

ANNOUNCEMENTS — VI

Announcement 2001- 4

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 Director of Industry 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.

ALABAMA 1362

Type of disaster:
Counties:

March 5, 2001
Severe storms and flooding
Blount, Fayette, Jefferson,
Lamar, Tuscaloosa, Walker

ARKANSAS 1363

Type of disaster:
Counties:

March 13, 2001
Severe storms and flooding
Bradley, Clark, Cleveland,
Columbia, Conway,
Craighead, Dallas, Drew,
Franklin, Hempstead, Hot
Spring, Lafayette, Lincoln,
Little River, Miller, Newton,
Nevada, Quachita, Polk,
Prairie, Union, White

COLORADO 1374

Type of disaster:
Counties:

May 17, 2001
Severe winter storms
Baca, Bent, Cheyenne,
Crowley, Kiowa, Lincoln,
Logan, Morgan, Phillips,
Prowers, Sedgwick,
Washington, Weld, Yuma

IOWA 1367

Type of disaster:

Counties:

May 2, 2001

Severe storms, tornadoes and flooding

Allamakee, Buchanan, Calhoun, Clayton, Clinton, Des Moines, Dubuque, Henry, Humboldt, Jackson, Lee, Louisa, Muscatine, Palo Alto, Ringgold, Sac, Scott, Wappello, Webster

ILLINOIS 1368

Types of disaster:

Counties:

May 9, 2001

Flooding

Adams, Calhoun, Carroll, Hancock, Henderson, Jo Daviess, Mercer, Pike, Rock Island, Whiteside

KANSAS 1366

Type of disaster:

Counties:

April 27, 2001

Severe storms, hail, flooding and tornadoes

Barton

MAINE 1371

Type of disaster:

Counties:

May 16, 2001

Severe winter storms and flooding

Franklin, Oxford, York

MASSACHUSETTS 1364

Type of disaster:

Counties:

April 10, 2001

Severe storms and flooding

Bristol, Essex, Middlesex, Norfolk, Plymouth, Suffolk, Worcester

MINNESOTA 1370

Type of disaster:

Counties:

May 16, 2001

Severe winter storms, flooding and tornadoes

Aitkin, Becker, Benton, Big Stone, Brown, Carlton, Carver, Chippewa, Chisago, Clay, Dakota, Douglas, Freeborn, Goodhue, Grant, Houston, Kanabec, Kittson, Lac qui Parle, Lake, Le Sueur, Marshall, McLeod, Meeker, Mille Lacs,

Morrison, Mower, Nicollett,
Norman, Olmsted, Otter Tail,
Pine, Polk, Pope, Ramsey,
Red Lake, Redwood,
Renville, Rice, Scott, Sibley,
Stearns, St. Louis, Stevens,
Swift, Todd, Traverse,
Wabasha, Washington,
Wilkin, Winona, Wright,
Yellow Medicine, Tribal
governments of Prairie
Island, Upper Sioux

MISSISSIPPI 1365

Type of disaster:

Counties:

April 17, 2001
Severe storms and flooding
Attala, Holmes, Leake, Lee,
Neshoba, Pontotoc

NEBRASKA 1373

Type of disaster:

Counties:

May 16, 2001
Severe winter storms,
flooding and tornadoes
Banner, Blaine, Box Butte,
Brown, Chase, Cherry,
Cheyenne, Deuel, Gage,
Garden, Hayes, Hooker,
Johnson, Keith, Keya Paha,
Kimball, Lincoln, Logan,
McPherson, Morrill,
Nuckolls, Perkins, Rock,
Saline, Sioux, Thomas

PUERTO RICO 1372

Type of disaster:

Counties:

May 16, 2001
Severe storms, flooding and
mudslides
Adjuntas, Anasco, Cabo
Rojo, Gaica, Guaica,
Guayanilla, Hormigueros,
Lares, Las Marias, Maricao,
Moca, Rincon, Sabana
Grande, San German, Yauco

SOUTH DAKOTA 1375

Type of disaster:

Counties:

May 17, 2001
Severe winter storms,
flooding and ice jams
Beadle, Brookings, Brown,
Clark, Codington, Day,

Grant, Hamlin, Hanson,
Kingsbury, Marshall,
Mellette, Moody, Roberts,
Sanborn, Spinks, Turner

WISCONSIN 1369

Type of disaster:

Counties:

May 11, 2001

Severe storms and floods
Ashland, Barron, Bayfield,
Buffalo, Burnett, Crawford,
Douglas, Grant, Iron, La
Crosse, Pepin, Pierce, Polk,
St. Croix, Trempealeau,
Vernon, Washburn

