABELS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 1304; 27 USC 205

CFR Citation: 27 CFR 5.36 (e)

Legal Deadline: None

Abstract: ATF plans to issue an advance notice to obtain comments from consumers and industry members regarding the labeling of distilled spirits products. Specifically, ATF is requesting comments regarding how the requirement to identify the country of origin, found at 27 CFR 5.36(e) should be applied to mixtures of imported and domestic spirits.

Timetable:

Action	Date	FR Cite
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ANPRM	06/00/99	
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Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daniel J. Hiland, Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226

Phone: 202 927-8210

Fax: 202 927-8525

RIN: 1512-AB72

Proposed Rule Stage

ALCOHOL

2602. AMERICAN VITICULTURAL AREAS

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: This rule establishes grape-growing regions as American viticultural areas for purposes of labeling and advertising of wine.

Timetable:

Action	Date	FR Cite
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NPRM

11/00/99

Buena Vista Lake, CA (contact Jackie White) NPRM 05/00/99

California Coastal, CA (Jackie White) ANPRM 11/00/99

Chiles Valley, CA (contact Thomas Busey) NPRM 03/20/98 (63 FR 13583) Comment Period End 05/19/98 Final Rule 02/17/99 (64 FR 7785)

Oak Knoll District, CA (Joyce Drake) NPRM 05/00/99

River Junction, CA (contact Teri Byers) NPRM 09/00/99

San Francisco Bay, CA (contact David Brokaw) NPRM 10/20/97 (62 FR 54399) Comment Period End 01/20/98 Final Rule 01/20/99 (64 FR 3015)

Santa Rita Hills, CA (Marsha Baker) NPRM 09/11/98 (63 FR 48658) Comment Period End 12/10/98 Final Rule 09/00/99

Yountville, CA (contact Thomas Busey) NPRM 08/26/98 (63 FR 45427) Final Rule 03/19/99 (64 FR 13511)

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: See **Timetable**, American Viticultural Areas, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AA07

2603. REVISION OF BREWERY REGULATIONS AND ISSUANCE OF REGULATIONS FOR TAVERNS ON BREWERY PREMISES (BREW PUBS)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 26 USC 5051 to 5056; 26 USC 5401 to 5417; 27 USC 205

CFR Citation: 27 CFR 7; 27 CFR 25

Legal Deadline: None

Abstract: ATF intends to streamline regulations applying to breweries. ATF will eliminate obsolete regulatory provisions. A formula system for manufactured beer products will replace statements of process attached to the brewers notice. The annual notice for small brewers to pay reduced rate of tax will be eliminated. Separate regulations for brewpubs will be added to part 25. A section will be added to part 25

to authorize and regulate the alternating use of brewery premises by different brewers. Regulations authorizing the operation of brew-on-premises facilities will be added to part 25.

Timetable:

Action	Date	FR Cite
NPRM	12/00/99	
Interim Final Rule	12/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Charles N. Bacon, Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226

Phone: 202 927-8230

Fax: 202 927-8602

Email: cnbacon@atfhq.atf.treas.gov

RIN: 1512-AB37

2604. IMPLEMENTATION OF PUBLIC LAW 105-34, SECTIONS 1421 AND 1422

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 24; 27 CFR 25; 27 CFR 250; 27 CFR 251

Legal Deadline: None

Abstract: This notice implements section 1421 and 1422 of the Taxpayer Relief Act of 1997. This will permit importation in bond of bulk containers of wine and beer.

Timetable:

Action	Date	FR Cite
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NPRM

05/00/99

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marjorie Ruhf, Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226

Phone: 202 927-8202

Fax: 202 927-8602

Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AB75

2605. ALTERATION OF LABELS ON CONTAINERS OF DISTILLED SPIRITS, WINE AND BEER

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5301; 26 USC 7805; 27 USC 205

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7

Legal Deadline: None

Abstract: ATF is proposing to amend the regulations in 27 CFR parts 4, 5, and 7. The proposed amendments to the regulations will require that a lot identification code be placed on the label or container of all wine, malt beverage and distilled spirits products. The lot identification code will be mandatory item of information and it will be illegal to remove or alter the codes.

