

**Subpart D—ADMINISTRATIVE**

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

**Liquors and Articles From Puerto Rico and the Virgin Islands; Recodification of Regulations (2001R-56P)**

**27 CFR Parts 4, 5, 7, 17, 19, 20, 22, 24, 25, 26, 70, 250, and 251**

**T.D. ATF-459**

**RIN 1512-AC40**

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Final rule (Treasury decision).

**SUMMARY:** The Bureau of Alcohol, Tobacco and Firearms (ATF) is recodifying the regulations pertaining to liquors and articles from Puerto Rico and the Virgin Islands. The purpose of this recodification is to reissue the regulations in part 250 of title 27 of the Code of Federal Regulations (27 CFR part 250) as 27 CFR part 26. This change improves the organization of title 27.

**DATES:** This rule is effective on July 25, 2001.

**FOR FURTHER INFORMATION CONTACT:** Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW, Washington, DC 20226, (202-927-9347) or e-mail at [LMGesser@atfhq.atf.treas.gov](mailto:LMGesser@atfhq.atf.treas.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

As a part of continuing efforts to reorganize the part numbering system of title 27 CFR, ATF is removing part 250, in its entirety, and is recodifying the regulations as 27 CFR part 26. This change improves the organization of title 27 CFR.

In addition to the recodification, ATF is making two technical amendments to title 27 CFR, chapter I. Specifically, we are designating Subchapter B as Tobacco and in part 251 we are revising the reference to part 240 to read part 24.

**Derivation Table for Part 26**

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**Paperwork Reduction Act**

The provisions of the Paperwork Reduction Act of 1995, Public Law 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 under the Administrative Procedure Act (5 U.S.C. 553), the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. We sent a copy of this final rule 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**

This final rule is not a significant regulatory action as defined in Executive Order 12866. Accordingly, this final rule is not subject to the analysis required by this Executive Order.

**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, because of the nature of this final rule, good cause is found that 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 Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

**List of Subjects**

*27 CFR Part 4*

Advertising, Customs duties and inspection, Imports, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Trade practices, Wine.

*27 CFR Part 5*

Advertising, Customs duties and inspection, Imports, Labeling, Liquors, Packaging and containers, Reporting and recordkeeping requirements, Trade practices.

*27 CFR Part 7*

Advertising, Beer, Customs duties and inspection, Imports, Labeling, Reporting and recordkeeping requirements, Trade practices.

*27 CFR Part 17*

Administrative practice and procedure, Claims, Cosmetics, Customs duties and inspection, Drugs, Excise taxes, Exports, Imports, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Spices and flavorings, Surety bonds, Virgin Islands.

*27 CFR Part 19*

Caribbean Basin initiative, Claims, Electronic funds transfers, Excise taxes, Exports, Gasohol, Imports, Labeling, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Research, Security measures, Surety bonds, Vinegar, Virgin Islands, Warehouses.

*27 CFR Part 20*

Alcohol and alcoholic beverages, Claims, Cosmetics, Excise taxes, Labeling, Packaging and containers, Penalties, Reporting and recordkeeping requirements, Surety bonds.

*27 CFR Part 22*

Administrative practice and procedure, Alcohol and alcoholic beverages, Excise taxes, Reporting and recordkeeping requirements, Surety bonds.

*27 CFR Part 24*

Administrative practice and procedure, Claims, Electronic funds 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, Vinegar, Warehouses, Wine.

*27 CFR Part 25*

Beer, Claims, Electronic funds transfers, Excise taxes, Exports, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Research, Surety bonds.

*27 CFR Part 26*

Alcohol and alcoholic beverages, Caribbean Basin initiative, Claims, Customs duties and inspection, Electronic funds transfers, Excise taxes, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Surety bonds, Virgin Islands, Warehouses.

*27 CFR Part 70*

Administrative practice and procedure, Claims, Excise taxes, Freedom of information, Law enforcement, Penalties, Reporting and recordkeeping requirements, Surety bonds.

*27 CFR Part 250*

Alcohol and alcoholic beverages, Caribbean Basin initiative, Claims, Customs duties and inspection, Electronic funds transfers, Excise taxes, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Surety bonds, Virgin Islands, Warehouses.

*27 CFR Part 251*

Alcohol and alcoholic beverages, Beer, Cosmetics, Customs duties and inspection, Electronic funds transfers, Excise taxes, Imports, Labeling, Liquors, Packaging and containers, Reporting and recordkeeping requirements, Wine.

**Authority and Issuance**

ATF is amending title 27 of the Code of Federal Regulations, chapter I, as follows:

**PART 4—LABELING AND ADVERTISING OF WINE**

**Paragraph 1.** The authority citation for 27 CFR part 4 continues to read as follows:

**Authority:** 27 U.S.C. 205, unless otherwise noted.

**Par. 2.** Under the heading “Cross References,” remove the reference to “27 CFR Part 250—Liquors and Articles from Puerto Rico and the Virgin Islands” and add, in part number order, a reference to “27 CFR Part 26—Liquors and Articles from Puerto Rico and the Virgin Islands.”

**PART 5—LABELING AND ADVERTISING OF DISTILLED SPIRITS**

**Par. 3.** The authority citation for 27 CFR part 5 continues to read as follows:

**Authority:** 26 U.S.C. 5301, 7805; 27 U.S.C. 205.

**§ 5.2 [Amended]**

**Par. 4.** Amend Sec. 5.2 by removing the reference to “27 CFR Part 250—Liquors and Articles from Puerto Rico and the Virgin Islands” and adding, in part number order, a reference to “27 CFR Part 26—Liquors and Articles from Puerto Rico and the Virgin Islands.”

**PART 7—LABELING AND ADVERTISING OF MALT BEVERAGES**

**Par. 5.** The authority citation for 27 CFR part 7 continues to read as follows:

**Authority:** 27 U.S.C. 205.

**§ 7.4 [Amended]**

**Par. 6.** Amend Sec. 7.4 by removing the reference to “27 CFR Part 250—Liquors and Articles from Puerto Rico and the Virgin Islands” and adding, in part number order, a reference to “27 CFR Part 26—Liquors and Articles from Puerto Rico and the Virgin Islands.”

**PART 17—DRAWBACK ON TAXPAID DISTILLED SPIRITS USED IN MANUFACTURING NONBEVERAGE PRODUCTS**

**Par. 7.** The authority citation for 27 CFR part 17 continues to read as follows:

**Authority:** 26 U.S.C. 5010, 5131-5134, 5143, 5146, 5206, 5273, 6011, 6065, 6091, 6109, 6151, 6402, 6511, 7011, 7213, 7652, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**§ 17.5 [Amended]**

**Par. 8.** Amend Sec. 17.5 by removing the reference to “part 250” and adding, in its place, a reference to “part 26.”

**PART 19—DISTILLED SPIRITS PLANTS**

**Par. 9.** The authority citation for 27 CFR part 19 continues to read as follows:

**Authority:** 19 U.S.C. 81c 1131; 26 U.S.C. 5001, 5002, 5004-5006, 5008, 5010, 5041, 5061, 5062, 5066, 5081, 5101, 5111-5113, 5142, 5143, 5146, 5171-5173, 5175, 5176, 5178-5181, 5201-5204, 5206, 5207, 5211-5215, 5221-5223, 5231, 5232, 5235, 5236, 5241-5243, 5271, 5273, 5301, 5311-5313, 5362, 5370, 5373, 5501-5505, 5551-5555, 5559, 5561, 5562, 5601, 5612, 5682, 6001, 6065, 6109, 6302, 6311, 6676, 6806, 7011, 7510, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**§ 19.3 [Amended]**

**Par. 10.** Amend Sec. 19.3 by removing the reference to “27 CFR Part 250—Liquors and Articles from Puerto Rico and the Virgin Islands” and adding, in part number order, a reference to “27 CFR Part 26—Liquors and Articles from Puerto Rico and the Virgin Islands.”

**§ 19.485 [Amended]**

**Par. 11.** Amend Sec. 19.485 as follows:

- a. In paragraph (a)(1), remove the reference to “27 CFR 250.40” and add, in its place, a reference to “27 CFR 26.40”; and
- b. In paragraph (a)(2), remove the reference to “27 CFR 250.206” and add, in its place, a reference to “27 CFR 26.206.”

**§19.524 [Amended]**

**Par. 12.** Amend paragraphs (a)(1), (b)(1) and (b)(3) of Sec. 19.524 by removing the reference to “parts 250 and 251” and adding, in its place, a reference to “parts 26 and 251.”

**PART 20—DISTRIBUTION AND USE OF DENATURED ALCOHOL AND RUM**

**Par. 13.** The authority citation for 27 CFR part 20 continues to read as follows:

**Authority:** 26 U.S.C. 5001, 5206, 5214, 5271-5275, 5552, 5555, 5607, 6065, 7805.

**§ 20.3 [Amended]**

**Par. 14.** Amend Sec. 20.3 by removing the reference to “27 CFR Part 250—Liquors and Articles from Puerto Rico and the Virgin Islands” and adding, in part number order, a reference to “27 CFR Part 26—Liquors and Articles from Puerto Rico and the Virgin Islands.”

**PART 22—DISTRIBUTION AND USE OF TAX-FREE ALCOHOL**

**Par. 15.** The authority citation for 27 CFR part 22 continues to read as follows:

**Authority:** 26 U.S.C. 5001, 5121, 5142, 5143, 5146, 5206, 5271-5276, 5311, 5552, 5555, 6056, 6061, 6065, 6109, 6151, 6806, 7011, 7805; 31 U.S.C. 9304, 9306.

**§ 22.3 [Amended]**

**Par. 16.** Amend Sec. 22.3 by removing the reference to “27 CFR Part 250—Liquors and Articles from Puerto Rico and the Virgin Islands” and adding, in part number order, a reference to “27 CFR Part 26—Liquors and Articles from Puerto Rico and the Virgin Islands.”

**PART 24—WINE**

**Par. 17.** The authority citation for 27 CFR 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.

**§ 24.4 [Amended]**

**Par. 18.** Amend Sec. 24.4 by removing the reference to “27 CFR Part 250—Liquors and Articles from Puerto Rico and the Virgin Islands” and adding, in part number order, a reference to “27 CFR Part 26—Liquors and Articles from Puerto Rico and the Virgin Islands.”

**§ 24.272 [Amended]**

**Par. 19.** Amend paragraphs (a)(1), (b)(1) and (b)(3) of Sec. 24.272 by removing the reference to “parts 250 and 251” and adding, in its place, a reference to “parts 26 and 251.”

**PART 25—BEER**

**Par. 20.** The authority citation for 27 CFR part 25 continues to read as follows:

**Authority:** 19 U.S.C. 81c; 26 U.S.C. 5002, 5051-5054, 5056, 5061, 5091, 5111, 5113, 5142, 5143, 5146, 5222, 5401-5403, 5411-5417, 5551, 5552, 5555, 5556, 5671, 5673, 5684, 6011, 6061, 6065, 6091, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6651, 6656, 6676, 6806, 7011, 7342, 7606, 7805; 31 U.S.C. 9301, 9303-9308.

**§ 25.165 [Amended]**

**Par. 21.** Amend paragraph (a)(1), (b)(1) and (b)(3) of Sec. 25.165 by removing the reference to “Parts 250 and 251” and adding, in its place, a reference to “parts 26 and 251.”

**Par. 21a.** Add the following heading to Subchapter B:

Subchapter B—Tobacco

\* \* \* \* \*

**PART 70—PROCEDURE AND ADMINISTRATION**

**Par. 22.** The authority citation for 27 CFR part 70 continues to read as follows:

**Authority:** 5 U.S.C. 301 and 552; 26 U.S.C. 4181, 4182, 5146, 5203, 5207, 5275, 5367, 5415, 5504, 5555, 5684(a), 5741, 5761(b), 5802, 6020, 6021, 6064, 6102, 6155, 6159, 6201, 6203, 6204, 6301, 6303, 6311, 6313, 6314, 6321, 6323, 6325, 6326, 6331-6343, 6401-6404, 6407, 6416, 6423, 6501-6503, 6511, 6513, 6514, 6532, 6601, 6602, 6611, 6621, 6622, 6651, 6653, 6656-6658, 6665, 6671, 6672, 6701, 6723, 6801, 6862, 6863, 6901, 7011, 7101, 7102, 7121, 7122, 7207, 7209, 7214, 7304, 7401, 7403, 7406, 7423, 7424, 7425, 7426, 7429, 7430, 7432, 7502, 7503, 7505, 7506, 7513, 7601-7606, 7608-7610, 7622, 7623, 7653, 7805.

**§§ 70.411 and 70.461 [Amended]**

**Par. 23.** Remove the reference to “part 250” and add, in its place, a reference to “part 26” in the following places:

- a. Section 70.411(c)(26); and
- b. Section 70.461.

**PART 251—IMPORTATION OF DISTILLED SPIRITS, WINES, AND BEER**

**Par. 24.** The authority citation for 27 CFR part 251 continues to read as follows:

**Authority:** 5 U.S.C. 552(a), 19 U.S.C. 81c, 1202; 26 U.S.C. 5001, 5007, 5008, 5010, 5041, 5051, 5054, 5061, 5111, 5112, 5114, 5121, 5122, 5124, 5201, 5205, 5207, 5232, 5273, 5301, 5313, 5555, 6302, 7805.

**Par. 25.** Under the heading “Cross Reference,” remove the reference to “part 250” and add, in its place, a reference to “part 26.”

**§ 251.1 [Amended]**

**Par. 26.** Revise the “Note” in Sec. 251.1 to read as follows:

**§ 251.1 Imported distilled spirits, wines, and beer.**

\* \* \* \* \*



**Note:** Distilled spirits, wines, and beer arriving in the United States from Puerto Rico and the Virgin Islands are governed by the provisions of part 26 of this chapter.

\* \* \* \* \*

**§ 251.48a [Amended]**

**Par. 27.** Amend paragraph (a) of Sec. 251.48a as follows:

- a. Remove the reference to “parts 19 and 250” and add, in its place, a reference to “parts 19 and 26”;
- b. Remove the reference to “parts 240 and 250” and add, in its place, a reference to “parts 24 and 26”;
- c. Remove the reference to “parts 25 and 250” and add, in its place, a reference to “parts 25 and 26.”