Amendments to Previously Declared Disasters

MISSISSIPPI 1360

Counties:

Amendment

Amite, Forrest, Franklin,
Jones, Lamar, Lincoln,
Marion, Neshoba, Pike, Pearl
River, Perry, Scott, Tate,
Walthall, Wilkinson

WASHINGTON 1361

Counties:

Amendment

Benton, Chelan, Clallam,
Clark, Cowlitz, Douglas,
Grays Harbor, Island,
Jefferson, Kittitas, Pacific,
Skagit, Skamania,
Snohomish, Wahkiakum,
Walla Walla, Whatcom,
Yakima

Announcement 2001- 5

OFFERS IN COMPROMISE

*Company/Individual
Location*

Amount

Alleged Violations

Grand View Winery Ltd. Co.
The Henry Wine Group
Benicia, CA

\$1,000

Introducing wine products
into intrastate commerce
without first obtaining
exemptions from required
certificate of label approvals.

Atlanta Brewing Co.
Atlanta, GA

\$3,500

Removing bottles and kegs of
beer without certificate of
label approval.

Announcement 2001-6

Unified Agenda of Federal Regulations

ATF published its Unified Agenda of Federal Regulatory and Deregulatory Action in the May 14, 2001 issue of the Federal Register. The Unified Agenda is designed to give the public notice of ATF regulatory activities that will be under development and review during the period of October, 2000 – April 2001. Information containing specific items appearing in the following Unified Agenda should be directed too the appropriate contact person.

TABLE OF ABBREVIATIONS

ABBREVIATION	MEANING
ANPRM.....	Advance notice of Proposed rulemaking
ATF.....	Bureau of Alcohol, Tobacco and Firearms
CFR.....	Code of Federal Regulations
DSP.....	Distilled Spirits Plant
E.O.....	Executive Order
FR.....	Federal Register
FAA Act.....	Federal Alcohol Administration Act
NPRM.....	Notice of proposed rulemaking
OFR.....	Office of the Federal Register
OMB.....	Office of Management and Budget
Pub. L.....	Public Law
T.D.....	Treasury Decision
T.D. with N.....	(Temporary) Treasury Decision with Notice
T.D. w/o N.....	Treasury Decision Without Notice
Treasury.....	Department of the Treasury

Prerule Stage

ALCOHOL

ALCOHOL BEVERAGE HEALTH WARNING STATEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205, 215

CFR Citation: 27 CFR 16

Legal Deadline: None

Abstract: ATF is considering amending the regulations concerning the placement, legibility and noticeability of the congressionally mandated health warning statement required to appear on the labels of all containers of alcohol beverages. Based on a petition we have received, we wish to gather information by inviting comments from the public and industry as to whether the existing regulations should be revised.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/01	

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: 202 927-8210

RIN: 1512-AC12

Proposed Rule Stage

ALCOHOL

EXPORTATION OF LIQUORS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 252

Legal Deadline: None

Abstract: ATF proposes the recodification of 27 CFR part 252 to part 28 to eliminate obsolete or unnecessary rules and forms and streamline export processing, while providing adequate protection for the revenue.

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	
NPRM	11/00/01	

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, Email: mdruh@atfhq.atf.treas.gov

William Foster, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, Phone: 202 927-8210

ALCOHOLIC CONTENT LABELING FOR MALT BEVERAGES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205(e)

CFR Citation: 27 CFR 7

Legal Deadline: None

Abstract: An October 28, 1992 decision in the U.S. District Court for the District of Colorado held that the Federal Alcohol Administration Act prohibition against the statement of alcoholic content on malt beverage labels is unconstitutional under the First Amendment. ATF issued an interim rule on April 19, 1993, which permits the optional labeling of malt beverages with their alcoholic content. The Supreme Court heard oral arguments in the appeal of this court decision on November 30, 1994. The Supreme Court decided this case on April 19, 1995, in favor of Coors, and unanimously found the FAA Act prohibition against labeling malt beverages with their alcohol content unconstitutional. ATF will issue an NPRM on the subject of malt beverage labeling to request information on tolerances, type size, placement, and whether such an alcoholic content labeling requirement should be mandatory.

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	
NPRM	09/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1512-AB17

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

Priority: Other Significant

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 the 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	06/00/01	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

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

RIN: 1512-AB37

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; 27 CFR 5; 27 CFR 7

Legal Deadline: None

Abstract: 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 (nonalcohol) food products.