Timetable:

Action	Date	FR Cite
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NPRM

11/00/99

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daniel Hiland, Specialist, Department of the Treasury,
Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW.,
Washington, DC 20226
Phone: 202 927-8210
Fax: 202 927-8525

RIN: 1512-AB76

2606. LABELING OF WINE SPECIALTY PRODUCTS AND FLAVORED WINES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4.21

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms (ATF) plans to issue temporary regulations that will amend the regulations in 27 CFR part 4 to set forth a new standard of identity for wine specialty products. ATF believes that this temporary rule is necessary to prevent consumer deception, ensure that consumers receive adequate information about the identity of these products, and to provide guidance to the wine industry. Concurrently, the Bureau plans to publish a Notice of Proposed Rulemaking that invites comments on the Temporary Rule.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
Interim Final Rule	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Daniel J. Hiland, ATF Specialist, Department of the
Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts
Avenue NW., Washington, DC 20226

Phone: 202 927-8210

RIN: 1512-AB86

2607. PROHIBITION OF ALCOHOL BEVERAGE CONTAINERS AND STANDARD OF FILL FOR DISTILLED SPIRITS AND WINE

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4 to 5; 27 CFR 7

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms (ATF) proposes to amend regulations to clarify the standards of fill for distilled spirits and wine. ATF also proposes to amend regulations to prohibit certain alcohol beverage containers that are likely to mislead consumers as to the identity or character of the distilled spirits, wine or malt beverage products or are likely to be confused with other (non-alcohol) food products.

Timetable:

Action	Date	FR Cite
NPRM	02/09/99	64 FR 6486
NPRM Comment Period End	04/12/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: William Foster, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210
Fax: 202 927-8602

RIN: 1512-AB89

FIREARMS

2608. COMMERCE IN EXPLOSIVES (INCLUDING EXPLOSIVES IN THE FIREWORKS INDUSTRY)

Priority: Other Significant

Legal Authority: 5 USC 552(a); 18 USC 847; 18 USC 921 to 930; 18 USC 1261; 19 USC 1612 to 1613; 19 USC 1618; 26 USC 7101; 26 USC 7322 to 7326; 31 USC 9301; 31 USC 9303 to 9304; 40 USC 304(k)

CFR Citation: 27 CFR 55

Legal Deadline: None

Abstract: Pursuant to section 610 of the Regulatory Flexibility Act, ATF published a notice on January 10, 1997 seeking public comments on whether it should revise its regulations codified at 27 CFR part 55, governing Commerce in Explosives (Including Explosives in the Fireworks Industry). Based on comments received, ATF plans to initiate a rulemaking to revise these regulations in 1999.

Timetable:

Action	Date	FR Cite
General Notice of Regulatory Review NPRM	01/10/97 08/00/99	62 FR 1386

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AB48

2609. IMPLEMENTATION OF PUBLIC LAW 104-208, THE OMNIBUS CONSOLIDATED APPROPRIATIONS ACT OF 1997, RELATING TO THE ESTABLISHMENT OF A NATIONAL REPOSITORY FOR ARSON AND EXPLOSIVES INFORMATION

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 846(b)

CFR Citation: 27 CFR 55

Legal Deadline: None

Abstract: ATF is issuing this temporary rule to implement certain provisions of Public Law 104-208, the Omnibus Consolidated Appropriations Act of 1997 (the Act), enacted September 30, 1996. The Act amended the Federal explosives laws in title 18, United States Code, chapter 40, to require all Federal agencies to report to ATF any information involving arson or the suspected criminal misuse of explosives. The Act also authorizes ATF to establish a repository for this information. In addition, the law provides that such repository will contain information on incidents voluntarily reported to ATF by State and local authorities.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AB73

2610. IMPL. OF PL 105-277, MAKING OMNIBUS CONSOLIDATED AND

**EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FY 1999,
RELATING TO THE PERMANENT PROVISIONS OF THE BRADY HANDGUN
VIOLENCE PREVENTION ACT**

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552 (a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504 (h)

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms (ATF) is amending the regulations to implement the provision of Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999, relating to the permanent provisions of the Brady Handgun Violence Prevention Act. The new law allows a licensed pawnbroker to contact the national instant criminal background check system (NICS) prior to taking or receiving a firearm in pawn. If NICS advises the pawnbroker that receipt or possession of the firearm would be in violation of the law, the licensee must advise local law enforcement within 48 hours after receipt of information.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
Interim Final Rule	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury,
Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW.,
Washington, DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AB83

2611. IDENTIFICATION OF MARKINGS PLACED ON FIREARMS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552 (a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504 (h)