**PART 250—LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS**

**Par. 28.** The authority citation for 27 CFR part 250 continues to read as follows:

**Authority:** 19 U.S.C. 81c; 26 U.S.C. 5001, 5007, 5008, 5010, 5041, 5051, 5061, 5081, 5111, 5112, 5114, 5121, 5122, 5124, 5131, 5134, 5141, 5146, 5207, 5232, 5271, 5276, 5301, 5314, 5555, 6001, 6301, 6302, 6804, 7101, 7102, 7651, 7652, 7805; 27 U.S.C. 203, 205; 31 U.S.C. 9301, 9303, 9304, 9306.

**PART 250—[Redesignated as Part 26]**

**Par. 29.** Redesignate 27 CFR part 250 as 27 CFR part 26.

**PART 26—LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS**

**Par. 30.** The authority citation for the newly redesignated part 26 of title 27 CFR, subchapter A, continues to read as follows:

**Authority:** 19 U.S.C. 81c; 26 U.S.C. 5001, 5007, 5008, 5010, 5041, 5051, 5061, 5081, 5111, 5112, 5114, 5121, 5122, 5124, 5131-5134, 5141, 5146, 5207, 5232, 5271, 5276, 5301, 5314, 5555, 6001, 6301, 6302, 6804, 7101, 7102, 7651, 7652, 7805; 27 U.S.C. 203, 205; 31 U.S.C. 9301, 9303, 9304, 9306.

**§ 26.3 [Amended]**

**Par. 30a.** Amend Sec. 26.3 as follows:

- a. Remove the reference to “part 250,” each place it appears, and add, in its place, a reference to “part 26”;
- b. Remove the reference to “ATF Order 1130.23,” each place it appears, and add, in its place, a reference to “ATF Order 1130.29.”

**§ 26.11 [Amended]**

**Par. 31.** Amend Sec. 26.11 as follows:

- a. In the definition of “Appropriate ATF Officer,” remove the reference to “ATF Order 1130.23, Delegation Order—Delegation of the Director’s Authorities in 27 CFR Part 250,” and add, in its place, a reference to “ATF Order 1130.29, Delegation Order—Delegation of the Director’s Authorities in 27 CFR Part 26”;
- b. In the definition of “Virgin Islands regulations,” remove the reference to “Sec. 250.201a” and add, in its place, a reference to “Sec. 26.201a.”

**§ 26.30 [Amended]**

**Par. 32.** Amend Sec. 26.30 by removing the reference to “Sec. 250.31” and adding, in its place, a reference to “Sec. 26.31.”

**§§ 26.35, 26.47 and 26.107 [Amended]**

**Par. 33.** Remove the reference to “Sec. 250.36,” each place it appears, and add, in its place, a reference to “Sec. 26.36,” in the following places:

- a. Section 26.35(a);
- b. Section 26.47; and
- c. Section 26.107.

**§ 26.45 [Amended]**

**Par. 34.** Amend Sec. 26.45 by removing the reference to “Sec. 250.44” and adding, in its place, a reference to “Sec. 26.44.”

**§ 26.50 [Amended]**

**Par. 35.** Amend Sec. 26.50 as follows:

- a. In paragraph (a), remove the reference to “Sec. 250.36” and add, in its place, a reference to “Sec. 26.36”;
- b. In paragraphs (a) and (b), remove the reference to “Sec. 250.54” and add, in its place, a reference to “Sec. 26.54.”

**§ 26.51 [Amended]**

**Par. 36.** Amend paragraph (c) of Sec. 26.51 by removing the reference to “Sec. 250.54” and adding, in its place, a reference to “Sec. 26.54.”

**§ 26.55 [Amended]**

**Par. 37.** Amend Sec. 26.55 by removing the reference to “Sec. 250.52” and adding, in its place, a reference to “Sec. 26.52.”

**§ 26.68a [Amended]**

**Par. 38.** Amend Sec. 26.68a as follows:

a. Remove the reference to “Secs. 250.66(a), 250.67, or Sec. 250.68” and add, in its place, a reference to “Secs. 26.66(a), 26.67, or 26.68”; and

b. Remove the reference to “Sec. 250.66(b)” and add, in its place, a reference to “Sec. 26.66(b).”

**§§ 26.70, 26.71 and 26.73 [Amended]**

**Par. 39.** Remove the reference to “Sec. 250.72” and add, in its place, a reference to “Sec. 26.72,” in the following places:

a. Section 26.70;

b. Section 26.71(a); and c. Section 26.73.

**§ 26.72 [Amended]**

**Par. 40.** Amend Sec. 26.72 by removing the reference to “Sec. 250.73” and adding, in its place, a reference to “Sec. 26.73.”

**§ 26.74 [Amended]**

**Par. 41.** Amend Sec. 26.74 by removing the reference to “Sec. 250.63” and adding, in its place, a reference to “Sec. 26.63.”

**§ 26.77 [Amended]**

**Par. 42.** Amend paragraph (c) of Sec. 26.77 by removing the reference to “Sec. 250.79a” and adding, in its place, a reference to “Sec. 26.79a.”

**§§ 26.79, 26.80, 26.81, 26.199a and 26.199b [Amended]**

**Par. 43.** Remove the reference to “Sec. 250.164a” and add, in its place, a reference to “Sec. 26.164a,” in the following places:

a. Section 26.79(a);

b. Section 26.80(a);

c. Section 26.81(a);

d. Section 26.199a(a); and

e. Section 26.199b.

**§ 26.82 [Amended]**

**Par. 44.** Amend Sec. 26.82 by removing the reference to “Secs. 250.114 through 250.116” and adding, in its place, a reference to “Secs. 26.114 through 26.116.”

**§ 26.87 [Amended]**

**Par. 45.** Amend Sec. 26.87 as follows:

a. Remove the reference to “Sec. 250.86” and add, in its place, a reference to “Sec. 26.86”;

b. Remove the reference to “Sec. 250.81” and add, in its place, a reference to “Sec. 26.81”;

c. Remove the reference to “Sec. 250.80” and add, in its place, a reference to “Sec. 26.80”;

d. Remove the reference to “Sec. 250.78” and add, in its place, a reference to “Sec. 26.78”; and

e. Remove the reference to “Secs. 250.114 through 250.116” and add, in its place, a reference to “Secs. 26.114 through 26.116.”

**§ 26.95 and 26.104 [Amended]**

**Par. 46.** Remove the reference to “Sec. 250.80(b)” and add, in its place, a reference to “Sec. 26.80(b),” in the following places:

a. Section 26.95(b); and

b. Section 26.104(b).

**§ 26.96b [Amended]**

**Par. 47.** Amend Sec. 26.96b as follows:

a. Remove the reference to “Sec. 250.95 or Sec. 250.96” and add, in its place, a reference to “Sec. 26.95 or Sec. 26.96”; and

b. Remove the reference to “Secs. 250.114 through 250.116” and add, in its place, a reference to “Secs. 26.114 through 26.116.”

**§ 26.105a [Amended]**

**Par. 48.** Amend Sec. 26.105a as follows:

- a. Remove the reference to “Sec. 250.104 or Sec. 250.105” and add, in its place, a reference to “Sec. 26.104 or Sec. 26.105”; and
- b. Remove the reference to “Secs. 250.114 through 250.116” and add, in its place, a reference to “Secs. 26.114 through 26.116.”

**§ 26.108 [Amended]**

**Par. 49.** Amend Sec. 26.108 as follows:

- a. In paragraph (a), remove the reference to “Sec. 250.78” and add, in its place, a reference to “Sec. 26.78”;
- b. In paragraph (b), remove the reference to “Secs. 250.93 and/or 250.102” and add, in its place, a reference to “Secs. 26.93 and/or 26.102”; and
- c. In paragraph (c), remove the reference to “Secs. 250.78, 250.93, and/or Sec. 250.102” and add, in its place, a reference to “Secs. 26.78, 26.93, and/or Sec. 26.102.”

**§ 26.109 [Amended]**

**Par. 50.** Amend Sec. 26.109 as follows:

- a. In paragraph (a), remove the reference to “Sec. 250.79” and add, in its place, a reference to “Sec. 26.79”;
- b. In paragraph (a), remove the reference to “Secs. 250.80, 250.81 and 250.111 through 250.113” and add, in its place, a reference to “Secs. 26.80, 26.81, and 26.111 through 26.113”;
- c. In paragraph (b), remove the reference to “Sec. 250.94” and add, in its place, a reference to “Sec. 26.94”;
- d. In paragraph (b), remove the reference to “Secs. 250.95, reference to “Secs. 26.95, 26.96 and 26.111 through 26.113”;
- e. In paragraph (c), remove the reference to “Sec. 250.103” and add, in its place, a reference to “Sec. 26.103”; and
- f. In paragraph (c), remove the reference to “Secs. 250.104, 250.105, and 250.111 through 250.113” and add, in its place, a reference to “Secs. 26.104, 26.105 and 26.111 through 26.113.”

**§ 26.110 [Amended]**

**Par. 51.** Amend Sec. 26.110 as follows:

- a. Remove the reference to “Sec. 250.164a” and add, in its place, a reference to “Sec. 26.164a”; and
- b. Remove the reference to “Secs. 250.114 through 250.116” and add, in its place, a reference to “Secs. 26.114 through 26.116.”

**§ 26.112 [Amended]**

**Par. 52.** Amend Sec. 26.112 as follows:

- a. In paragraph (a), remove the reference to “Secs. 250.80, 250.95 or 250.104” and add, in its place, a reference to “Secs. 26.80, 26.95 or 26.104”;
- b. In paragraphs (c)(2) and (d)(2), remove the reference to “Sec. 250.112a” and add, in its place, a reference to “Sec. 26.112a”; and
- c. In paragraph (e), remove the reference to “Sec. 250.113” and add, in its place, a reference to “Sec. 26.113.”

**§ 26.112a [Amended]**

**Par. 53.** Amend Sec. 26.112a as follows:

- a. In paragraphs (a)(1), (b)(2), and (b)(3), remove the reference to “Sec. 250.112” and add, in its place, a reference to “Sec. 26.112”; and
- b. In paragraph (b)(2), remove the reference to “Sec. 250.113” and add, in its place, a reference to “Sec. 26.113.”

**§ 26.113 [Amended]**

**Par. 54.** Amend Sec. 26.113 as follows:

- a. In paragraph (c), remove the reference to “Sec. 250.81” and add, in its place, a reference to “Sec. 26.81”;
- b. In paragraph (d), remove the reference to “Sec. 250.96” and add, in its place, a reference to “Sec. 26.96”;
- c. In paragraph (e), remove the reference to “Sec. 250.105” and add, in its place, a reference to “Sec. 26.105”; and
- d. In paragraph (f), remove the reference to “Sec. 250.112(c)” and add, in its place, a reference to “Sec. 26.112(c).”

**§ 26.114 [Amended]**

**Par. 55.** Amend Sec. 26.114 by removing the reference to “Secs. 250.115 and 250.116” and adding, in its place, a reference to “Secs. 26.115 and 26.116.”

**§ 26.115 [Amended]**

**Par. 56.** Amend Sec. 26.115 by removing the reference to “Sec. 250.116” and adding, in its place, a reference to “Sec. 26.116.”

**§ 26.163 [Amended]**

**Par. 57.** Amend Sec. 26.163 by removing the reference to “Sec. 250.164” and adding, in its place, a reference to “Sec. 26.164.”

**§ 26.165 [Amended]**

**Par. 58.** Amend Sec. 26.165 as follows:

- a. In paragraph (a)(2), remove the reference to “Sec. 250.79a” and add, in its place, a reference to “Sec. 26.79a”; and
- b. In paragraph (a)(3), remove the reference to “Sec. 250.50a” and add, in its place, a reference to “Sec. 26.50a.”

**§ 26.173 [Amended]**

**Par. 59.** Amend paragraph (b)(4) of Sec. 26.173 by removing the reference to “Sec. 250.51” and adding, in its place, a reference to “Sec. 26.51.”

**§ 26.193 [Amended]**

**Par. 60.** Amend Sec. 26.193 as follows:

- a. In paragraph (a), remove the reference to “Secs. 250.107 through 250.110” and add, in its place, a reference to “Secs. 26.107 through 26.110”; and
- b. In paragraph (b), remove the reference to “Sec. 250.113” and add, in its place, a reference to “Sec. 26.113.”

**§ 26.194 [Amended]**

**Par. 61.** Amend Sec. 26.194 as follows:

- a. In paragraph (a), remove the reference to “Sec. 250.193(b)” and add, in its place, a reference to “Sec. 26.193(b)”;
- and
- b. In paragraph (b), remove the reference to “Sec. 250.113” and add, in its place, a reference to “Sec. 26.113.”

**§ 26.196 [Amended]**

**Par. 62.** Amend Sec. 26.196 by removing the reference to “Sec. 250.86” and adding, in its place, a reference to “Sec. 26.86.”

**§ 26.200 [Amended]**

**Par. 63.** Amend paragraph (a) of Sec. 26.200 by removing the reference to “Sec. 250.201,” each place it appears, and adding, in its place, a reference to “Sec. 26.201.”

**§§ 26.204, 26.260, 26.263, 26.264 and 26.265 [Amended]**

**Par. 64.** Remove the reference to “Sec. 250.205” and add, in its place, a reference to “Sec. 26.205,” in the following places:

- a. Section 26.204;
- b. Section 26.260;
- c. Section 26.263;
- d. Section 26.264; and
- e. Section 26.265.

**§ 26.205 [Amended]**

**Par. 65.** Amend Sec. 26.205 as follows:

- a. In the introductory text of paragraph (a)(8), remove the reference to “Sec. 250.262a” and add, in its place, a reference to “Sec. 26.262a”;
- b. In paragraph (a)(8)(iv), remove the reference to “Sec. 250.204a” and add, in its place, a reference to “Sec. 26.204a”; and
- c. In paragraph (b), remove the reference to “Secs. 250.260 and 250.302” and add, in its place, a reference to “Secs. 26.260 and 26.302.”

**§ 26.211 [Amended]**

**Par. 66.** Amend Sec. 26.211 by removing the reference to “Sec. 250.210” and adding, in its place, a reference to “Sec. 26.210.”