Timetable:

Action	Date	FR Cite
NPRM	02/09/99	64 FR 6486
NPRM Comment Period End	04/12/99	
Revised NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1512-AB89

AMENDED STANDARD OF IDENTITY FOR SHERRY

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None

Abstract: ATF is considering a petition to allow certain types of wine to be labeled as “sherry” rather than “light sherry.”

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: 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, Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AB96

PROCESSES AUTHORIZED FOR THE TREATMENT OF WINE, JUICE AND DISTILLING MATERIAL

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5381; 26 USC 5382; 26 USC 5385; 26 USC 5386; 26 USC 5387

CFR Citation: 27 CFR 24

Legal Deadline: None

Abstract: ATF will issue a notice of proposed rulemaking proposing to add the addition of grape skin extract to the list of processes authorized for the treatment of wine, juice and distilling material.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, 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-AC05

PETITION TO RECOGNIZE COUNOISE AND ST. LAURENT AS NEW GRAPE VARIETIES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None

Abstract: ATF has received two petitions proposing to add two new names, "Counoise" and "St. Laurent", to the list of prime grape variety names for use in designating American wines.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301, Phone: 716 551-4048

RIN: 1512-AC26

RECODIFICATION OF PART 251

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 81(c); 19 USC 1202; 26 USC 5001; 26 USC 5007; 26 USC 5008; 26 USC 5041; 26 USC 5051; 26 USC 5054; 26 USC 5061; 26 USC 5111; 26 USC 5112; 26 USC 5114; 26 USC 5121; 26 USC 5122; 26 USC 5124; 26 USC 5201; 26 USC 5205; 26 USC 5207; 26 USC 5232; 26 USC 5273; 26 USC 5301; 26 USC 5313; 26 USC 5355; 26 USC 6302; 26 USC 7805; 27 USC 203; 27 USC 205; 27 USC 206; 27 USC 215; ...

CFR Citation: 27 CFR 251

Legal Deadline: None

Abstract: Part 251 will be updated and recodified. It will be reissued as 27 CFR part 27.

Timetable:

Action	Date	FR Cite
NPRM	08/05/96	61 FR 40568
Second NPRM	09/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301; Phone: 716 551-4048

RIN: 1512-AC27

ALBARINO, BLACK CORINTH AND FIANO GRAPE VARIETIES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None

Abstract: ATF has received petitions proposing to add the Albarino, Black Corinth and Fiano grapes to the list of prime grape variety names for use in designating American wines.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301, Phone: 716 551-4048

RIN: 1512-AC29

EXPLOSIVES

IDENTIFICATION MARKINGS PLACED ON EXPLOSIVE MATERIALS

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 847

CFR Citation: 27 CFR 55

Legal Deadline: None

Abstract: ATF is considering amending the regulations to require licensed importers to legibly identify by marking all imported explosive materials. Based on a petition we have received, we wish to gather information by inviting comments from the public and industry whether the regulations should be amended.

Timetable:

Action	Date	FR Cite
ANPRM	11/03/00	65 FR 67669
ANPRM Comment Period End	01/12/01	
NPRM	07/00/01	

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: 202 927-8210

RIN: 1512-AC25

COMMERCE IN EXPLOSIVES-SPORT ROCKET MOTORS

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 847

CFR Citation: 27 CFR 55

Legal Deadline: None

Abstract: ATF is amending the regulations to clarify which explosives are not subject to ATF importation, distribution, and storage requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
Interim Final Rule	06/00/01	

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: 202 927-8210

RIN: 1512-AC30

FIREARMS

COMMERCE IN EXPLOSIVES (INCLUDING EXPLOSIVES IN THE FIREWORKS INDUSTRY)

Priority: Other Significant

Legal Authority: 5 USC 552(a); 31 USC 9303 to 9304; 40 USC 304(k); 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

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 2001.

Timetable:

Action	Date	FR Cite
General Notice of Regulatory Review NPRM	01/10/97 06/00/01	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: 202 927-8210

RIN: 1512-AB48

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 will issue 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 18 U.S.C. 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	06/00/01	

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: 202 927-8210

RIN: 1512-AB73

IMPLEMENTATION OF PUBLIC LAW 105-277, MAKING OMNIBUS CONSOLIDATED AND EMERG. 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: ATF will amend 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	07/00/01	
Interim Final Rule	07/00/01	

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: 202 927-8210

RIN: 1512-AB83

PUBLIC LAW 105-277, MAKING OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FY99, RELATING TO FIREARMS DISABILITIES FOR NONIMMIGRANT ALIENS