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms (ATF) is proposing to amend the regulations to prescribe minimum height and depth requirements for identification markings placed on firearms by licensed importers and licensed manufacturers. ATF believes that minimum standards are necessary to ensure that firearms are properly identified in accordance with the law. In addition, the proposed standards, if adopted, will facilitate ATF's ability to trace the origin of firearms used in crime.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AB84

Final Rule Stage

ALCOHOL

2612. LABELING OF UNAGED GRAPE BRANDY

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5

Legal Deadline: None

Abstract: ATF is proposing to amend the regulations to permit the use of the word “unaged” as an alternative to “immature,” to describe grape brandy which has not been stored in oak containers.

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30015
NPRM Comment Period End	09/11/96	
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AB46

2613. DISTILLED SPIRITS PLANT REGULATORY INITIATIVE PROPOSAL

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 19.11; 27 CFR 19.49; 27 CFR 19.153; 27 CFR 19.201 to 206; 27 CFR 19.311; 27 CFR 19.454; 27 CFR 19.605; 27 CFR 19.770; 27 CFR 19.1001; 27 CFR 19.1003; 27 CFR 19.1010

Legal Deadline: None

Abstract: ATF is proposing changes to the distilled spirits plant regulations to implement the Administration's Reinventing Government effort to reduce the regulatory burden and streamline requirements. ATF believes these proposed changes will benefit distilled spirits plant proprietors and other industry members by enabling them to operate more easily and with less regulatory oversight from the Government. ATF is also requesting comments on the possibility of revising the distilled spirits plant recordkeeping requirements to accomplish the Government's goals through a system that would be based, as much as possible, on proprietors' own recordkeeping methods.

Timetable:

Action	Date	FR Cite
NPRM	11/30/98	63 FR 65720
NPRM Comment Period End	01/29/99	
Final Action	11/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Steve Simon, Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210
Fax: 202 927-8602

RIN: 1512-AB58

2614. FORMULAS FOR DENATURED ALCOHOL AND RUM

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 552(a); 26 USC 5242; 26 USC 7805

CFR Citation: 27 CFR 21.3; 27 CFR 21.6; 27 CFR 21.11; 27 CFR 21.21; 27 CFR 21.31 to 21.34; 27 CFR 21.56; 27 CFR 21.65; 27 CFR 21.76; 27 CFR 21.91; 27 CFR 21.95 to 21.97

Legal Deadline: None

Abstract: This document proposes to amend part 21 to incorporate denaturants that have been approved pursuant to applications but not yet published in this part, as well as to clarify the regulations where necessary.

Additionally, this document proposes to make a minor technical correction.

Timetable:

Action	Date	FR Cite
NPRM	07/31/96	61 FR 39929
NPRM Comment Period End	09/30/96	
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mary Wood, Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8185
Fax: 202 927-8602

RIN: 1512-AB60

2615. IMPLEMENTATION OF WINE CREDIT PROVISIONS OF PUBLIC LAW 104-188

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552(a); 26 USC 5041

CFR Citation: 27 CFR 24.278; 27 CFR 24.279

Legal Deadline: None

Abstract: ATF is amending wine regulations to implement a law change which allows certain transferees in bond to deduct small wine producers tax credit. Changes to bond calculation are also included in this regulation.

Timetable:

Action	Date	FR Cite
NPRM	06/02/97	62 FR 29681
Interim Final Rule	06/02/97	62 FR 29663
NPRM Comment Period End	08/01/97	
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marjorie Ruhf, Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW.,
Washington, DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AB65

2616. NET CONTENTS STATEMENT ON WINE LABELS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 27 USC 205(e)

CFR Citation: 27 CFR 4

Legal Deadline: None

Abstract: Based on a petition it has received, the Bureau of Alcohol, Tobacco and Firearms (ATF) is proposing to amend the regulations to provide that the net contents

statement for wine in containers of less than 1 liter may be expressed on the label in centiliters (cl) as an alternative to milliliters (ml).