**§§ 26.220 and 26.221 [Amended]**

**Par. 67.** Remove the reference to “Sec. 250.224” and add, in its place, a reference to “Sec. 26.224,” in the following places:

- a. Section 26.220(a) and (b); and
- b. Section 26.221(c).

**§26.225 [Amended]**

**Par. 68.** Amend Sec. 26.225 by removing the reference to “Sec. 250.222” and adding, in its place, a reference to “Sec. 26.222.”

**§ 26.261 [Amended]**

**Par. 69.** Amend Sec. 26.261 as follows:

- a. Remove the reference to “Sec. 250.205” and add, in its place, a reference to “Sec. 26.205”; and

b. Remove the reference to “Secs. 250.262 through 250.265” and add, in its place, a reference to “Secs. 26.262 through 26.265.”

**§ 26.262 [Amended]**

**Par. 70.** Amend Sec. 26.262 as follows:

- a. In paragraph (a), remove the reference to “Sec. 250.205” and add, in its place, a reference to “Sec. 26.205”; and
- b. In paragraph (c), remove the reference to “Sec. 250.262a” and add, in its place, a reference to “Sec. 26.262a.”

**§ 26.272 [Amended]**

**Par. 71.** Amend Sec. 26.272 by removing the reference to “Sec. 250.273” and adding, in its place, a reference to “Sec. 26.273.”

**§ 26.273a [Amended]**

**Par. 72.** Amend the introductory text of Sec. 26.273a by removing the reference to “250.301” and adding, in its place, a reference to “26.301.”

**§ 26.291 [Amended]**

**Par. 73.** Amend Sec. 26.291 as follows:

- a. In paragraph (a), remove the reference to “Sec. 250.292 through 250.294” and add, in its place, a reference to “Secs. 26.292 through 26.294”;
- b. In paragraph (b)(1), remove the reference to “Secs. 250.292 through 250.294” and add, in its place, a reference to “Secs. 26.292 through 26.294”;
- c. In paragraphs (b)(2) and (c), remove the reference to “Secs. 250.295 through 250.296” and add, in its place, a reference to “Secs. 26.295 through 26.296”; and
- d. In paragraph (c), remove the reference to “Sec. 250.221” and add, in its place, a reference to “Sec. 26.221.”

**§ 26.301 [Amended]**

**Par. 74.** Amend Sec. 26.301 by removing the reference to “Sec. 250.273a” and adding, in its place, a reference to “Sec. 26.273a.”

**§ 26.302 [Amended]**

**Par. 75.** Amend Sec. 26.302 as follows:

- a. In paragraph (a), remove the reference to “Sec. 250.204” and add, in its place, a reference to “Sec. 26.204”;
- b. In paragraphs (a) and (b), remove the reference to “Sec. 250.205” and add, in its place, a reference to “Sec. 26.205”; and
- c. In paragraph (b), remove the reference to “Sec. 250.301” and add, in its place, a reference to “Sec. 26.301.”

**§ 26.303 [Amended]**

**Par. 76.** Amend Sec. 26.303 by removing the reference to “Sec. 250.302” and adding, in its place, a reference to “Sec. 26.302.”

**§ 26.309 [Amended]**

**Par. 77.** Amend Sec. 26.309 as follows:

- a. In paragraph (b)(4) remove the reference to “Sec. 250.221” and add, in its place, a reference to “Sec. 26.221”; and
- b. In paragraph (c)(2)(viii) remove the reference to “Sec. 250.266” and add, in its place, a reference to “Sec. 26.266.”

**§ 26.318 [Amended]**

**Par. 78.** Amend Sec. 26.318 by removing the reference to “Sec. 250.316” and adding, in its place, a reference to “Sec. 26.316.”

Signed: March 13, 2001

**Bradley A. Buckles,**  
*Director*

Approved: June 11, 2001

**Timothy E. Skud,**  
*Acting Deputy Assistant Secretary, (Regulatory, Tariff and Trade Enforcement)*

(Filed with the Office of the Federal Register on 7-24-01 at 8:45 a.m. as FR Doc. No. 01-18178; published in the Federal Register on 7-25-01 at 66 FR 38547.)

**Manufacture of Tobacco Products and Cigarette Papers and Tubes, Recodification of Regulations (2001R-57P)**

**27 CFR Parts 40, 46, 70, 200, 270, 275, 290, and 295**

**T.D. ATF-460**

**RIN 1512-AC39**

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Final rule (Treasury decision).

**SUMMARY:** The Bureau of Alcohol, Tobacco and Firearms (ATF) is recodifying the regulations pertaining to the manufacture of tobacco products and cigarette papers and tubes. The purpose of this recodification is to reissue the regulations in part 270 of title 27 of the Code of Federal Regulations (27 CFR part 270) as 27 CFR part 40. This change improves the organization of title 27.

**DATES:** This rule is effective on July 27, 2001.

**FOR FURTHER INFORMATION CONTACT:** Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, (202-927-9347) or e-mail at [LMGesser@atfhq.atf.treas.gov](mailto:LMGesser@atfhq.atf.treas.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

As a part of continuing efforts to reorganize the part numbering system of title 27 CFR, ATF is removing part 270, in its entirety, and is recodifying the regulations as 27 CFR part 40. This change improves the organization of title 27 CFR.

**Derivation Table for Part 40**

<i>The requirements of sec.</i>	<i>Are derived from sec.</i>
----- Subpart A -----	
40.1.....	270.1
40.2.....	270.2
----- Subpart B -----	
40.11.....	270.11
----- Subpart C -----	
40.21.....	270.21
40.22.....	270.22
40.23.....	270.23
40.24.....	270.24
40.25.....	270.25
40.25a.....	270.25a
40.26.....	270.26
40.27.....	270.27
----- Subpart Ca -----	
40.31.....	270.31
40.32.....	270.32
40.33.....	270.33
40.34.....	270.34
40.35.....	270.35
40.36.....	270.36
----- Subpart D -----	
40.41.....	270.41
40.42.....	270.42
40.43.....	270.43
40.44.....	270.44

40.45.....	270.45
40.46.....	270.46
40.47.....	270.47
40.48.....	270.48
40.49.....	270.49

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Subpart E

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40.61.....	270.61
40.61a.....	270.61a
40.62.....	270.62
40.63.....	270.63
40.64.....	270.64
40.65.....	270.65
40.66.....	270.66
40.67.....	270.67
40.68.....	270.68
40.69.....	270.69
40.70.....	270.70
40.71.....	270.71
40.72.....	270.72
40.73.....	270.73
40.74.....	270.74
40.75.....	270.75
40.76.....	270.76

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Subpart F

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40.91.....	270.91
40.92.....	270.92
40.93.....	270.93
40.101.....	270.101
40.102.....	270.102
40.103.....	270.103
40.104.....	270.104
40.111.....	270.111
40.112.....	270.112
40.113.....	270.113
40.114.....	270.114

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Subpart G

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40.131.....	270.131
40.132.....	270.132
40.133.....	270.133
40.134.....	270.134
40.135.....	270.135
40.136.....	270.136
40.137.....	270.137
40.138.....	270.138
40.139.....	270.139
40.140.....	270.140

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Subpart H

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40.161.....	270.161
40.162.....	270.162
40.163.....	270.163
40.164.....	270.164
40.165.....	270.165
40.165a.....	270.165a
40.166.....	270.166
40.167.....	270.167
40.168.....	270.168
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40.215.....	270.215
40.216.....	270.216
40.116a.....	270.116a
40.116b.....	270.116b
40.116c.....	270.116c
40.217.....	270.217
40.231.....	270.231
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40.254.....	270.254
40.255.....	270.255

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Subpart I

40.281.....	270.281
40.282.....	270.282
40.283.....	270.283
40.284.....	270.284
40.285.....	270.285
40.286.....	270.286
40.287.....	270.287
40.301.....	270.301
40.311.....	270.311
40.312.....	270.312
40.313.....	270.313

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Subpart J

40.331.....	270.331
40.332.....	270.332

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Subpart K

40.351.....	270.351
40.352.....	270.352
40.353.....	270.353
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**Paperwork Reduction Act**

The provisions of the Paperwork Reduction Act of 1995, Public Law 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 under the Administrative Procedure Act (5 U.S.C. 553), the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. We sent a copy of this final rule 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**

This final rule is not a significant regulatory action as defined in Executive Order 12866. Accordingly, this final rule is not subject to the analysis required by this Executive Order.

**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, because of the nature of this final rule, good cause is found that 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 Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

## List of Subjects

### *27 CFR Part 40*

Cigars and cigarettes, Claims, Electronic funds transfers, Excise taxes, Imports, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Surety bonds, Tobacco.

### *27 CFR Part 46*

Cigars and cigarettes, Claims, Excise taxes, Penalties, Reporting and recordkeeping requirements, Seizures and forfeitures, Surety bonds, Tobacco.

### *27 CFR Part 70*

Administrative practice and procedure, Claims, Excise taxes, Freedom of information, Law enforcement, Penalties, Reporting and recordkeeping requirements, Surety bonds.

### *27 CFR Part 200*

Administrative practice and procedure, Alcohol and alcoholic beverages, Tobacco.

### *27 CFR Part 270*

Cigars and cigarettes, Claims, Electronic funds transfers, Excise taxes, Imports, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Surety bonds, Tobacco.

### *27 CFR Part 275*

Cigars and cigarettes, Claims, Customs duties and inspection, Electronic funds transfers, Excise taxes, Imports, Labeling, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Surety bonds, Tobacco, Virgin Islands, Warehouses.

### *27 CFR Part 290*

Aircraft, Armed forces, Cigars and cigarettes, Claims, Customs duties and inspection, Excise taxes, Exports, Foreign trade zones, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Surety bonds, Tobacco, Vessels, Warehouses.

### *27 CFR Part 295*

Cigars and cigarettes, Excise taxes, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Tobacco.

## Authority and Issuance

ATF is amending title 27 of the Code of Federal Regulations as follows:

### **PART 46—MISCELLANEOUS REGULATIONS RELATING TO TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES**

**Paragraph 1.** The authority citation for 27 CFR part 46 continues to read as follows:

**Authority:** 18 U.S.C. 2341-2346, 26 U.S.C. 5708, 5751, 5761-5763, 6001, 6601, 6621, 6622, 7212, 7342, 7602, 7606, 7805, 44 U.S.C. 3504(h), 49 U.S.C. 782, unless otherwise noted.

#### **§ 46.72 [Amended]**

**Par. 2.** Amend the definition of “Sale price” in Sec. 46.72 by removing the reference to “Secs. 270.22 or 275.39” and adding, in its place, a reference to “Sec. 40.22 or Sec. 275.39.”

#### **§§ 46.166 and 46.167 [Amended]**

**Par. 3.** Remove the reference to “parts 270 and 275,” each place it appears, and add, in its place, a reference to “parts 40 and 275,” in the following places:

- a. Section 46.166; and
- b. Section 46.167, paragraphs (a) and (c)

#### **§ 46.255 [Amended]**

**Par. 4.** Amend paragraph (a) of Sec. 46.255 by removing the reference to “part 270” and adding, in its place, a reference to “part 40.”

#### **PART 70—PROCEDURE AND ADMINISTRATION**

**Par. 5.** The authority citation for 27 CFR part 70 continues to read as follows:

**Authority:** 5 U.S.C. 301 and 552; 26 U.S.C. 4181, 4182, 5146, 5203, 5207, 5275, 5367, 5415, 5504, 5555, 5684(a), 5741, 5761(b), 5802, 6020, 6021, 6064, 6102, 6155, 6159, 6201, 6203, 6204, 6301, 6303, 6311, 6313, 6314, 6321, 6323, 6325, 6326, 6331-6343, 6401-6404, 6407, 6416, 6423, 6501-6503, 6511, 6513, 6514, 6532, 6601, 6602, 6611, 6621, 6622, 6651, 6653, 6656-6658, 6665, 6671, 6672, 6701, 6723, 6801, 6862, 6863, 6901, 7011, 7101, 7102, 7121, 7122, 7207, 7209, 7214, 7304, 7401, 7403, 7406, 7423, 7424, 7425, 7426, 7429, 7430, 7432, 7502, 7503, 7505, 7506, 7513, 7601-7606, 7608-7610, 7622, 7623, 7653, 7805.

#### **§ 70.431 [Amended]**

**Par. 6.** Amend paragraph (b)(2) of Sec. 70.431 by removing the reference to “Part 270” and adding, in its place, a reference to “Part 40.”

#### **PART 200—RULES OF PRACTICE IN PERMIT PROCEEDINGS**

**Par. 7.** The authority citation for 27 CFR part 200 continues to read as follows:

**Authority:** 26 U.S.C. 7805, 27 U.S.C. 204.

#### **§ 200.49b [Amended]**

**Par. 8.** Amend paragraph (b) of Sec. 200.49b by removing the reference to “Sec. 270.61” and adding, in its place, a reference to “Sec. 40.61.”

#### **PART 275—IMPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES**

**Par. 9.** The authority citation for 27 CFR part 275 continues to read as follows:

**Authority:** 18 U.S.C. 2342; 26 U.S.C. 5701, 5703, 5704, 5705, 5708, 5712, 5713, 5721, 5722, 5723, 5741, 5754, 5761, 5762, 5763, 6301, 6302, 6313, 6404, 7101, 7212, 7342, 7606, 7652, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

#### **§ 275.39 [Amended]**

**Par. 10.** Amend Sec. 275.39 by removing the reference to “Sec. 270.22(b)” and adding, in its place, a reference to “Sec. 40.22(b).”

#### **§§ 275.63, 275.82, 275.85, 275.85a, 275.86, 275.115a and 275.140 [Amended]**

**Par. 11.** Remove the reference to “part 270,” each place it appears, and add, in its place, a reference to “part 40,” in the following places:

- a. Section 275.63(a);
- b. Section 275.82(b);
- c. Section 275.85(b);
- d. Section 275.85a(c);
- e. Section 275.86(a);
- f. Section 275.115a(a)(1) and (b)(1); and
- g. Section 275.140.