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: ATF will issue a temporary rule amending the regulations to implement the provisions of Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999. The regulations implement the law by prohibiting, with certain exceptions, the transfer to and possession of firearms by aliens admitted to the United States under a nonimmigrant visa. Regulations are also prescribed with regard to applicants for dealer's licenses to certify that secure gun storage or safety devices will be available at any place where firearms are sold to nonlicensed individuals, and an amended definition of "antique firearm" to include certain muzzle loading firearms.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
Interim Final Rule	06/00/01	

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: 202 927-8210

RIN: 1512-AB93

PROCEDURAL

DELEGATION OF AUTHORITY IN PART 70

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 70

Legal Deadline: None

Abstract: This final rule places most ATF authorities contained in 27 CFR 70 with the “appropriate ATF officer,” and requires that persons file documents required by part 70 with the “appropriate ATF officer,” or in accordance with the instructions on the ATF form.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, Phone: 202 927-8210

RIN: 1512-AC19

DELEGATION OF AUTHORITY IN 27 CFR PART 13

Priority: Info./Admin./Other

Legal Authority: 27 USC 205(e); 26 USC 5301; 26 USC 7805

CFR Citation: 27 CFR 13

Legal Deadline: None

Abstract: This final rule places all ATF authorities contained in 27 CFR 13 with the “appropriate ATF officer,” and requires that persons file documents required by part 13 with the “appropriate ATF officer,” or in accordance with the instructions on the ATF form. This final rule removes the definitions to specific officers subordinate to the Director. This rule also adds a new section 13.20 about ATF forms and makes a typographical amendment clarifying section 13.72(b).

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lisa Marie Gesser, 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-AC21

TOBACCO PRODUCTS

PROHIBITED MARKS ON PACKAGES OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES IMPORTED OR BROUGHT INTO THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 5723

CFR Citation: 27 CFR 275

Legal Deadline: None

Abstract: This notice proposes a new rule that will prohibit any mark on packages of tobacco products and cigarette papers and tubes imported or brought into the United States (U.S.) indicating that U.S. tax has not been paid or that the product is not intended for sale or use in the U.S. Because current regulations only prohibit a marking on such packages that state or indicate that U.S. tax has been paid, U.S. tax-exempt and prohibiting sale or use in the U.S. packages of such products are being imported or brought into the U.S. ATF and U.S. Customs Service have encountered problems with these packages when ensuring that Federal excise tax has been paid and enforcing the provisions of section 5761(c) of the Internal Revenue Code of 1986 (title 26 of the United States Code). The proposed regulations will minimize the problems associated with such markings on tobacco products and cigarette papers and tubes imported or brought into the United States.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, Phone: 202 927-8210

RIN: 1512-AC14

DETERMINATION OF TAX AND RECORDKEEPING ON LARGE CIGARS

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 5701 and 5702

CFR Citation: 27 CFR 270; 27 CFR 275

Legal Deadline: None

Abstract: This notice incorporates the parts of ATF Industry Circular 91-3, dated March 19, 1991, entitled "Large Cigar Taxes On and After January, 1991" that have not been placed in the regulations. ATF Industry Circular 91-3 addressed questions about determining the amount of tax for a large cigars based on their sale price. In addition, this notice proposes: 1) to give guidance on tax adjustments for large cigars provided at no cost in connection with a sale; and 2) recordkeeping requirements for persons in Puerto Rico, who bring large cigars upon prepayment or deferred payment of tax into the United States from Puerto Rico.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, Phone: 202 927-8210

RIN: 1512-AC22

TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES SHIPPED FROM PUERTO RICO TO THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 5701; 27 USC 7652

CFR Citation: 27 CFR 275

Legal Deadline: None

Abstract: This temporary rule eliminates ATF onsite supervision of tobacco products and cigarette papers and tubes of Puerto Rican manufacture that are shipped from Puerto Rico to the United States and related ATF forms. Specifically, this temporary rule eliminates the requirements: 1) that persons who ship such articles notify ATF prior to the shipment; and 2) that an ATF officer inspects, certifies that the amount of tax on such articles has been calculated correctly for, and releases, each shipment. Consequently, four ATF forms are eliminated. However, this rule requires that persons who ship such articles maintain records so that the amount of tax is calculated and recorded for ATF audit and examination. Also, this temporary rule revises certain sections to simplify and clarify and corrects a few errors.