Timetable:

Action	Date	FR Cite
NPRM	05/15/98	63 FR 27017
NPRM Comment Period End	08/13/98	
NPRM Comment Period Reopened	09/18/98	63 FR 49883
NPRM Comment Period Extended to	10/19/98	
Final Action	08/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AB70

2617. IMPLEMENTATION OF PUBLIC LAW 105-34, SECTIONS 908, 910 AND 1415, RELATED TO HARD CIDER, SEMIGENERIC WINE DESIGNATIONS AND WHOLESALE LIQUOR DEALER'S SIGNS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 4; 27 CFR 19; 27 CFR 24; 27 CFR 194; 27 CFR 250; 27 CFR 251

Legal Deadline: None

Abstract: This temporary rule implements some of the provisions of the Taxpayer Relief Act of 1997. The new law made changes in the excise tax on hard cider, clarified the authority to use semi-generic designations on wine labels, and repealed the requirement for wholesale dealers in liquors to post signs. The wine regulations are amended to incorporate the new hard cider tax rate and to recognize the labeling changes relative to the description to hard cider. These regulations are also amended to incorporate the semi-

generic wine designations, and the liquor dealers' regulations are amended to eliminate the requirement for posting a sign.

Timetable:

Action	Date	FR Cite
NPRM	08/21/98	63 FR 44819
Temporary Rule	08/21/98	63 FR 44779
Comment Period Extended	11/06/98	63 FR 59921
NPRM Comment Period End	12/07/98	
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marjorie Ruhf, Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210
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Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AB71

2618. IMPLEMENTATION OF PL 105-34, SECTION 1417, RELATED TO THE USE OF AMELIORATING MATERIAL IN CERTAIN WINES

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-34, Sec 1417

CFR Citation: 27 CFR 24.178; 27 CFR 4.21; 27 CFR 4.22

Legal Deadline: None

Abstract: The wine regulations are amended to extend the amelioration and sweetening limitations of wines made from any fruit or berry.

Timetable:

Action	Date	FR Cite
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Interim Final Rule 08/00/99

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Thomas Busey, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226

Phone: 202 927-8210

Fax: 202 927-8602

RIN: 1512-AB78

2619. PETITION FOR JOHANNISBERG RIESLING; PROPOSED ADDITION OF GRAPE VARIETY NAMES FOR AMERICAN WINES; REQUEST FOR ADDITIONAL INFORMATION FOR OTHER PROPOSED GRAPE VARIETIES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205 (e)

CFR Citation: 27 CFR 4.91; 27 CFR 4.92

Legal Deadline: None

Abstract: ATF has received a petition proposing to extend the phase-out date for the use of the term Johannisberg Riesling as a designation for American wines from January 1, 1999, until January 1, 2006. ATF has also received petitions proposing to add two new names, Traminette and Aglianio, to the list of prime grape variety names for use in designating American wines. Finally, ATF is soliciting comments or petitions for other grape varieties which wineries wish to use in producing and designating American varietal wines.

Timetable:

Action	Date	FR Cite
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NPRM
Final Action

01/06/99
09/00/99

64 FR 813

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Teri Byers, ATF Specialist, Department of the Treasury,
Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW.,
Washington, DC 20226
Phone: 202 927-8195
Fax: 202 927-8602
Email: thbyers@atfhq.atf.treas.gov

RIN: 1512-AB80

EXPLOSIVES

2620. IMPLEMENTATION OF PUBLIC LAW 104-132, THE ANTITERRORISM AND EFFECTIVE DEATH PENALTY ACT OF 1996, RELATING TO THE MARKING OF PLASTIC EXPLOSIVES FOR THE PURPOSE OF DETECTION

Priority: Other Significant

Legal Authority: 18 USC 847; 22 USC 2778

CFR Citation: 27 CFR 47; 27 CFR 55

Legal Deadline: Other, Statutory, April 24, 1997. Provisions of the law will become effective 4/24/97.

Abstract: This temporary rule implements certain provisions of the Antiterrorism and Effective Death Penalty Act of 1996 (Public law 104-132). These regulations implement the law by requiring detection agents for plastic explosives. The temporary rule also authorizes the use of four specific detection agents to mark plastic explosives and provides for the designation of other detection agents.

Timetable:

Action	Date	FR Cite
NPRM	02/25/97	62 FR 8412
Interim Final Rule	02/25/97	62 FR 8374
NPRM Comment Period End	05/27/97	62 FR 8412
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury,
Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW.,
Washington, DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AB63

FIREARMS

2621. COMMERCE IN FIREARMS AND AMMUNITION (OMNIBUS CONSOLIDATED APPROPRIATIONS ACT OF 1997)

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 847; 18 USC 921 to 930

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: The Omnibus Consolidated Appropriations Act of 1997 contains amendments to the Gun Control Act of 1986 (18 U.S.C. chapter 44). These amendments add to the category of “prohibited persons” anyone convicted of a “misdemeanor crime of domestic violence”. The amendments require individuals acquiring handguns from Federal firearms licenses to certify (in accordance with the Brady Law) that they have not been convicted of such a crime. The amendments also provide for sales between Federal firearms licensees of curio and relic firearms away from their licensed premises.