#### **PART 290—EXPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES, WITHOUT PAYMENT OF TAX, OR WITH DRAWBACK OF TAX**

**Par. 12.** The authority citation for 27 CFR part 290 continues to read as follows:

**Authority:** 26 U.S.C. 5142, 5143, 5146, 5701, 5703-5705, 5711-5713, 5721-5723, 5731, 5741, 5751, 5754, 6061, 6065, 6151, 6402, 6404, 6806, 7011, 7212, 7342, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

#### **§ 290.11 [Amended]**

**Par. 13.** Amend the definition of “Sale price” in Sec. 290.11 by removing the reference to “Secs. 270.22 or 275.39” and adding, in its place, a reference to “Sec. 40.22 or Sec. 275.39.”

#### **§ 290.67 [Amended]**

**Par. 14.** Amend paragraph (b) of Sec. 290.67 by removing the reference to “Sec. 270.21” and adding, in its place, a reference to “Sec. 40.21.”

**§ 290.184 [Amended]**

**Par. 15.** Amend Sec. 290.184 by removing the reference to “Sec. 270.65” and adding, in its place, a reference to “Sec. 40.65.”

**§ 290.243 [Amended]**

**Par. 16.** Amend Sec. 290.243 by removing the reference to “Sec. 270.199” and adding, in its place, a reference to “Sec. 40.199.”

**PART 295—REMOVAL OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES, WITHOUT PAYMENT OF TAX FOR USE OF THE UNITED STATES**

**Par. 17.** The authority citation for 27 CFR part 295 continues to read as follows:

**Authority:** 26 U.S.C. 5703, 5704, 5705, 5723, 5741, 5751, 5762, 5763, 6313, 7212, 7342, 7606, 7805, 44 U.S.C. 3504(h).

**§ 295.11 [Amended]**

**Par. 18.** Amend the definition of “Sale price” in Sec. 295.11 by removing the reference to “Secs. 270.22 or 275.39” and adding, in its place, a reference to “Sec. 40.22 or Sec. 275.39.”

**§§ 295.34 and 295.51 [Amended]**

**Par. 19.** Remove the reference to “part 270” and add, in its place, a reference to “part 40,” in the following places:

- a. Section 295.34; and
- b. Section 295.51(a), introductory text.

**§ 295.42 [Amended]**

**Par. 20.** Amend Sec. 295.42 by removing the reference to “Sec. 270.65” and adding, in its place, a reference to “Sec. 40.65.”

**§ 295.45c [Amended]**

**Par. 21.** Amend Sec. 295.45c as follows:

- a. In paragraph (b), remove the reference to “Secs. 270.212 and 270.216b(b)” and add, in its place, a reference to “Secs. 40.212 and 40.216b(b)”;
- and
- b. In paragraph (c), remove the reference to “Sec. 270.216b(a)” and add, in its place, a reference to “Sec. 40.216b(a).”

**PART 270—MANUFACTURE OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES**

**Par. 22.** The authority citation for 27 CFR part 270 continues to read as follows:

**Authority:** 26 U.S.C. 5142, 5143, 5146, 5701, 5703-5705, 5711-5713, 5721-5723, 5731, 5741, 5751, 5753, 5761-5763, 6061, 6065, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6404, 6423, 6676, 6806, 7011, 7212, 7325, 7342, 7502, 7503, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**PART 270—[Transferred to Subchapter B and Redesignated as Part 40]**

**Par. 23.** Transfer 27 CFR part 270 to Subchapter B and redesignate as 27 CFR part 40.

**PART 40—MANUFACTURE OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES**

**Par. 24.** The authority citation for the newly redesignated 27 CFR part 40 reads as follows:

**Authority:** 26 U.S.C. 5142, 5143, 5146, 5701, 5703-5705, 5711-5713, 5721-5723, 5731, 5741, 5751, 5753, 5761-5763, 6061, 6065, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6404, 6423, 6676, 6806, 7011, 7212, 7325, 7342, 7502, 7503, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**§ 40.11 [Amended]**

**Par. 25.** Amend Sec. 40.11 as follows:

- a. In the definition of “Appropriate ATF officer,” remove the reference to “ATF Order 1130.15, Delegation Order—Delegation of Certain of the Director’s Authorities in 27 CFR Parts 46, 270, and 275” and add, in its place, a reference to “ATF Order 1130.30, Delegation Order—Delegation of the Director’s Authorities in 27 CFR Part 40—Manufacture of Tobacco Products and Cigarette Papers and Tubes”; and
- b. In the definition of “Sale price,” remove the reference to “Sec. 270.22” and add, in its place, a reference to “Sec. 40.22.”

**§§ 40.21, 40.183, and 40.187 [Amended]**

**Par. 26.** Remove the reference to “Sec. 270.22” and add, in its place, a reference to “Sec. 40.22,” in the following places:

- a. Section 40.21(b);
- b. Section 40.183(e); and
- c. Section 40.187.

**§ 40.31 [Amended]**

**Par. 27.** Amend paragraph (a) of Sec. 40.31 by removing the reference to “Sec. 270.32” and adding, in its place, a reference to “Sec. 40.32.”

**§ 40.32 [Amended]**

**Par. 28.** Amend paragraph (b) of Sec. 40.32 by removing the reference to “Sec. 270.31” and adding, in its place, a reference to “Sec. 40.31.”

**§ 40.33 [Amended]**

**Par. 29.** Amend Sec. 40.33 as follows:

- a. In paragraph (b)(3), remove the reference to “Sec. 270.34” and add, in its place, a reference to “Sec. 40.34”; and
- b. In paragraph (c)(2), remove the reference to “Sec. 270.185” and add, in its place, a reference to “Sec. 40.185.”

**§ 40.35 [Amended]**

**Par. 30.** Amend paragraph (a) of Sec. 40.35 by removing the reference to “Sec. 270.33(c)(2)” and adding, in its place, a reference to “Sec. 40.33(c)(2).”

**§ 40.49 [Amended]**

**Par. 31.** Amend Sec. 40.49 as follows:

- a. Remove the reference to “part 270” and add, in its place, a reference to “part 40”; and
- b. Remove the reference to “ATF Order 1130.15, Delegation Order—Delegation of Certain of the Director’s Authorities in 27 CFR Parts 46, 270, and 275” and add, in its place, a reference to “ATF Order 1130.30, Delegation Order—Delegation of the Director’s Authorities in 27 CFR Part 40—Manufacture of Tobacco Products and Cigarette Papers and Tubes.”

**§ 40.62 [Amended]**

**Par. 32.** Amend Sec. 40.62 as follows:

- a. Remove the reference to “Sec. 270.11” and add, in its place, a reference to “Sec. 40.11”; and
- b. Remove the reference to “Sec. 270.75” and add, in its place, a reference to “Sec. 40.75.”

**§§ 40.63, 40.64 and 40.65 [Amended]**

**Par. 33.** Remove the reference to “Sec. 270.62” and add, in its place, a reference to “Sec. 40.62,” in the following places:

- a. Section 40.63;
- b. Section 40.64; and
- c. Section 40.65.

**§ 40.67 [Amended]**

**Par. 34.** Amend Sec. 40.67 by removing the reference to “Sec. 270.134” and adding, in its place, a reference to “Sec. 40.134.”

**§§ 40.68 and 40.103 [Amended]**

**Par. 35.** Remove the reference to “Sec. 270.63” and add, in its place, a reference to “Sec. 40.63,” in the following places:

- a. Section 40.68; and
- b. Section 40.103.

**§ 40.71 [Amended]**

**Par. 36.** Amend Sec. 40.71 by removing the reference to “Sec. 270.70” and adding, in its place, a reference to “Sec. 40.70.”

**§ 40.72 [Amended]**

**Par. 37.** Amend Sec. 40.72 by removing the reference to “Sec. 270.47,” each place it appears, and adding, in its place, a reference to “Sec. 40.47.”

**§§ 40.92 and 40.212 [Amended]**

**Par. 38.** Remove the reference to “Sec. 270.65” and add, in its place, a reference to “Sec. 40.65,” in the following places:

- a. Section 40.92; and
- b. Section 40.212.

**§ 40.101 [Amended]**

**Par. 39.** Amend Sec. 40.101 as follows:

- a. Remove the reference to “Sec. 270.201” and add, in its place, a reference to “Sec. 40.201”;
- b. Remove the reference to “Sec. 270.69” and add, in its place, a reference to “Sec. 40.69”; and
- c. Remove the reference to “Sec. 270.137” and add, in its place, a reference to “Sec. 40.137.”

**§ 40.102 [Amended]**

**Par. 40.** Amend Sec. 40.102 as follows:

- a. Remove the reference to “Sec. 270.69” and add, in its place, a reference to “Sec. 40.69”; and
- b. Remove the reference to “Secs. 270.201 and 270.202” each place it appears and add, in its place, a reference to “Secs. 40.201 and 40.202”.

**§ 40.104 [Amended]**

**Par. 41.** Amend Sec. 40.104 by removing the reference to “Secs. 270.201 and 270.202” and adding, in its place, a reference to “Secs. 40.201 and 40.202.”

**§ 40.111 [Amended]**

**Par. 42.** Amend Sec. 40.111 by removing the reference to “Sec. 270.137” and adding, in its place, a reference to “Sec. 40.137.”

**§ 40.113 [Amended]**

**Par. 43.** Amend Sec. 40.113 by removing the reference to “Secs. 270.201 and 207.202” and adding, in its place, a reference to “Secs. 40.201 and 40.202.”

**§ 40.114 [Amended]**

**Par. 44.** Amend Sec. 40.114 by removing the reference to “Sec. 270.69” and adding, in its place, a reference to “Sec. 40.69.”

**§ 40.134 [Amended]**

**Par. 45.** Amend Sec. 40.134 as follows:

- a. Remove the reference to “Sec. 270.67” and add, in its place, a reference to “Sec. 40.67”; and
- b. Remove the reference to “Sec. 270.133” and add, in its place, a reference to “Sec. 40.133.”

**§ 40.135 [Amended]**

**Par. 46.** Amend Sec. 40.135 as follows:

- a. Remove the reference to “Sec. 270.133 or Sec. 270.134” and add, in its place, a reference to “Sec. 40.133 or Sec. 40.134”; and
- b. Remove the reference to “Sec. 270.136” and add, in its place, a reference to “Sec. 40.136.”

**§ 40.136 [Amended]**

**Par. 47.** Amend Sec. 40.136 in paragraph (d) by removing the reference to “Sec. 270.133 or Sec. 270.134” and adding, in its place, a reference to “Sec. 40.133 or Sec. 40.134.”

**§ 40.140 [Amended]**

**Par. 48.** Amend Sec. 40.140 by removing the reference to “Sec. 270.132” and adding, in its place, a reference to “Sec. 40.132.”

**§ 40.162 [Amended]**

**Par. 49.** Amend Sec. 40.162 by removing the reference to “Sec. 270.165” and adding, in its place, a reference to “Sec. 40.165.”

**§ 40.163 [Amended]**

**Par. 50.** Amend Sec. 40.163 by removing the reference to “section 270.164” and adding, in its place, a reference to “Sec. 40.164.”

**§ 40.164 [Amended]**

**Par. 51.** Amend Sec. 40.164 as follows:

- a. In paragraph (a)(2), remove the reference to “Sec. 270.165a” and add, in its place, a reference to “Sec. 40.165a”;

- b. In paragraph (d)(2), remove the reference to “Sec. 270.165(a)” and add, in its place, a reference to “Sec. 40.165(a)”;
- c. In paragraph (d)(2), remove the reference to “Sec. 270.164(a)(1),” each place it appears, and add, in its place, a reference to “Sec. 40.164(a)(1)”;
- d. In paragraph (d)(2), remove the reference to “Sec. 270.164(b),” each place it appears, and add, in its place, a reference to “Sec. 40.164(b).”

**§ 40.165 [Amended]**

**Par. 52.** Amend paragraph (a) of Sec. 40.165 as follows:

- a. Remove the reference to “Sec. 270.164” and add, in its place, a reference to “Sec. 40.164”; and
- b. Remove the reference to “Sec. 270.164(c)” and add, in its place, a reference to “Sec. 40.164(c).”

**§ 40.165a [Amended]**

**Par. 53.** Amend Sec. 40.165a as follows:

- a. In paragraphs (a)(1) and (b)(3), remove the reference to “Sec. 270.168” and add, in its place, a reference to “Sec. 40.168”; and
- b. In paragraph (b)(2), remove the reference to “Sec. 270.165 or Sec. 270.167” and add, in its place, a reference to “Sec. 40.165 or Sec. 40.167.”

**§ 40.166 [Amended]**

**Par. 54.** Amend Sec. 40.166 as follows:

- a. Remove the reference to “Sec. 270.167” and add, in its place, a reference to “Sec. 40.167”; and
- b. Remove the reference to “Sec. 270.165a” and add, in its place, a reference to “Sec. 40.165a.”

**§ 40.167 [Amended]**

**Par. 55.** Amend Sec. 40.167 as follows:

- a. In paragraph (a), remove the reference to “Sec. 270.162” and add, in its place, a reference to “Sec. 40.162”; and
- b. In paragraph (b), remove the reference to “Sec. 270.165a” and add, in its place, a reference to “Sec. 40.165a.”

**§ 40.168 [Amended]**

**Par. 56.** Amend Sec. 40.168 as follows:

- a. Remove the reference to “Sec. 270.165a” and add, in its place, a reference to “Sec. 40.165a”; and
- b. Remove the reference to “Sec. 270.166” and add, in its place, a reference to “Sec. 40.166.”

**§ 40.181 [Amended]**

**Par. 57.** Amend Sec. 40.181 as follows:

- a. Remove the reference to “Secs. 270.182 and 270.183” and add, in its place, a reference to “Secs. 40.182 and 40.183”; and
- b. Remove the reference to “Secs. 270.184 and 270.186,” each place it appears, and add, in its place, a reference to “Secs. 40.184 and 40.186.”

**§ 40.216c [Amended]**

**Par. 58.** Amend Sec. 40.216c as follows:

- a. In paragraph (b), remove the reference to “Secs. 270.212 and 270.216b(b)” and add, in its place, a reference to “Secs. 40.212 and 40.216b(b)”;
- b. In paragraph (c), remove the reference to “Sec. 270.216b(a)” and add, in its place, a reference to “Sec. 40.216b(a).”

**§ 40.251 [Amended]**

**Par. 59.** Amend Sec. 40.251 as follows:

- a. Remove the reference to “Sec. 270.114” and add, in its place, a reference to “Sec. 40.114”; and
- b. Remove the reference to “Secs. 270.183 and 270.202” and add, in its place, a reference to “Secs. 40.183 and 40.202.”