Timetable:

Action	Date	FR Cite
NPRM	03/08/01	66 FR 13864
NPRM Comment Period End	05/07/01	
Interim Final Rule	03/08/01	66 FR 13849
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, Phone: 202 927-8210

RIN: 1512-AC24

ELIMINATION OF APPLICATION TO REMOVE TOBACCO PRODUCTS FROM MANUFACTURER'S PREMISES FOR EXPERIMENTAL PURPOSES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5704

CFR Citation: 27 CFR 270

Legal Deadline: None

Abstract: This rule eliminates the requirements that manufacturers of tobacco products apply to ATF to remove tobacco products from their factories in bond for experimental purposes and maintain the approved applications for their records.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Interim Final Rule

06/00/01

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, Phone: 202 927-8210

RIN: 1512-AC32

ELIMINATION OF STATISTICAL CLASSES FOR LARGE CIGARS

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 27 CFR 270

Legal Deadline: None

Abstract: This notice proposes to revise reporting categories in regulations to reflect industry practice.

Timetable:

Action	Date	FR Cite
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NPRM	06/00/01	
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Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, Phone: 202 927-8210

IMPLEMENTATION OF PUBLIC LAW 106-476, SECTIONS 4002 AND 4003, RELATING TO TOBACCO IMPORTATION RESTRICTIONS, MARKINGS, REPACKAGING AND DESTRUCTION OF FORFEITED TOBACCO PRODUCTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5704(d); 26 USC 5754; 26 USC 5761(c); PL 106-476; PL 106-554

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

Legal Deadline: None

Abstract: Sections 4002 and 4003 of the Tariff Suspension and Trade Act of 2000, which included the Imported Cigarette Compliance Act of 2000, revised Title 26 U.S.C., the Internal Revenue Code of 1986 (IRC). These revisions: 1) require that tobacco products and cigarette papers and tubes manufactured in the United States and labeled for exportation can only be re-imported by the original manufacturer, or by an export warehouse authorized to do so by the original manufacturer; 2) provide that articles may not be sold or held for sale for domestic consumption in the United States unless they are removed from their export packaging and repackaged by the original manufacturer into new packaging that does not contain an export label; and 3) require the destruction of tobacco products forfeited under section 5761(c). These new provisions of the law are effective February 7, 2001. The Consolidated Appropriations Act 2001, also revised the IRC by allowing travelers to bring personal-use quantities of tobacco products into the United States (up to the quantity allowed entry free of tax and duty under the Harmonized Tariff Schedule of the United States). This provision of the law was made retroactive to January 1, 2000.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: 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-AC35

Final Rule Stage

ALCOHOL

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
Applegate Valley, OR		
NPRM	05/06/99	64 FR 24308
NPRM Comment Period End	07/06/99	
Final Action	12/14/00	65 FR 78096
Buena Vista Lake, CA (contact Nancy Sutton)		
NPRM	06/00/01	
California Coast, CA (contact Tom Busey)		
NPRM	09/26/00	65 FR 57763
Chiles Valley, CA (contact Thomas Busey)		
NPRM	03/20/98	63 FR 13583
Comment Period End	05/19/98	

Final Action	02/17/99	64 FR 7785
Diamond Mountain, CA (contact Jennifer Berry)		
NPRM	09/29/99	64 FR 52483
NPRM Comment Period End	01/28/00	
Final Action	06/00/01	
Fair Play (contact Lisa Gesser)		
NPRM	07/25/00	65 FR 45739
NPRM Comment Period End	09/23/00	
Final Action Completed by TD	02/26/01	66 FR 11537
Final Action Effective	04/27/01	
Long Island (contact Lisa Gesser)		
NPRM	11/06/00	65 FR 66518
Final Action	06/00/01	
Oak Knoll District, CA (contact Joyce Drake)		
NPRM	06/00/01	
Red Mountain, CA (contact Jennifer Berry)		
NPRM	05/19/00	65 FR 31853
Final Action	06/00/01	
River Junction, CA (contact Tim DeVanney)		
NPRM	08/10/00	65 FR 48953
Final Action	06/00/01	
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
Final Action	01/20/99	64 FR 3015
Santa Rita Hills, CA (contact Joyce Drake)		
NPRM	09/11/98	63 FR 48658
Comment Period End	12/10/98	
Final Rule	06/00/01	
West Elks (contact Lisa Gesser)		
NPRM	10/16/00	65 FR 61129
Final Action Completed by TD	03/06/01	66 FR 13429
Final Action Effective	05/07/01	
Yountville, CA (contact Thomas Busey)		
NPRM	08/26/98	63 FR 45427

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: See Supplemental 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

RIN: 1512-AA07

LABELING OF UNAGED GRAPE BRANDY

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5

Legal Deadline: None

Abstract: ATF proposes to amend the regulations to permit the use of the word “unaged” as an alternative to “immature,” to describe grape brandy that 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	07/00/01	

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: 202 927-8210

RIN: 1512-AB46

DISTRIBUTION AND USE OF TAX-FREE ALCOHOL

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5001; 26 USC 5552; 26 USC 5121; 26 USC 5142; 26 USC 5143; 26 USC 5146; 26 USC 5206; 26 USC 5214; 26 USC 5271 to 5276; 26 USC 5311

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

Legal Deadline: None

Abstract: This proposed rule will revise, eliminate, and liberalize certain regulatory requirements relating to tax-free alcohol. ATF believes these proposed revisions will greatly reduce and simplify the qualification process governing the tax-free alcohol permit application process.