Timetable:

Action	Date	FR Cite
NPRM	06/30/98	63 FR 35551
Interim Final Rule	06/30/98	63 FR 35520
NPRM Comment Period End	09/28/98	
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jim Ficaretta, Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AB64

2622. RESIDENCY REQUIREMENT FOR PERSONS ACQUIRING FIREARMS

Priority: Other Significant

Legal Authority: 5 USC 552(a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504(h)

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: The temporary rule amends the regulations to provide for a firearms purchaser's affirmative statement of his or her State of residence on ATF Form 4473 (Firearms Transaction Record) and ATF Form 5300.35 (Statement of Intent to Obtain a Handgun) in acquiring a firearm from a Federal firearms licensee. The temporary rule also amends the regulations to require that aliens purchasing a firearm provide proof of residency through the use of substantiating documentation, such as utility bills or a lease agreement. In addition, the regulations are being amended to require that licensees examine a photo identification document from aliens purchasing firearms. These regulations implement President Clinton's March 5, 1997, announcement of firearms initiatives intended to protect the American public from gun violence.

Timetable:

Action	Date	FR Cite
NPRM	04/21/97	62 FR 19446
Interim Final Rule	04/21/97	62 FR 19442
NPRM Comment Period End	07/21/97	
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AB66

PROCEDURAL

2623. RECODIFICATION OF STATEMENT OF PROCEDURAL RULES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 18 USC 847; 18 USC 926; 26 USC 7805; 27 USC 201 to 219(a)

CFR Citation: 27 CFR 70

Legal Deadline: None

Abstract: ATF is proposing to revise and recodify the statement of procedural rules for ease of use.

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30013
NPRM Comment Period End	08/12/96	
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marjorie Ruhf, Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AB54

2624. TECHNICAL AMENDMENTS TO 27 CFR PART 178

Priority: Info./Admin./Other

Legal Authority: 5 USC 552 (a); 18 USC 847; 18 USC 921 to 930; 18 USC 1261; 19 USC 1612 to 1613; 19 USC 1618; 26 USC 7101; 26 USC 7322 to 7326; 31 USC 9301; 31 USC 9303 to 9304; 40 USC 304 (k)

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: This final rule changes the titles which have become obsolete at ATF. The changes are to provide clarity and uniformity throughout title 27, Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marsha Baker, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226

Phone: 202 927-8320

Fax: 202 927-8602

RIN: 1512-AB82

2625. IMPLEMENTATION OF THE PAPERWORK REDUCTION ACT

Priority: Info./Admin./Other

Legal Authority: 44 USC 3502

CFR Citation: 5 CFR 1320.7 (f)(2)

Legal Deadline: None

Abstract: This final rule adds approved control numbers issued by OMB for collections of information imposed by regulations administered by ATF for parts 4, 5 and 7 of the CFR.

Timetable:

Action	Date	FR Cite
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Final Action	09/00/99	
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Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marsha Baker, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226

Phone: 202 927-8210

Fax: 202 927-8602

RIN: 1512-AB90

TOBACCO PRODUCTS

2626. BALANCED BUDGET ACT OF 1997-PL 105-33, RESTRICTION ON THE IMPORTATION OF DOMESTIC TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES RETURNED TO THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5704 (b); 26 USC 5704 (d); 26 USC 5754; 26 USC 5702 (k); 26 USC 5761; PL 105-33

CFR Citation: 27 CFR 290; 27 CFR 295; 27 CFR 296; 27 CFR 270

Legal Deadline: Final, Statutory, January 1, 2000.

Abstract: Restricts the reimportation of domestic tobacco products, cigarette papers and tubes. These products may only be returned for delivery to a manufacturer of tobacco products or cigarette papers and tubes or to the proprietor of an export warehouse. Requires mandatory export markings on tobacco products, cigarette papers and tubes. Finally, additional penalties for diversion of tobacco products, cigarette papers and tubes, labeled for export only.