**§§ 40.252 and 40.253 [Amended]**

**Par. 60.** Remove the reference to “Secs. 270.311 and 270.313” and add, in its place, a reference to “Secs. 40.311 and 40.313,” in the following places:

- a. Section 40.252; and
- b. Section 40.253.

**§ 40.254 [Amended]**

**Par. 61.** Amend Sec. 40.254 as follows:

- a. Remove the reference to “Sec. 270.217” and add, in its place, a reference to “Sec. 40.217”; and
- b. Remove the reference to “Secs. 270.311 and 270.313” and add, in its place, a reference to “Secs. 40.311 and 40.313.”

**§ 40.255 [Amended]**

**Par. 62.** Amend Sec. 40.255 as follows:

- a. Remove the reference to “Sec. 270.183” and add, in its place, a reference to “Sec. 40.183”;
- b. Remove the reference to “Sec. 270.286,” each place it appears, and add, in its place, a reference to “Sec. 40.286”; and
- c. Remove the reference to “Sec. 270.287,” each place it appears, and add, in its place, a reference to “Sec. 40.287.”

**§ 40.282 [Amended]**

**Par. 63.** Amend Sec. 40.282 as follows:

- a. Remove the reference to “Sec. 270.301” and add, in its place, a reference to “Sec. 40.301”; and
- b. Remove the reference to “Sec. 270.311” and add, in its place, a reference to “Sec. 40.311.”

**§ 40.283 [Amended]**

**Par. 64.** Amend Sec. 40.283 as follows:

- a. Remove the reference to “Sec. 270.301” and add, in its place, a reference to “Sec. 40.301”; and
- b. Remove the reference to “Secs. 270.311 and 270.313” and add, in its place, a reference to “Secs. 40.311 and 40.313.”

**§ 40.286 [Amended]**

**Par. 65.** Amend Sec. 40.286 by removing the reference to “Sec. 270.164” and adding, in its place, a reference to “Sec. 40.164.”

**§ 40.287 [Amended]**

**Par. 66.** Amend Sec. 40.287 by removing the reference to “Sec. 270.255” and adding, in its place, a reference to “Sec. 40.255.”

**§ 40.301 [Amended]**

**Par. 67.** Amend Sec. 40.301 by removing the reference to “Sec. 270.282 or Sec. 270.283” and adding, in its place, a reference to “Sec. 40.282 or Sec. 40.283.”

**§ 40.311 [Amended]**

**Par. 68.** Amend Sec. 40.311 as follows:

- a. In paragraph (a), remove the reference to “Sec. 270.282 or Sec. 270.283” and add, in its place, a reference to “Sec. 40.282 or Sec. 40.283”; and
- b. In paragraph (b), remove the reference to “Sec. 270.185” and add, in its place, a reference to “Sec. 40.185.”

**§ 40.313 [Amended]**

**Par. 69.** Amend Sec. 40.313 as follows:

- a. Remove the reference to “Sec. 270.282” and add, in its place, a reference to “Sec. 40.282”; and
- b. Remove the reference to “Sec. 270.283,” each place it appears, and add, in its place, a reference to “Sec. 40.283.”

**§ 40.331 [Amended]**

**Par. 70.** Amend Sec. 40.331 by removing the reference to “Sec. 270.201 and Sec. 270.202” and add, in its place, a reference to “Secs. 40.201 and 40.202.”

**§ 40.355 [Amended]**

**Par. 71.** Amend paragraphs (e) and (g)(2) of Sec. 40.355 by removing the reference to “Sec. 270.357” and adding, in its place, a reference to “Sec. 40.357.”

**§ 40.357 [Amended]**

**Par. 72.** Amend paragraphs (a)(1), (b)(2), and (b)(3) of Sec. 40.357 by removing the reference to “Sec. 270.355” and adding, in its place, a reference to “Sec. 40.355.”

**§ 40.371 [Amended]**

**Par. 73.** Amend paragraph (a) of Sec. 40.371 by removing the reference to “Sec. 270.372” and adding, in its place, a reference to “Sec. 40.372.”

**§ 40.372 [Amended]**

**Par. 74.** Amend paragraph (b) of Sec. 40.372 by removing the reference to “Sec. 270.371” and adding, in its place, a reference to “Sec. 40.371.”



**§ 40.373 [Amended]**

**Par. 75.** Amend Sec. 40.373 as follows:

- a. In paragraph (b)(3), remove the reference to “Secs. 270.359-361” and add, in its place, a reference to “Secs. 40.359-361”; and
- b. In paragraph (c)(2), remove the reference to “Sec. 270.371” and add, in its place, a reference to “Sec. 40.371.”

**§ 40.374 [Amended]**

**Par. 76.** Amend paragraph (a) of Sec. 40.374 by removing the reference to “Sec. 270.373(c)(2)” and adding, in its place, a reference to “Sec. 40.373(c)(2).”

**§ 40.396 [Amended]**

**Par. 77.** Amend Sec. 40.396 as follows:

- a. Remove the reference to “Sec. 270.407” and add, in its place, a reference to “Sec. 40.407”;
- b. Remove the reference to “Secs. 270.434 and 270.426” and add, in its place, a reference to “Secs. 40.434 and 40.426”; and
- c. Remove the reference to “Secs. 270.432 and 270.423” and add, in its place, a reference to “Secs. 40.432 and 40.423.”

**§ 40.397 [Amended]**

**Par. 78.** Amend Sec. 40.397 as follows:

- a. Remove the reference to “Sec. 270.407” and add, in its place, a reference to “Sec. 40.407”; and
- b. Remove the reference to “Secs. 270.434 and 270.426” and add, in its place, a reference to “Secs. 40.434 and 40.426.”

**§ 40.402 [Amended]**

**Par. 79.** Amend Sec. 40.402 by removing the reference to “Sec. 270.401(c)” and adding, in its place, a reference to “Sec. 40.401(c).”

**§ 40.404 [Amended]**

**Par. 80.** Amend Sec. 40.404 by removing the reference to “Sec. 270.452” and adding, in its place, a reference to “Sec. 40.452.”

**§ 40.405 [Amended]**

**Par. 81.** Amend Sec. 40.405 by removing the reference to “Sec. 270.404” and adding, in its place, a reference to “Sec. 40.404.”

**§ 40.410 [Amended]**

**Par. 82.** Amend Sec. 40.410 by removing the reference to “Sec. 270.403” and adding, in its place, a reference to “Sec. 40.403.”

**§ 40.421 [Amended]**

**Par. 83.** Amend paragraph (a)(4) of Sec. 40.421 by removing the reference to “Sec. 270.451” and adding, in its place, a reference to “Sec. 40.451.”

**§ 40.461 [Amended]**

**Par. 84.** Amend Sec. 40.461 by removing the reference to “Secs. 270.434 and 270.426” and adding, in its place, a reference to “Secs. 40.434 and 40.426.”

**§ 40.472 [Amended]**

**Par. 85.** Amend Sec. 40.472 as follows:

- a. Remove the reference to “Sec. 270.475” and add, in its place, a reference to “Sec. 40.475”; and
- b. Remove the reference to “Sec. 270.476” and add, in its place, a reference to “Sec. 40.476.”

**§ 40.473 [Amended]**

**Par. 86.** Amend Sec. 40.473 as follows:

- a. Remove the reference to “Sec. 270.475” and add, in its place, a reference to “Sec. 40.475”; and
- b. Remove the reference to “Secs. 270.476, and 270.477” and add, in its place, a reference to “Secs. 40.476 and 40.477.”

**§§ 40.475 and 40.476 [Amended]**

**Par. 87.** Remove the reference to “Sec. 270.472 or Sec. 270.473” and add, in its place, a reference to “Sec. 40.472 or Sec. 40.473,” in the following places:

- a. Section 40.475; and
- b. Section 40.476.

§ 40.478 [Amended]

Par. 88. Amend Sec. 40.478 by removing the reference to “Sec. 270.473,” each place it appears, and adding, in its place, a reference to “Sec. 40.473.”

Signed: April 19, 2001

**Bradley A. Buckles,**  
*Director*

Approved: May 2, 2001

**Timothy Skud,**  
*Acting Deputy Assistant Secretary, (Regulatory, Tariff and Trade Enforcement)*

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

**Stills and Miscellaneous Regulations; Recodification of Regulations (2000R-491P)**

**27 CFR Parts 17, 18, 19, 20, 22, 24, 25, 29, 70, and 170**

**T.D. ATF-462**

**RIN 1512-AC34**

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Final rule (Treasury decision).

**SUMMARY:** The Bureau of Alcohol, Tobacco and Firearms (ATF) is recodifying the regulations pertaining to stills. The purpose of this 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. This change improves the organization of title 27 CFR.

**DATES:** This rule is effective on August 15, 2001.

**FOR FURTHER INFORMATION CONTACT:** Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226, (202-927-9347) or e-mail at [LMGesser@atfhq.atf.treas.gov](mailto:LMGesser@atfhq.atf.treas.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

As a part of the continuing efforts to reorganize the part numbering system of title 27 CFR, ATF is removing part 170 of title 27 CFR, in its entirety, and is recodifying the regulations as 27 CFR part 29. This change improves the organization of title 27 CFR. In addition, ATF is amending the title of the new part 29 to correspond more closely with the content of the part.

**Derivation Table for Part 29**

<i>The requirements of sec.</i>	<i>Are derived from sec.</i>
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Subpart A-B [Reserved]	
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Subpart C—Stills	
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29.41.....	170.41
29.43.....	170.43
29.45.....	170.45
29.47.....	170.47
29.49.....	170.49
29.51.....	170.51
29.53.....	170.53
29.55.....	170.55
29.57.....	170.57

**Paperwork Reduction Act**

The provisions of the Paperwork Reduction Act of 1995, Public Law 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 under the Administrative Procedures Act (5 U.S.C. 553), the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. We sent a copy of this final rule 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 is hereby certified that this final rule is not a significant regulatory action as defined in Executive Order 12866. Accordingly, this final rule is not subject to the analysis required by this Executive Order.

**Administrative Procedure Act**

Because this final rule merely makes technical amendments to improve the clarity and organization of the regulations, it is unnecessary to issue this final rule with notice and public procedure under 5 U.S.C. 553(b). Similarly, because this final rule makes no substantial changes and is merely the recodification of existing regulations, good cause is found that 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 Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

**List of Subjects**

*27 CFR Part 17*

Administrative practice and procedure, Claims, Cosmetics, Customs duties and inspection, Drugs, Excise taxes, Exports, Imports, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Spices and flavorings, Surety bonds, Virgin Islands.

*27 CFR Part 18*

Alcohol and alcoholic beverages, Fruits, Reporting and recordkeeping requirements, Spices and flavorings.

*27 CFR Part 19*

Caribbean Basin initiative, Claims, Electronic funds transfers, Excise taxes, Exports, Gasohol, Imports, Labeling, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Research, Security measures, Surety bonds, Vinegar, Virgin Islands, Warehouses.

*27 CFR Part 20*

Alcohol and alcoholic beverages, Claims, Cosmetics, Excise taxes, Labeling, Packaging and containers, Penalties, Reporting and recordkeeping requirements, Surety bonds.

*27 CFR Part 22*

Administrative practice and procedure, Alcohol and alcoholic beverages, Excise taxes, Reporting and recordkeeping requirements, Surety bonds.

*27 CFR Part 24*

Administrative practice and procedure, Claims, Electronic funds 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, Vinegar, Warehouses, Wine.

*27 CFR Part 25*

Beer, Claims, Electronic funds transfers, Excise taxes, Exports, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Research, Surety bonds.

*27 CFR Part 29*

Alcohol and alcoholic beverages, Authority delegations, Distilled spirits, Liquors, Packaging and containers, Penalties, Reporting and recordkeeping requirements, Seizures and forfeitures, Stills.

*27 CFR Part 70*

Administrative practice and procedure, Claims, Excise taxes, Freedom of information, Law enforcement, Penalties, Reporting and recordkeeping requirements, Surety bonds.

*27 CFR Part 170*

Alcohol and alcoholic beverages, Authority delegations, Distilled spirits, Liquors, Packaging and containers, Penalties, Reporting and recordkeeping requirements, Seizures and forfeitures, Stills.

**Authority and Issuance**

ATF is amending title 27 of the Code of Federal Regulation, chapter 1, as follows:

**PART 17—DRAWBACK ON TAXPAID DISTILLED SPIRITS USED IN MANUFACTURING NONBEVERAGE PRODUCTS**

**Paragraph 1.** The authority citation for 27 CFR part 17 continues to read as follows:

**Authority:** 26 U.S.C. 5010, 5131-5134, 5143, 5146, 5206, 5273, 6011, 6065, 6091, 6109, 6151, 6402, 6511, 7011, 7213, 7652, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**§ 17.168 [Amended]**

**Par. 2.** Amend Sec. 17.168(a) by removing the reference to “part 170” and adding, in its place, a reference to “part 29.”

**PART 18—PRODUCTION OF VOLATILE FRUIT-FLAVOR CONCENTRATE**

**Par. 3.** The authority citation for 27 CFR part 18 continues to read as follows:

**Authority:** 26 U.S.C. 5001, 5172, 5178, 5179, 5203, 5511, 5552, 6065, 7805; 44 U.S.C. 3504(h).

**§ 18.23 [Amended]**

**Par. 4.** Amend Sec. 18.23 as follows:

- a. Remove the reference to “part 170” and add, in its place, a reference to “part 29”; and
- b. Remove the reference to “Sec. 170.55” and add, in its place, a reference to “Sec. 29.55.”

**PART 19—DISTILLED SPIRITS PLANTS**

**Par. 5.** The authority citation for 27 CFR part 19 continues to read as follows:

**Authority:** 19 U.S.C. 81C, 1131; 26 U.S.C. 5001, 5002, 5004-5006, 5008, 5010, 5041, 5061, 5062, 5066, 5081, 5101, 5111-5113, 5142, 5143, 5146, 5171-5173, 5175, 5176, 5178-5181, 5201-5204, 5206, 5207, 5211-5215, 5221-5223, 5231, 5232, 5235, 5236, 5241-5243, 5271, 5273, 5301, 5311-5313, 5362, 5370, 5373, 5501-5505, 5551-5555, 5559, 5561, 5562, 5601, 5612, 5682, 6001, 6065, 6109, 6302, 6311, 6676, 6806, 7011, 7510, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**§ 19.3 [Amended]**

**Par. 6.** Amend Sec. 19.3 by removing the reference to “27 CFR part 170—Miscellaneous Regulations Relating to Liquor” and adding, in part number order, a reference to “27 CFR part 29—Stills and Miscellaneous Regulations.”