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30019
NPRM Comment Period End	08/12/96	
Final Action	05/00/01	

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

RIN: 1512-AB51

DISTILLED SPIRITS PLANT REGULATORY INITIATIVE PROPOSAL

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 19.11; 27 CFR 19.1003; 27 CFR 19.1010; 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

Legal Deadline: None

Abstract: ATF proposes 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	06/00/01	

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

RIN: 1512-AB58

PRODUCTION OF VOLATILE FRUIT FLAVORED CONCENTRATE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5001; 44 USC 3504(h); 26 USC 5172; 26 USC 5178; 26 USC 5179; 26 USC 5203; 26 USC 5511; 26 USC 5552; 26 USC 6065; 26 USC 7805

CFR Citation: 27 CFR 18.56

Legal Deadline: None

Abstract: This proposed rule would specifically authorize the transfer of volatile fruit-flavor concentrate (VFFC) unfit for beverage use from one VFFC plant to another for further processing. It would also clarify the regulations in order to allow greater flexibility in the production processes of VFFC plants.

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30017
NPRM Comment Period End	08/12/96	
Final Action	06/00/01	

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

RIN: 1512-AB59

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 change in the law that allows certain transferees in bond to deduct the tax credit for small wine producers. Changes to bond calculations 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	12/00/01	

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, Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AB65

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

Legal Authority: 26 USC 5044; 26 USC 5361; 26 USC 5367; 26 USC 5371

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

Legal Deadline: None

Abstract: ATF is issuing changes to the wine regulations as a result of the enactment of the Taxpayer Relief Act of 1997 and the Internal Revenue Service Reconstruction and Reform Act of 1998. This amendment informs interested parties of changes by these acts that provide for a refund of the tax for all wine returned to bond, rather than exclusively for unmerchantable or domestic wine returned to bond.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: 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

RIN: 1512-AB74

IMPLEMENTATION OF PUBLIC LAW 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
NPRM	09/16/99	64 FR 50265
Interim Final Rule	09/16/99	64 FR 50252
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301, Phone: 716 551-4048

RIN: 1512-AB78

HEALTH CLAIMS AND OTHER HEALTH RELATED STATEMENTS IN THE LABELING AND ADVERTISING OF ALCOHOL BEVERAGES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 27 USC 205

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

Legal Deadline: None

Abstract: ATF proposes to amend the regulations to prohibit the appearance on labels or in advertisements of any statement that makes a substantive claim regarding health benefits associated with the consumption of alcohol beverages unless such claim is properly qualified. This notice also addresses the use of directional health-related statements and seeks comments on whether the negative consequences of alcohol consumption, or abuse disqualify these products entirely from entitlement to any health-related statements.

Timetable:

Action	Date	FR Cite
NPRM	10/25/99	64 FR 57413
NPRM Comment Period End	02/22/00	
Public Hearing	02/28/00	65 FR 10434
Cancellation/ Rescheduling of Hearing	04/25/00	65 FR 24158
Comment Period Extended	04/25/00	
Final Action	07/00/01	

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: 202 927-8210

RIN: 1512-AB97

RECODIFICATION OF PART 170 INTO PART 29

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 27 CFR 170

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is recodifying the regulations pertaining to stills. The purpose of the recodification is to reissue the regulations in part 170 of title 27 of the Code of Federal Regulations (27 CFR part 170) as 27 CFR part 29.

Timetable:

Action	Date	FR Cite
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lisa Marie Gesser, 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-AC34

FIREARMS

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	07/00/01	

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: 202 927-8210

RIN: 1512-AB64

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	07/00/01	

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: 202 927-8210

RIN: 1512-AB66

IDENTIFICATION 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; 27 CFR 179

Legal Deadline: None

Abstract: ATF proposes 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	06/23/99	64 FR 33450
NPRM Comment Period End	09/21/99	
Final Action	07/00/01	

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: 202 927-8210

RIN: 1512-AB84

COMMERCE IN FIREARMS AND AMMUNITION—ANNUAL INVENTORY

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: ATF is proposing to amend the regulations to require federally licensed importers, manufacturers, and dealers of firearms to take at least one physical inventory each year. The proposed regulations also specify the circumstances under which these licensees must conduct a special physical inventory. In addition, these proposed regulations clarify who is responsible for reporting a firearm that is stolen or lost in transit between licensees.