Timetable:

Action	Date	FR Cite
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Final Action	10/00/99	
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Final Action Effective	01/00/00	
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Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Teri Byers, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226

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RIN: 1512-AB81

2627. TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES TAX INCREASES FOR JANUARY 1, 2000, AND JANUARY 1, 2002

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-33, Sec 9302 (a)

CFR Citation: 27 CFR 270; Not yet determined

Legal Deadline: Final, Statutory, January 1, 2000.

Abstract: Amend regulations to reflect new tax rates for tobacco products or cigarette papers and tubes on January 1, 2000, and January 1, 2002.

Timetable:

Action	Date	FR Cite
Final Action	10/00/99	
Final Action Effective	01/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226

Phone: 202 927-8210

Fax: 202 927-8602

RIN: 1512-AB88

2628. IMPLEMENTATION OF PUBLIC LAW 105-33, SECTION 9302, RELATED TO CHANGE IN TAX COMPUTATION OF CIGARETTE PAPERS AND THE IMPOSITION OF PERMIT REQUIREMENTS ON ROLL-YOUR-OWN TOBACCO

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5701

CFR Citation: 27 CFR 270; 27 CFR 275; 27 CFR 290; 27 CFR 295; 27 CFR 296

Legal Deadline: None

Abstract: Temporary rule and notice of proposed rulemaking to implement Section 9302(c) and (h) of the Balanced Budget Act of 1997. Changes to the computation of excise tax on cigarette papers and implementation of permit requirements on manufacture of roll-your-own tobacco.

Timetable:

Action	Date	FR Cite
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Jackie White, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB92

Long-Term Actions

ALCOHOL

2629. EXPORTATION OF LIQUORS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 27 CFR 252

Timetable:

Action	Date	FR Cite
ANPRM	09/08/92	57 FR 40887
ANPRM Comment Period End	10/08/92	
ANPRM Comment Period Extended	10/15/92	57 FR 47320
ANPRM Comment Period Extended End	12/07/92	
ANPRM	08/09/96	61 FR 41500
ANPRM Comment Period End	12/10/96	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf
Phone: 202 927-8230
Fax: 202 927-8602

RIN: 1512-AA98

2630. ALCOHOLIC CONTENT LABELING FOR MALT BEVERAGES

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 7

Timetable:

Action	Date	FR Cite
NPRM	04/19/93	58 FR 21233

Interim Final Rule	04/19/93	58 FR 21228
NPRM Comment Period End	07/19/93	
NPRM Comment Period Extended	07/19/93	58 FR 38543
NPRM Comment Period Extended End	09/17/93	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Charles Bacon
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Fax: 202 927-8602
Email: cnbacon@atfhq.atf.treas.gov

RIN: 1512-AB17

2631. DISTRIBUTION AND USE OF TAX-FREE ALCOHOL

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 27 CFR 22.21; 27 CFR 22.25 to 22.27; 27 CFR 22.43; 27 CFR 22.59; 27 CFR 22.60; 27 CFR 22.62; 27 CFR 22.63; 27 CFR 22.68; 27 CFR 22.152

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30019
NPRM Comment Period End	08/12/96	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mary Wood
Phone: 202 927-8185
Fax: 202 927-8602

RIN: 1512-AB51

2632. DISTRIBUTION OF DENATURED ALCOHOL AND RUM

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

CFR Citation: 27 CFR 20

Timetable:

Action	Date	FR Cite
ANPRM	06/13/96	61 FR 30019
ANPRM Comment Period End	08/12/96	

Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Mary Wood
Phone: 202 927-8185
Fax: 202 927-8602

RIN: 1512-AB57

2633. PRODUCTION OF VOLATILE FRUIT FLAVORED CONCENTRATE

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 27 CFR 18.56

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30017
NPRM Comment Period End	08/12/96	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mary Wood

Phone: 202 927-8185

Fax: 202 927-8602

RIN: 1512-AB59

**2634. IMPLEMENTATION OF PUBLIC LAW 105-34, SECTION 1416
RELATING TO REFUND OF TAX FOR DOMESTIC WINE RETURNED TO
BOND REGARDLESS OF MERCHANTABILITY (TAXPAYER RELIEF ACT
OF 1997)**

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 24.66; 27 CFR 24.295; 27 CFR 24.312