**§ 19.169 [Amended]**

**Par. 7.** Amend Sec. 19.169 as follows:

- a. Remove the reference to “part 170” and add, in its place, a reference to “part 29”; and
- b. Remove the reference to “Sec. 170.55” and add, in its place, a reference to “Sec. 29.55.”

## **PART 20—DISTRIBUTION AND USE OF DENATURED ALCOHOL AND RUM**

**Par. 8.** The authority citation for 27 CFR part 20 continues to read as follows:

**Authority:** 26 U.S.C. 5001, 5206, 5214, 5271-5275, 5311, 5552, 5555, 5607, 6065, 7805.

### **§ 20.3 [Amended]**

**Par. 9.** Amend Sec. 20.3 by removing the reference to “27 CFR Part 170—Miscellaneous Regulations Relating to Liquor” and adding, in part number order, a reference to “27 CFR Part 29—Stills and Miscellaneous Regulations.”

### **§ 20.66 [Amended]**

**Par. 10.** Amend Sec. 20.66 as follows:

- a. Remove the reference to “part 170” and add, in its place, a reference to “part 29”; and
- b. Remove the reference to “Sec. 170.55” and add, in its place, a reference to “Sec. 29.55.”

## **PART 22—DISTRIBUTION AND USE OF TAX-FREE ALCOHOL**

**Par. 11.** The authority citation for 27 CFR part 22 continues to read as follows:

**Authority:** 26 U.S.C. 5001, 5121, 5142, 5143, 5146, 5206, 5271-5276, 5311, 5552, 5555, 6056, 6061, 6065, 6109, 6151, 6806, 7011, 7805; 31 U.S.C. 9304, 9306.

### **§ 22.3 [Amended]**

**Par. 12.** Amend Sec. 22.3 by removing the reference to “27 CFR Part 170—Miscellaneous Regulations Relating to Liquor” and adding, in part number order, a reference to “27 CFR Part 29—Stills and Miscellaneous Regulations.”

### **§ 22.66 [Amended]**

**Par. 13.** Amend Sec. 22.66 as follows:

- a. Remove the reference to “part 170” and add, in its place, a reference to “part 29”; and
- b. Remove the reference to “Sec. 170.55” and add, in its place, a reference to “Sec. 29.55.”

## **PART 24—WINE**

**Par. 14.** The authority citation for 27 CFR 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.

### **§ 24.4 [Amended]**

**Par. 15.** Amend Sec. 24.4 by removing the reference to “27 CFR Part 170—Miscellaneous Regulations Relating to Liquor” and adding, in part number order, a reference to “27 CFR Part 29—Stills and Miscellaneous Regulations.”

### **§ 24.114 [Amended]**

**Par. 16.** Amend Sec. 24.114 as follows:

- a. Remove the reference to “part 170” and add, in its place, a reference to “part 29”; and
- b. Remove the reference to “Sec. 170.55” and add, in its place, a reference to “Sec. 29.55.”

## **PART 25—BEER**

**Par. 17.** The authority citation for 27 CFR part 25 continues to read as follows:

**Authority:** 19 U.S.C. 81c; 26 U.S.C. 5002, 5051-5054, 5056, 5061, 5091, 5111, 5113, 5142, 5143, 5146, 5222, 5401-5403, 5411-5417, 5551, 5552, 5555, 5556, 5671, 5673, 5684, 6011, 6061, 6065, 6091, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6651, 6656, 6676, 6806, 7011, 7342, 7606, 7805; 31 U.S.C. 9301, 9303-9308.

### **§ 25.4 [Amended]**

**Par. 18.** Amend Sec. 25.4 by removing the reference to “27 CFR Part 170—Miscellaneous Regulations Relating to Liquor” and adding, in part number order, a reference to “27 CFR Part 29—Stills and Miscellaneous Regulations.”

**PART 70—PROCEDURE AND ADMINISTRATION**

**Par. 19.** The authority citation for 27 CFR part 70 continues to read as follows:

**Authority:** 5 U.S.C. 301 and 552; 26 U.S.C. 4181, 4182, 5146, 5203, 5207, 5275, 5367, 5415, 5504, 5555, 5684(a), 5741, 5761(b), 5802, 6020, 6021, 6064, 6102, 6155, 6159, 6201, 6203, 6204, 6301, 6303, 6311, 6313, 6314, 6321, 6323, 6325, 6326, 6331-6343, 6401-6404, 6407, 6416, 6423, 6501-6503, 6511, 6513, 6514, 6532, 6601, 6602, 6611, 6621, 6622, 6651, 6653, 6656-6658, 6665, 6671, 6672, 6701, 6723, 6801, 6862, 6863, 6901, 7011, 7101, 7102, 7121, 7122, 7207, 7209, 7214, 7304, 7401, 7403, 7406, 7423, 7424, 7425, 7426, 7429, 7430, 7432, 7502, 7503, 7505, 7506, 7513, 7601-7606, 7608-7610, 7622, 7623, 7653, 7805.

**§ 70.131 [Amended]**

**Par. 20.** Amend paragraph (b) of Sec. 70.131 by removing the reference to “part 170” and adding, in its place, a reference to “part 29.”

**§ 70.411 [Amended]**

**Par. 21.** Amend paragraph (c)(2) of Sec. 70.411 by removing the reference to “Part 170” and adding, in its place, a reference to “Part 29.”

**PART 170—[Redesignated as Part 29]**

**Par. 22.** Redesignate 27 CFR part 170 as 27 CFR part 29.

**PART 29—MISCELLANEOUS REGULATIONS RELATING TO ALCOHOL**

**Par. 23.** The authority citation for the newly redesignated 27 CFR part 29 is revised to read as follows:

**Authority:** 26 U.S.C. 5002, 5101, 5102, 5179, 5291, 5601, 5615, 5687, 7805.

**Par. 24.** Revise the title of the newly redesignated part 29 to read as follows:

**PART 29—STILLS AND MISCELLANEOUS REGULATIONS**

\* \* \* \* \*

**§§ 29.42 and 29.45 [Amended]**

**Par. 25.** Remove the reference to “ATF Order 1130.20, Delegation Order—Delegation of the Director’s Authorities in 27 CFR Part 170—Miscellaneous Regulations Relating to Liquor” and add, in its place, a reference to “ATF Order 1130.25, Delegation Order—Delegation of the Director’s Authorities in 27 CFR Part 29—Stills and Miscellaneous Regulations,” in the following places:

- a. Section 29.42; and
- b. The definition of “Appropriate ATF officer” in Sec. 29.45.

**§§ 29.47 and 29.49 [Amended]**

**Par. 26.** Remove the reference to “Sec. 170.59” and add, in its place, a reference to “Sec. 29.59” in the following places:

- a. Section 29.47(c); and
- b. Section 29.49(c).

**§ 29.59 [Amended]**

**Par. 27.** Amend Sec. 29.59 by removing the reference to “Sec. 170.47, or 170.49” and adding, in its place, a reference to “Secs. 29.47 or 29.49.”

Signed: April 13, 2001

**Bradley A. Buckles,**  
*Director*

Approved: April 25, 2001

**Timothy E. Skud,**  
*Acting Deputy Assistant Secretary, (Regulatory, Tariff and Trade Enforcement)*

(Filed with the Office of the Federal Register on 8-14-01 at 8:45 a.m. as FR Doc. No. 01-204832 published in the Federal Register on 8-15-01 at 66 FR 42735.)

**Rules of Practice in Permit Proceedings; Recodification of Regulations (2000R-529P)**

**27 CFR Parts 1, 4, 5, 7, 12, 19, 20, 22, 24, 40, 55, 70, 71, 200, 275, and 290**

**T.D. ATF-463**

**RIN 1512-AC43**

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Final rule (Treasury decision).

**SUMMARY:** The Bureau of Alcohol, Tobacco and Firearms (ATF) is recodifying the regulations pertaining to the rules of practice in permit proceedings. The purpose of this recodification is to reissue the regulations in part 200 of title 27 of the Code of Federal Regulations (27 CFR part 200) as 27 CFR part 71. This change improves the organization of title 27.

**DATES:** This rule is effective on August 15, 2001.

**FOR FURTHER INFORMATION CONTACT:** Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW, Washington, DC 20226, (202-927-9347) or e-mail at [LMGesser@atfhq.atf.treas.gov](mailto:LMGesser@atfhq.atf.treas.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

As a part of the continuing efforts to reorganize the part numbering system of title 27 CFR, chapter I, ATF is removing part 200, in its entirety, and is recodifying the regulations as 27 CFR part 71. This change improves the organization of title 27 CFR.

In addition to the recodification, ATF is making a technical amendment to part 12 of title 27 CFR, chapter 1. Specifically, we are amending the reference to 27 CFR 71.41(c) to read 27 CFR 70.701(c).

**Derivation Table for Part 71**

<i>The requirements of sec.</i>	<i>Are derived from sec.</i>
----- Subpart A -----	
71.1.....	200.1
71.2.....	200.2
71.3.....	200.3
----- Subpart B -----	
71.5.....	200.5
----- Subpart C -----	
71.25.....	200.25
71.26.....	200.26
71.27.....	200.27
71.28.....	200.28
71.29.....	200.29
71.30.....	200.30
71.31.....	200.31
----- Subpart D -----	
71.35.....	200.35
71.36.....	200.36
71.37.....	200.37
71.38.....	200.38
----- Subpart E -----	
71.45.....	200.45
71.46.....	200.46
71.48.....	200.48
71.49.....	200.49

71.49a.....	200.49a
71.49b.....	200.49b

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Subpart F  
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71.55.....	200.55
71.56.....	200.56
71.57.....	200.57
71.58.....	200.58
71.59.....	200.59
71.60.....	200.60
71.61.....	200.61
71.62.....	200.62
71.63.....	200.63
71.64.....	200.64
71.65.....	200.65
71.66.....	200.66
71.67.....	200.67
71.68.....	200.68
71.69.....	200.69
71.70.....	200.70
71.71.....	200.71
71.72.....	200.72
71.73.....	200.73
71.74.....	200.74
71.75.....	200.75
71.76.....	200.76
71.77.....	200.77
71.78.....	200.78
71.79.....	200.79
71.80.....	200.80
71.81.....	200.81
71.82.....	200.82
71.83.....	200.83
71.84.....	200.84
71.85.....	200.85
71.86.....	200.86
71.87.....	200.87

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Subpart G  
-----

71.95.....	200.95
71.96.....	200.96
71.97.....	200.97
71.98.....	200.98
71.99.....	200.99
71.100.....	200.100

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Subpart H  
-----

71.105.....	200.105
71.106.....	200.106
71.107.....	200.107
71.107a.....	200.107a
71.108.....	200.108
71.109.....	200.109
71.110.....	200.110

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Subpart I  
-----

71.115.....	200.115
71.116.....	200.116
71.117.....	200.117
71.118.....	200.118
71.119.....	200.119

-----  
Subpart J  
-----

71.125.....	200.125
71.126.....	200.126



71.127.....	200.127
71.128.....	200.128
71.129.....	200.129
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**Paperwork Reduction Act**

The provisions of the Paperwork Reduction Act of 1995, Public Law 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 under the Administrative Procedure Act (5 U.S.C. 553), the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. We sent a copy of this final rule 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**

This final rule is not a significant regulatory action as defined in Executive Order 12866. Accordingly, this final rule is not subject to the analysis required by this Executive Order.

**Administrative Procedure Act**

Because this final rule merely makes technical amendments to improve the clarity and the organization of the regulations, it is unnecessary to issue this final rule with notice and public procedure under 5 U.S.C. 553(b). Similarly, because this final rule makes no substantial changes and is merely the recodification of existing regulations, good cause is found that 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 Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

**List of Subjects**

*27 CFR Part 1*

Administrative practice and procedure, Alcohol and alcoholic beverages, Imports, Liquors, Packaging and containers, Warehouses, Wine.

*27 CFR Part 4*

Advertising, Customs duties and inspection, Imports, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Trade practices, Wine.

*27 CFR Part 5*

Advertising, Customs duties and inspection, Imports, Labeling, Liquors, Packaging and containers, Reporting and recordkeeping requirements, Trade practices.

*27 CFR Part 7*

Advertising, Beer, Customs duties and inspection, Imports, Labeling, Reporting and recordkeeping requirements, Trade practices.

*27 CFR Part 12*

Imports, Labeling, Wine.

*27 CFR Part 19*

Caribbean Basin initiative, Claims, Electronic funds transfers, Excise taxes, Exports, Gasohol, Imports, Labeling, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Research, Security measures, Surety bonds, Vinegar, Virgin Islands, Warehouses.

*27 CFR Part 20*

Alcohol and alcoholic beverages, Claims, Cosmetics, Excise taxes, Labeling, Packaging and containers, Penalties, Reporting and recordkeeping requirements, Surety bonds.

*27 CFR Part 22*

Administrative practice and procedure, Alcohol and alcoholic beverages, Excise taxes, Reporting and recordkeeping requirements, Surety bonds.

*27 CFR Part 24*

Administrative practice and procedure, Claims, Electronic funds 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, Vinegar, Warehouses, Wine.

*27 CFR Part 40*

Cigars and cigarettes, Claims, Electronic funds transfers, Excise taxes, Imports, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Surety bonds, Tobacco.

*27 CFR Part 55*

Administrative practice and procedure, Explosives, Imports, Penalties, Reporting and recordkeeping requirements, Seizures and forfeitures, Warehouses.

*27 CFR Part 70*

Administrative practice and procedure, Claims, Excise taxes, Freedom of information, Law enforcement, Penalties, Reporting and recordkeeping requirements, Surety bonds.

*27 CFR Part 71*

Administrative practice and procedure, Alcohol and alcoholic beverages, Tobacco.

*27 CFR Part 200*

Administrative practice and procedure, Alcohol and alcoholic beverages, Tobacco.