Timetable:

Action	Date	FR Cite
NPRM	08/28/00	65 FR 52054
Final Action	07/00/01	

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: 202 927-8210

RIN: 1512-AC08

PROCEDURAL

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
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy M. Kern, Writer-Editor, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, Phone: 202 927-8076

RIN: 1512-AB90

DELEGATION OF AUTHORITY IN 27 CFR PART 19

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 19

Legal Deadline: None

Abstract: This final rule places most ATF authorities contained in 27 CFR part 19 with the “appropriate ATF officer,” and requires that persons file documents with the “appropriate ATF officer.” Also, this rule removes definitions of, and references to, specific officers subordinate to the Director.

Timetable:

Action	Date	FR Cite
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, Phone: 202 927-8210

RIN: 1512-AC06

DELEGATION OF AUTHORITY IN 27 CFR PART 53

Priority: Info./Admin./Other

Legal Authority: 26 USC 4181; 26 USC 4182; 26 USC 4216; 26 USC 4219; 26 USC 4221 to 4223; 26 USC 4225; 26 USC 6001; 26 USC 6011; 26 USC 6020; 26 USC 6021; 26 USC 6061; 26 USC 6071; 26 USC 6081; 26 USC 6091; 26 USC 6101 to 6104; 26 USC 6109; 26 USC 6151; 26 USC 6155; 26 USC 6161; 26 USC 6301 to 6303; 26 USC 6311; 26 USC 6402; 26 USC 6404; 26 USC 6416; 26 USC 7502

CFR Citation: 27 CFR 53

Legal Deadline: None

Abstract: This final rule places all authorities contained in part 53, title 27, Code of Federal Regulations (CFR), with the “appropriate ATF officer,” and requires that persons file documents required by 27 CFR part 53 with the “appropriate ATF officer,” or in accordance with the instructions on the ATF form. This final rule removes definitions of, and references to, specific officers and the word “region.” It also renumbers ATF form 5300.29 to ATF form 5600.28.

Timetable:

Action	Date	FR Cite
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lisa Marie Gesser, 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-AC18

DELEGATION OF AUTHORITY IN 27 CFR PART 170

Priority: Info./Admin./Other

Legal Authority: 26 USC 5002; 26 USC 5101; 26 USC 5102; 26 USC 5179; 26 USC 5291; 26 USC 5601; 26 USC 5615; 26 USC 5687; 26 USC 7805

CFR Citation: 27 CFR 170

Legal Deadline: None

Abstract: This final rule places all ATF authorities contained in part 170, title 27, Code of Federal Regulations (CFR), with the “appropriate ATF officer,” and requires that persons file documents required by part 170 with the “appropriate ATF officer”. Also, this rule removes the definitions of, and references to, specific officers subordinate to the Director.

Timetable:

Action	Date	FR Cite
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lisa Marie Gesser, 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-AC23

TOBACCO PRODUCTS

BALANCED BUDGET ACT OF 1997, PUBLIC LAW 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(c); PL 105-33

CFR Citation: 27 CFR 200; 27 CFR 270; 27 CFR 275; 27 CFR 290

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

Abstract: This rule restricts the reimportation of 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. It requires mandatory export markings on tobacco products, cigarette papers and tubes. Finally, it identifies additional penalties for relanding of tobacco products, cigarette papers and tubes, labeled or shipped for export.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/22/99	64 FR 71918
Interim Final Rule Comment Period End	02/22/00	
Reopening of Comment Period Ended	04/20/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: 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-AB81

IMPLEMENTATION OF PUBLIC LAW 105-33, SECTION 9302, REQUIRING THE QUALIFICATION OF TOBACCO PRODUCT IMPORTERS AND MISCELLANEOUS TECHNICAL AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5712; 26 USC 5713

CFR Citation: 27 CFR 275

Legal Deadline: NPRM, Statutory, December 22, 1999; Final, Statutory, December 22, 1999.

Abstract: These regulations will implement section 9302 provisions of Public Law 105-33, requiring permits for businesses engaged in importing tobacco products. Also, minor technical amendments have been included in this rule.