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mary A. Wood

Phone: 202 927-8185

Fax: 202 927-8602

RIN: 1512-AB74

PROCEDURAL

2635. TECHNICAL AMENDMENTS TO 27 CFR PART 200

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805; 27 USC 204

CFR Citation: 27 CFR 200

Legal Deadline: None

Abstract: This final rule amends the provisions of 27 CFR part 200 to change the title designation “District Director” to “Director of Industry Operations (DIO)” wherever it appears, and to make other necessary conforming amendments.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy Kern, Writer-Editor, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB91

TOBACCO PRODUCTS

2636. EXPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES, WITHOUT PAYMENT OF TAX, OR WITH DRAWBACK OF TAX

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 27 CFR 290

Timetable:

Action	Date	FR Cite
ANPRM	09/08/92	57 FR 40889
ANPRM Comment Period End	10/08/92	
ANPRM Comment Period Extended	01/08/93	58 FR 3247
ANPRM Comment Period Extended End	03/09/93	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf

Phone: 202 927-8210

Fax: 202 927-8602

RIN: 1512-AB03

Completed Actions

**2637. PROCEDURES FOR REVOKING PREVIOUSLY APPROVED
CERTIFICATES OF LABEL APPROVAL, EXEMPTIONS FROM LABEL
APPROVAL, OR DISTINCTIVE LIQUOR BOTTLE APPROVALS**

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 4.40; 27 CFR 4.50; 27 CFR 5.56; 27 CFR 5.51; 27 CFR 5.55; 27 CFR 7.31; 27 CFR 7.41; 27 CFR 13 (New); 27 CFR 19.633; 27 CFR 19.641

Completed:

Reason	Date	FR Cite
Final Action	01/13/99	64 FR 2122
Final Action Effective	03/15/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf

Phone: 202 927-8230

Fax: 202 927-8602

RIN: 1512-AB34

2638. COMMERCE IN EXPLOSIVES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 27 CFR 55

Completed:

Reason	Date	FR Cite
Final Action	08/24/98	63 FR 44999
Final Action Effective	12/22/98	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Mark Waller

Phone: 202 927-8310

Fax: 202 927-7488

RIN: 1512-AB55

2639. AMENDMENTS TO 27 CFR PART 55, COMMERCE IN EXPLOSIVES

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 847

CFR Citation: 27 CFR 55

Legal Deadline: None

Abstract: This rule will amend 27 CFR part 55 to correct exclusions that were left out of the previous final rule.

Timetable:

Action	Date	FR Cite
Withdrawn	03/04/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James Ficaretta, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8230

RIN: 1512-AB85

2640. FIREARMS AND AMMUNITION EXCISE TAXES PARTS AND ACCESSORIES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 27 CFR 53.61(b)

Completed:

Reason	Date	FR Cite
Final Action	10/01/98	63 FR 52601
Final Action Effective	11/30/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marsha Baker

Phone: 202 927-8210

Fax: 202 927-8602

RIN: 1512-AB49

2641. BRADY BILL REGULATIONS--PERMANENT PROVISION

Priority: Other Significant

CFR Citation: 27 CFR 178

Completed:

Reason	Date	FR Cite
Final Action	10/29/98	63 FR 58271
Final Action Effective	11/30/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: James Ficaretta

Phone: 202 927-8230

Fax: 202 927-8602

RIN: 1512-AB67

2642. POSTING OF SIGNS AND WRITTEN NOTIFICATIONS TO PURCHASERS OF HANDGUNS

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 178

Completed:

Reason	Date	FR Cite
Final Action	07/13/98	63 FR 37740
Final Action Effective	09/11/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marsha Baker

Phone: 202 927-8230

Fax: 202 927-8602

RIN: 1512-AB68

**2643. DELEGATION OF AUTHORITIES OF THE DIRECTOR IN TITLE 27,
PART 24, OF THE CODE OF FEDERAL REGULATIONS**

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 24

Legal Deadline: None

Abstract: This regulation places most ATF authorities with the “appropriate ATF officer” and requires that persons file documents with the “appropriate ATF officer” or as instructed on the ATF form. Concurrently, ATF Order 1130.5 will delegate the Director's authorities to ATF officers and designate the officer to whom applications, notices and other reports, which are not ATF forms, are filed.

Timetable:

Action	Date	FR Cite
Final Action	03/22/99	64 FR 13682

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury,
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RIN: 1512-AB87