*27 CFR Part 275*

Cigars and cigarettes, Claims, Customs duties and inspection, Electronic funds transfers, Excise taxes, Imports, Labeling, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Surety bonds, Tobacco, Virgin Islands, Warehouses.

*27 CFR Part 290*

Aircraft, Armed forces, Cigars and cigarettes, Claims, Customs duties and inspection, Excise taxes, Exports, Foreign trade zones, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Surety bonds, Tobacco, Vessels, Warehouses.

**Authority and Issuance**

ATF is amending title 27 of the Code of Federal Regulations, chapter I, as follows:

**PART 1—BASIC PERMIT REQUIREMENTS UNDER THE FEDERAL ALCOHOL ADMINISTRATION ACT, NONINDUSTRIAL USE OF DISTILLED SPIRITS AND WINE, BULK SALES AND BOTTLING OF DISTILLED SPIRITS**

**Paragraph 1.** The authority citation for 27 CFR part 1 continues to read as follows:

**Authority:** 27 U.S.C. 203, 204, 206, 211 unless otherwise noted.

**§§ 1.1, 1.31, 1.35, 1.50, 1.51, 1.52, and 1.57 [Amended]**

**Par. 2.** Remove the reference to “part 200” and add, in its place, a reference to “part 71” in the following places:

- a. Section 1.1(a);
- b. Section 1.31;
- c. Section 1.35;
- d. Section 1.50;
- e. Section 1.51;
- f. Section 1.52; and
- g. Section 1.57.

**PART 4—LABELING AND ADVERTISING OF WINE**

**Par. 3.** The authority citation for 27 CFR part 4 continues to read as follows:

**Authority:** 27 U.S.C. 205, unless otherwise noted.

**Par. 4.** Under the heading “Cross References,” remove the reference to “27 CFR part 200—Rules of Practice in Permit Proceedings” and add, in part number order, a reference to “27 CFR part 71—Rules of Practice in Permit Proceedings.”

#### **PART 5—LABELING AND ADVERTISING OF DISTILLED SPIRITS**

**Par. 5.** The authority citation for 27 CFR part 5 continues to read as follows:

**Authority:** 26 U.S.C. 5301, 7805; 27 U.S.C. 205.

#### **§ 5.2 [Amended]**

**Par. 6.** Amend Sec. 5.2 by removing the reference to “27 CFR part 200—Rules of Practice in Permit Proceedings” and adding, in part number order, a reference to “27 CFR part 71—Rules of Practice in Permit Proceedings.”

#### **PART 7—LABELING AND ADVERTISING OF MALT BEVERAGES**

**Par. 7.** The authority citation for 27 CFR part 7 continues to read as follows:

**Authority:** 27 U.S.C. 205.

#### **§ 7.4 [Amended]**

**Par. 8.** Amend Sec. 7.4 by removing the reference to “27 CFR part 200—Rules of Practice in Permit Proceedings” and adding, in part number order, a reference to “27 CFR part 71—Rules of Practice in Permit Proceedings.”

#### **PART 12—FOREIGN NONGENERIC NAMES OF GEOGRAPHIC SIGNIFICANCE USED IN THE DESIGNATION OF WINES**

**Par. 9.** The authority citation for 27 CFR part 12 continues to read as follows:

**Authority:** 27 U.S.C. 205.

#### **§ 12.3 [Amended]**

**Par. 10.** Amend paragraph (a) of Sec. 12.3 by removing the reference to “27 CFR 71.41(c)” and adding, in its place, a reference to “27 CFR 70.701(c).”

#### **PART 19—DISTILLED SPIRITS PLANTS**

**Par. 11.** The authority citation for 27 CFR part 19 continues to read as follows:

**Authority:** 19 U.S.C. 81C, 1131; 26 U.S.C. 5001, 5002, 5004-5006, 5008, 5010, 5041, 5061, 5062, 5066, 5081, 5101, 5111-5113, 5142, 5143, 5146, 5171-5173, 5175, 5176, 5178-5181, 5201-5204, 5206, 5207, 5211-5215, 5221-5223, 5231, 5232, 5235, 5236, 5241-5243, 5271, 5273, 5301, 5311-5313, 5362, 5370, 5373, 5501-5505, 5551-5555, 5559, 5561, 5562, 5601, 5612, 5682, 6001, 6065, 6109, 6302, 6311, 6676, 6806, 7011, 7510, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

#### **§ 19.3 [Amended]**

**Par. 12.** Amend Sec. 19.3 by removing the reference to “27 CFR part 200—Rules of Practice in Permit Proceedings” and adding, in part number order, a reference to “27 CFR part 71—Rules of Practice in Permit Proceedings.”

#### **§§ 19.161, 19.163, 19.164, 19.911, and 19.950 [Amended]**

**Par. 13.** Remove the reference to “part 200” and add, in its place, a reference to “part 71” in the following places:

- a. Section 19.161(c);
- b. Section 19.163(f);
- c. Section 19.164;
- d. Section 19.911(c); and
- e. Section 19.950(f).

#### **PART 20—DISTRIBUTION AND USE OF DENATURED ALCOHOL AND RUM**

**Par. 14.** The authority citation for 27 CFR part 20 continues to read as follows:

**Authority:** 26 U.S.C. 5001, 5206, 5214, 5271-5275, 5552, 5555, 5607, 6065, 7805.

**§ 20.3 [Amended]**

**Par. 15.** Amend Sec. 20.3 by removing the reference to “27 CFR part 200—Rules of Practice in Permit Proceedings” and adding, in part number order, a reference to “27 CFR part 71—Rules of Practice in Permit Proceedings.”

**§§ 20.44, 20.51, and 20.52 [Amended]**

**Par. 16.** Remove the reference to “part 200” and add, in its place, a reference to “part 71” in the following places:

- a. The introductory text of Sec. 20.44;
- b. The introductory text of Sec. 20.51; and
- c. Section 20.52.

**PART 22—DISTRIBUTION AND USE OF TAX-FREE ALCOHOL**

**Par. 17.** The authority citation for 27 CFR part 22 continues to read as follows:

**Authority:** 26 U.S.C. 5001, 5121, 5142, 5143, 5146, 5206, 5271-5276, 5311, 5552, 5555, 6056, 6061, 6065, 6109, 6151, 6806, 7011, 7805; 31 U.S.C. 9304, 9306.

**§ 22.3 [Amended]**

**Par. 18.** Amend Sec. 22.3 by removing the reference to “27 CFR part 200—Rules of Practice in Permit Proceedings” and adding, in part number order, a reference to “27 CFR part 71—Rules of Practice in Permit Proceedings.”

**§§ 22.44, 22.51, and 22.52 [Amended]**

**Par. 19.** Remove the reference to “part 200” and add, in its place, a reference to “part 71” in the following places:

- a. The introductory text of Sec. 22.44;
- b. The introductory text of Sec. 22.51; and
- c. Section 22.52.

**PART 24—WINE**

**Par. 20.** The authority citation for 27 CFR 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.

**§ 24.4 [Amended]**

**Par. 21.** Amend Sec. 24.4 by removing the reference to “27 CFR part 200—Rules of Practice in Permit Proceedings” and adding, in part number order, a reference to “27 CFR part 71—Rules of Practice in Permit Proceedings.”

**PART 40—MANUFACTURE OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES**

**Par. 22.** The authority citation for 27 CFR part 40 continues to read as follows:

**Authority:** 26 U.S.C. 5142, 5143, 5146, 5701, 5703-5705, 5711-5713, 5721-5723, 5731, 5741, 5751, 5753, 5761-5763, 6061, 6065, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6404, 6423, 6676, 6806, 7011, 7212, 7325, 7342, 7502, 7503, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**§§ 40.74 and 40.332 [Amended]**

**Par. 23.** Remove the reference to “part 200” and add, in its place, a reference to “part 71” in the following places:

- a. Section 40.74; and
- b. Section 40.332.

**PART 55—COMMERCE IN EXPLOSIVES**

**Par. 24.** The authority citation for 27 CFR part 55 continues to read as follows:

**Authority:** 18 U.S.C. 847.

**§§ 55.73, 55.75, 55.79, and 55.82 [Amended]**

**Par. 25.** Remove the reference to “part 200” each place it appears, and add, in substitution, a reference to “part 71” in the following places:

- a. Section 55.73;

- b. Section 55.75;
- c. Section 55.79; and
- d. The section heading and text of Sec. 55.82.

## **PART 70—PROCEDURE AND ADMINISTRATION**

**Par. 26.** The authority citation for 27 CFR part 70 continues to read as follows:

**Authority:** 5 U.S.C. 301 and 552; 26 U.S.C. 4181, 4182, 5146, 5203, 5207, 5275, 5367, 5415, 5504, 5555, 5684(a), 5741, 5761(b), 5802, 6020, 6021, 6064, 6102, 6155, 6159, 6201, 6203, 6204, 6301, 6303, 6311, 6313, 6314, 6321, 6323, 6325, 6326, 6331-6343, 6401-6404, 6407, 6416, 6423, 6501-6503, 6511, 6513, 6514, 6532, 6601, 6602, 6611, 6621, 6622, 6651, 6653, 6656-6658, 6665, 6671, 6672, 6701, 6723, 6801, 6862, 6863, 6901, 7011, 7101, 7102, 7121, 7122, 7207, 7209, 7214, 7304, 7401, 7403, 7406, 7423, 7424, 7425, 7426, 7429, 7430, 7432, 7502, 7503, 7505, 7506, 7513, 7601-7606, 7608-7610, 7622, 7623, 7653, 7805.

### **§§ 70.411 and 70.431 [Amended]**

**Par. 27.** Remove the reference to “part 200” and add, in its place, a reference to “part 71” in the following places:

- a. Section 70.411(c)(5); and
- b. Section 70.431(b)(1).

## **PART 275—IMPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES**

**Par. 28.** The authority citation for 27 CFR part 275 continues to read as follows:

**Authority:** 18 U.S.C. 2342; 26 U.S.C. 5701, 5703, 5704, 5705, 5708, 5712, 5713, 5721, 5722, 5723, 5741, 5754, 5761, 5762, 5763, 6301, 6302, 6313, 6404, 7101, 7212, 7342, 7606, 7652, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

### **§ 275.199 [Amended]**

**Par. 29.** Amend Sec. 275.199 by removing the reference to “part 200” and adding, in its place, a reference to “part 71.”

## **PART 290—EXPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES, WITHOUT PAYMENT OF TAX, OR WITH DRAWBACK OF TAX**

**Par. 30.** The authority citation for 27 CFR part 290 continues to read as follows:

**Authority:** 26 U.S.C. 5142, 5143, 5146, 5701, 5703-5705, 5711-5713, 5721-5723, 5731, 5741, 5751, 5754, 6061, 6065, 6151, 6402, 6404, 6806, 7011, 7212, 7342, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

### **§§ 290.92 and 290.162 [Amended]**

**Par. 31.** Remove the reference to “part 200” and add, in its place, a reference to “part 71” in the following places:

- a. Section 290.92; and
- b. Section 290.162.

## **PART 200—RULES OF PRACTICE IN PERMIT PROCEEDINGS**

**Par. 32.** The authority citation for 27 CFR part 200 continues to read as follows:

**Authority:** 26 U.S.C. 7805, 27 U.S.C. 204.

### **PART 200—[Redesignated as Part 71]**

**Par. 33.** Redesignate 27 CFR part 200 as 27 CFR part 71.

**Par. 33a.** Transfer newly designated part 71 from subchapter M to subchapter F.

## **PART 71—RULES OF PRACTICE IN PERMIT PROCEEDINGS**

**Par. 34.** The authority citation for the newly designated 27 CFR part 71 is revised to read as follows:

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

### **§ 71.1 [Amended]**

**Par. 35.** Amend the “Editorial Note” under newly designated Sec. 71.1 by removing the reference to “Sec. 200.1” and adding, in its place, a reference to “Sec. 71.1.”

### **§ 71.37 [Amended]**

**Par. 36.** Amend newly designated Sec. 71.37 by removing the reference to “Secs. 200.55 and 200.56” and adding, in its place, a reference to “Secs. 71.55 and 71.56.”

**§ 71.38 [Amended]**

**Par. 37.** Amend newly designated Sec. 71.38 as follows:

- a. Remove the reference to “Sec. 200.35” and add, in its place, a reference to “Sec. 71.35.”
- b. Remove the reference to “Sec. 200.71” and add, in its place, a reference to “Sec. 71.71.”

**§ 71.56 [Amended]**

**Par. 37a.** Amend the newly designated “Editorial Note” in Sec. 71.56 by removing the reference to “Sec. 200.56” and adding, in its place, a reference to “Sec. 71.56.”

**§ 71.62 [Amended]**

**Par. 38.** Amend newly designated Sec. 71.62 by removing the reference to “Sec. 200.59” and adding, in its place, a reference to “Sec. 71.59.”

**§ 71.63 [Amended]**

**Par. 39.** Amend newly designated Sec. 71.63 as follows:

- a. Remove the reference to “Sec. 200.60” and add, in its place, a reference to “Sec. 71.60.”
- b. Remove the reference to “Sec. 200.64” and add, in its place, a reference to Sec. 71.64.”
- c. Remove the reference to “Sec. 200.79” and add, in its place, a reference to “Sec. 71.79.”

**§ 71.64 [Amended]**

**Par. 40.** Amend paragraph (a) of newly designated Sec. 71.64 by removing the reference to “Sec. 200.60” and adding, in its place, a reference to “Sec. 71.60.”

**§ 71.74 [Amended]**

**Par. 41.** Amend newly designated Sec. 71.74 by removing the reference to “Sec. 200.2” and adding, in its place, a reference to “Sec. 71.2.”

**§ 71.78 [Amended]**

**Par. 42.** Amend newly designated Sec. 71.78 by removing the reference to “Sec. 200.107” and adding, in its place, a reference to “Sec. 71.107.”

**§ 71.82 [Amended]**

**Par. 43.** Amend newly designated Sec. 71.82 by removing the reference to “Sec. 200.66” and adding, in its place, a reference to “Sec. 71.66.”

**§ 71.83 [Amended]**

**Par. 44.** Amend newly designated Sec. 71.83 by removing the reference to “Sec. 200.81” and adding, in its place, a reference to “Sec. 71.81.”