Timetable:

Action	Date	FR Cite
NPRM	12/22/99	64 FR 71942
Interim Final Rule	12/22/99	64 FR 71947
Interim Final Rule Effective	01/01/00	
Interim Final Rule Comment Period End	02/22/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC07

Long-Term Actions

ALCOHOL

SAKE REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: William Foster, Phone: 202 927-8210

RIN: 1512-AC09

FLAVORED MALT BEVERAGES

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: William Foster, Phone: 202 927-8210

RIN: 1512-AC11

REMOVAL OF REQUIREMENT TO DISCLOSE SACCHARIN IN THE LABELING OF WINE, DISTILLED SPIRITS AND MALT BEVERAGES

Priority: Info./Admin./Other

CFR Citation: 27 CFR 4.32(d); 27 CFR 5.32(b)(6); 27 CFR 7.22(b)(5)

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf, Phone: 202 927-8210, Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AC17

PROCEDURAL

RECODIFICATION OF STATEMENT OF PROCEDURAL RULES

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 70

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30013
NPRM Comment Period End	08/12/96	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf, Phone: 202 927-8210, Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AB54

PLAIN LANGUAGE IN PART 7

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 7

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: William Foster, Phone: 202 927-8210

RIN: 1512-AC10

TOBACCO PRODUCTS

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

Priority: Substantive, Nonsignificant

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, Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AB03

Completed Actions

DISTRIBUTION OF DENATURED ALCOHOL AND RUM

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 20

Completed:

Reason	Date	FR Cite
Final Action Completed by TD	03/02/01	66 FR 13014
Final Action Effective	05/01/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf, Phone: 202 927-8210

RIN: 1512-AB57

FORMULAS FOR DENATURED ALCOHOL AND RUM

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 21.3; 27 CFR 21.95 to 21.97; 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

Completed:

Reason	Date	FR Cite
Final Action Completed by TD	03/01/01	66 FR 12853
Final Action Effective	03/01/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf, Phone: 202 927-8210

RIN: 1512-AB60

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

Priority: Substantive, Nonsignificant

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

Completed:

Reason	Date	FR Cite
Withdrawn	01/25/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf, Phone: 202 927-8210, Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AB75

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

Priority: Substantive, Nonsignificant

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

Completed:

Reason	Date	FR Cite
Withdrawn	02/01/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Daniel J. Hiland, Phone: 202 927-8210

RIN: 1512-AB76

NEW GRAPE VARIETAL (DORNFELDER)

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 4.91

Completed:

Reason	Date	FR Cite
Final Action	12/14/00	65 FR 78095

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, Phone: 716 551-4048

RIN: 1512-AC03

DELEGATION OF AUTHORITY IN 27 CFR PART 18

Priority: Info./Admin./Other

CFR Citation: 27 CFR 18

Completed:

Reason	Date	FR Cite
Final Action	01/19/01	66 FR 5469

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy M. Kern, Phone: 202 927-8076

RIN: 1512-AB99

DELEGATION OF AUTHORITY IN 27 CFR PART 47

Priority: Info./Admin./Other

CFR Citation: 27 CFR 47

Completed:

Reason	Date	FR Cite
Withdrawn	01/25/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy M. Kern, Phone: 202 927-8076

RIN: 1512-AC04

DELEGATION OF AUTHORITY IN PARTS 20, 21 AND 22

Priority: Info./Admin./Other

CFR Citation: 27 CFR 20; 27 CFR 21; 27 CFR 22

Completed:

Reason	Date	FR Cite
Final Action	01/19/01	66 FR 5472

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Phone: 202 927-8210

RIN: 1512-AC13

TECHNICAL AMENDMENTS TO 27 CFR PARTS 4, 9, 24, 70 AND 275

Priority: Info./Admin./Other

CFR Citation: 27 CFR 4; 27 CFR 9; 27 CFR 24; 27 CFR 70; 27 CFR 275

Completed:

Reason	Date	FR Cite
Final Action	11/16/00	65 FR 69252

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy M. Kern, Phone: 202 927-8076

RIN: 1512-AC15

DELEGATION OF AUTHORITY IN 27 CFR PART 30

Priority: Info./Admin./Other

CFR Citation: 27 CFR 30

Completed:

Reason	Date	FR Cite
Final Action	01/19/01	66 FR 5480

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Lisa Marie Gesser, Phone: 202 927-8210

RIN: 1512-AC16 _____

DELEGATION OF AUTHORITY IN PART 25

Priority: Info./Admin./Other

CFR Citation: 27 CFR 25

Completed:

Reason	Date	FR Cite
Final Action	01/19/01	66 FR 5477

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Phone: 202 927-8210

RIN: 1512-AC20