**§ 71.96 [Amended]**

**Par. 45.** Amend newly designated Sec. 71.96 by removing the reference to “Sec. 200.115” and adding, in its place, a reference to “Sec. 71.115.”

**§ 71.107a [Amended]**

**Par. 46.** Amend paragraph (a) of newly designated Sec. 71.107a by removing the reference to “Sec. 200.79” and adding, in its place, a reference to “Sec. 71.79.”

**§ 71.108 [Amended]**

**Par. 47.** Amend newly designated Sec. 71.108 as follows:

- a. In paragraph (a) remove the reference to “Sec. 200.115” and add, in its place, a reference to “Sec. 71.115.”
- b. In paragraph (b) remove the reference to “Sec. 200.79” and add, in its place, a reference to “Sec. 71.79.”

**§ 71.110 [Amended]**

**Par. 48.** Amend newly designated Sec. 71.110 by removing the reference to “Sec. 200.108” and adding, in its place, a reference to “Sec. 71.108.”

Dated: April 20, 2001

**Bradley A. Buckles,**  
*Director*

Approved: July 10, 2001

**Timothy E. Skud,**  
*Acting Deputy Assistant Secretary, (Regulatory, Tariff and Trade Enforcement)*

(Filed with the Office of the Federal Register on 8-14-01 at 8:45 a.m. as FR Doc. No. 01-20483; published in the Federal Register on 8-15-01 at 66 FR 42731.)

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

**Exportation of Tobacco Products and Cigarette Papers and Tubes, Without Payment of Tax, or With Drawback of Tax; Recodification of Regulations (2001R-58P)**

**27 CFR Parts 40, 44, 46, 70, and 290**

**T.D. ATF-464**

**RIN 1512-AC47**

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Final rule (Treasury decision).

**SUMMARY:** The Bureau of Alcohol, Tobacco and Firearms (ATF) is recodifying the regulations pertaining to the exportation of tobacco products and cigarette papers and tubes, without payment of tax, or with drawback of tax. The purpose of this recodification is to reissue the regulations in part 290 of title 27 of the Code of Federal Regulations (27 CFR part 290) as 27 CFR part 44. This change improves the organization of title 27.

**DATES:** This rule is effective on August 20, 2001.

**FOR FURTHER INFORMATION CONTACT:** Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW, Washington, DC 20226, (202-927-9347) or e-mail at [LMGesser@atfhq.atf.treas.gov](mailto:LMGesser@atfhq.atf.treas.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

As a part of the continuing efforts to reorganize the part numbering system of title 27 CFR, ATF is removing part 290, in its entirety, and is recodifying the regulations as 27 CFR part 44. This change improves the organization of title 27 CFR.

**Derivation Table for Part 44**

<i>The requirements of sec.</i>	<i>Are derived from sec.</i>
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Subpart A	
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44.1.....	290.1
44.2.....	290.2
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Subpart B	
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44.11.....	290.11
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Subpart Ba	
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44.31.....	290.31
44.32.....	290.32
44.33.....	290.33
44.34.....	290.34
44.35.....	290.35
44.36.....	290.36

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Subpart C

44.61.....	290.61
44.61a.....	290.61a
44.62.....	290.62
44.63.....	290.63
44.64.....	290.64
44.65.....	290.65
44.66.....	290.66
44.67.....	290.67
44.68.....	290.68
44.69.....	290.69
44.70.....	290.70
44.71.....	290.71
44.72.....	290.72
44.73.....	290.73

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Subpart D

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44.82.....	290.82
44.83.....	290.83
44.84.....	290.84
44.85.....	290.85
44.86.....	290.86
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44.88.....	290.88
44.89.....	290.89
44.90.....	290.90
44.91.....	290.91
44.92.....	290.92
44.93.....	290.93

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Subpart E

44.101.....	290.101
44.102.....	290.102
44.103.....	290.103
44.104.....	290.104
44.105.....	290.105
44.106.....	290.106
44.107.....	290.107
44.108.....	290.108
44.109.....	290.109
44.110.....	290.110
44.111.....	290.111
44.112.....	290.112

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Subpart F

44.121.....	290.121
44.122.....	290.122
44.123.....	290.123
44.124.....	290.124
44.125.....	290.125
44.126.....	290.126
44.127.....	290.127
44.128.....	290.128
44.129.....	290.129

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Subpart G

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44.142.....	290.142
44.143.....	290.143
44.144.....	290.144
44.145.....	290.145
44.146.....	290.146
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44.151.....	290.151
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44.153.....	290.153
44.154.....	290.154

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Subpart H

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44.161.....	290.161
44.162.....	290.162

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Subpart I [Reserved]

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Subpart J

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44.181.....	290.181
44.182.....	290.182
44.183.....	290.183
44.184.....	290.184
44.185.....	290.185
44.186.....	290.186
44.187.....	290.187
44.188.....	290.188
44.189.....	290.189
44.190.....	290.190
44.191.....	290.191
44.192.....	290.192
44.193.....	290.193
44.194.....	290.194
44.195.....	290.195
44.196.....	290.196
44.196a.....	290.196a
44.197.....	290.197
44.198.....	290.198
44.199.....	290.199
44.200.....	290.200
44.201.....	290.201
44.202.....	290.202
44.203.....	290.203
44.204.....	290.204
44.205.....	290.205
44.206.....	290.206
44.207.....	290.207
44.207a.....	290.207a
44.208.....	290.208
44.209.....	290.209
44.210.....	290.210
44.211.....	290.211
44.212.....	290.212
44.213.....	290.213

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Subpart K

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44.221.....	290.221
44.222.....	290.222
44.223.....	290.223
44.224.....	290.224
44.225.....	290.225
44.226.....	290.226
44.227.....	290.227
44.228.....	290.228
44.229.....	290.229
44.230.....	290.230
44.231.....	290.231
44.232.....	290.232

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Subpart L  
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44.241.....	290.241
44.242.....	290.242
44.243.....	290.243
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44.259.....	290.259
44.260.....	290.260
44.261.....	290.261
44.262.....	290.262
44.263.....	290.263
44.264.....	290.264
44.264a.....	290.264a
44.265.....	290.265
44.266.....	290.266
44.267.....	290.267

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**Paperwork Reduction Act**

The provisions of the Paperwork Reduction Act of 1995, Public Law 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 under the Administrative Procedure Act (5 U.S.C. 553), the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. We sent a copy of this final rule 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**

This final rule is not a significant regulatory action as defined in Executive Order 12866. Accordingly, this final rule is not subject to the analysis required by this Executive Order.

**Administrative Procedure Act**

Because this final rule merely makes technical amendments to improve the clarity and organization of the regulations, it is unnecessary to issue this final rule with notice and public procedure under 5 U.S.C. 553(b). Similarly, because this final rule makes no substantive changes and is merely the recodification of existing regulations, good cause is found that 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 Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

**List of Subjects**

27 CFR Part 40

Cigars and cigarettes, Claims, Electronic funds transfers, Excise taxes, Imports, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Surety bonds, Tobacco.

*27 CFR Part 44*

Aircraft, Armed forces, Cigars and cigarettes, Claims, Customs duties and inspection, Excise taxes, Exports, Foreign trade zones, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Surety bonds, Tobacco, Vessels, Warehouses.

*27 CFR Part 46*

Cigars and cigarettes, Claims, Excise taxes, Penalties, Reporting and recordkeeping requirements, Seizures and forfeitures, Surety bonds, Tobacco.

*27 CFR Part 70*

Administrative practice and procedure, Claims, Excise taxes, Freedom of information, Law enforcement, Penalties, Reporting and recordkeeping requirements, Surety bonds.

*27 CFR Part 290*

Aircraft, Armed forces, Cigars and cigarettes, Claims, Customs duties and inspection, Excise taxes, Exports, Foreign trade zones, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Surety bonds, Tobacco, Vessels, Warehouses.

**Authority and Issuance**

ATF is amending title 27 of the Code of Federal Regulations, chapter 1, as follows:

**PART 40—MANUFACTURE OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES**

**Paragraph 1.** The authority citation for 27 CFR part 40 continues to read as follows:

**Authority:** 26 U.S.C. 5142, 5143, 5146, 5701, 5703-5705, 5711-5713, 5721-5723, 5731, 5741, 5751, 5753, 5761-5763, 6061, 6065, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6404, 6423, 6676, 6806, 7011, 7212, 7325, 7342, 7502, 7503, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**§§ 40.44, 40.233, 40.235, 40.451, and 40.454 [Amended]**

**Par. 2.** Remove the reference to “part 290,” each place it appears, and add, in substitution, a reference to “part 44” in the following places:

- a. Section 40.44;
- b. Section 40.233;
- c. Section 40.235;
- d. Section 40.451; and
- e. Section 40.454.

**PART 46—MISCELLANEOUS REGULATIONS RELATING TO TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES**

**Par. 3.** The authority citation for 27 CFR part 46 continues to read as follows:

**Authority:** 18 U.S.C. 2341-2346, 26 U.S.C. 5708, 5751, 5761-5763, 6001, 6601, 6621, 6622, 7212, 7342, 7602, 7606, 7805, 44 U.S.C. 3504(h), 49 U.S.C. 782, unless otherwise noted.

**Par. 4.** Under the paragraph entitled “CROSS REFERENCE,” remove the reference to “part 290” and add, in its place, a reference to “part 44.”

**§ 46.255 [Amended]**

**Par. 5.** Amend paragraphs (b) and (c) in Sec. 46.255 by removing the reference to “part 290” and adding, in its place, a reference to “part 44.”

**PART 70—PROCEDURE AND ADMINISTRATION**

**Par. 6.** The authority citation for 27 CFR part 70 continues to read as follows:

**Authority:** 5 U.S.C. 301 and 552; 26 U.S.C. 4181, 4182, 5146, 5203, 5207, 5275, 5367, 5415, 5504, 5555, 5684(a), 5741, 5761(b), 5802, 6020, 6021, 6064, 6102, 6155, 6159, 6201, 6203, 6204, 6301, 6303, 6311, 6313, 6314, 6321, 6323, 6325, 6326, 6331-6343, 6401-6404, 6407, 6416, 6423, 6501-6503, 6511, 6513, 6514, 6532, 6601, 6602, 6611, 6621, 6622, 6651, 6653, 6656-6658, 6665, 6671, 6672, 6701, 6723, 6801, 6862, 6863, 6901, 7011, 7101, 7102, 7121, 7122, 7207, 7209, 7214, 7304, 7401, 7403, 7406, 7423, 7424, 7425, 7426, 7429, 7430, 7432, 7502, 7503, 7505, 7506, 7513, 7601-7606, 7608-7610, 7622, 7623, 7653, 7805.

**§§ 70.431, 70.432, and 70.462 [Amended]**

- Par. 7.** Remove the reference to “part 290” and add, in its place, a reference to “part 44” in the following places:
- a. Section 70.431(b)(5);
  - b. Section 70.432(d); and
  - c. Section 70.462.

**PART 290—EXPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES, WITHOUT PAYMENT OF TAX, OR WITH DRAWBACK OF TAX**

**Par. 8.** The authority citation for 27 CFR part 290 continues to read as follows:

**Authority:** 26 U.S.C. 5142, 5143, 5146, 5701, 5703-5705, 5711-5713, 5721-5723, 5731, 5741, 5751, 5754, 6061, 6065, 6151, 6402, 6404, 6806, 7011, 7212, 7342, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**PART 290—[Redesignated as Part 44]**

**Par. 9.** Transfer 27 CFR part 290 from subchapter M to subchapter B and redesignate as 27 CFR part 44.

**PART 44—EXPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES, WITHOUT PAYMENT OF TAX, OR WITH DRAWBACK OF TAX**

**Par. 10.** The authority citation for the newly redesignated 27 CFR part 44 continues to read as follows:

**Authority:** 26 U.S.C. 5142, 5143, 5146, 5701, 5703-5705, 5711-5713, 5721-5723, 5731, 5741, 5751, 5754, 6061, 6065, 6151, 6402, 6404, 6806, 7011, 7212, 7342, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**Par. 11.** Amend the newly redesignated part 44 as follows:

**Amendment Table for Part 44**

<i>Amend section:</i>	<i>By removing the reference to:</i>	<i>And adding in its place:</i>
44.31(a)	290.32	44.32
44.32(b)	290.31	44.31
44.33(b)(3)	290.34	44.34
44.33(c)(2)	290.142	44.142
44.35(a)	290.33(c)(2)	44.33(c)(2)
44.62	290.207	44.207
44.62	290.263	44.263
44.63	290.62	44.62
44.67(a)	290.66	44.66
44.82	290.93	44.93
44.83	290.82	44.82
44.84	290.82	44.82
44.85	290.82	44.82
44.86	290.88	44.88
44.87	290.83	44.83
44.88	290.82	44.82
44.88	290.86	44.86
44.93	290.142	44.142
44.102	290.85	44.85
44.104	290.144	44.144
44.104	290.88	44.88
44.104	290.126	44.126
44.105	290.88	44.88
44.105	290.146	44.146
44.105	290.151	44.151
44.105	290.144	44.144
44.107	290.146	44.146
44.107	290.151	44.151
44.108	290.126	44.126
44.110	290.146	44.146
44.110	290.151	44.151
44.111	290.88	44.88
44.112	290.111	44.111
44.112	290.126	44.126
44.112	290.89	44.89
44.123	290.86	44.86
44.123	290.124	44.124
44.123	290.125	44.125

44.124	290.123	44.123
44.144	290.93	44.93
44.161	290.146	44.146
44.161	290.151	44.151
44.200	290.147	44.147
44.205(d)	290.72	44.72
44.222	290.224	44.224
44.223	290.121	44.121
44.223	290.122	44.122
44.224	290.222	44.222
44.225	290.224	44.224
44.226	290.224	44.224
44.230	290.228	44.228
44.243	290.121	44.121
44.243	290.122	44.122
44.244	290.243	44.243
44.244	290.245	44.245
44.244	290.246	44.246
44.245	290.244	44.244
44.264	290.200	44.200
44.266	290.201	44.201

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Signed: May 24, 2001

**Bradley A. Buckles,**  
*Director*

Approved: June 11, 2001

**Timothy E. Skud,**  
*Acting Deputy Assistant Secretary, (Regulatory, Tariff and Trade Enforcement)*

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