

ATF to Develop Electronic Filing of COLA and Formulas

By Tom Stewart (202) 927-8193

In order to comply with the provisions of the Government Paperwork Elimination Act (GPEA), ATF has been exploring options as to how we can accommodate the electronic submission and approval of Certificates of Label Approval (COLAs) and formulas. The GPEA calls for government agencies to provide for the option of filing documents electronically rather than with paper. We are happy to announce that we have now awarded a contract to a vendor. This company performed a feasibility study of electronic COLAs for ATF last year and is familiar with our system. We are scheduled to begin work on the project in November and expect that it will take between 12-15 months to complete. We are looking at early 2003 for this system to be available for all industry members to use.

The objectives of this project will be to provide industry members a means to submit COLAs and formulas to ATF electronically, to provide ATF a means to return approved or rejected COLAs and formulas to industry members and provide an on-line capability for industry members to obtain status updates on electronically filed forms.

Filing of COLAs and formulas electronically will be strictly optional and ATF will still accept paper copies of these forms. However, e filing will offer several major advantages, such as less time to get label approvals to and from ATF, fewer rejections for omissions of data or incorrect information, and the ability to track the status of the form in the system.

ATF and the contractor will be in contact with industry members and trade associations within the next few months to discuss this project and solicit volunteers to pilot such a system. ATF will continue to provide updates on our progress via this Newsletter, on our website and through seminars, meetings and conferences with industry members. □

ATF Headquarters is Experiencing U.S. Postal Service Disruptions

By Susan Stewart (202) 927-8140

Due to recent problems with anthrax contamination at postal facilities in the Washington, DC area, ATF has been experiencing disruptions in mail delivery to Bureau Headquarters since late last week. It is expected that mail delivery will resume in the near future, but it is suspected that we may continue to experience disruptions for some time.

We understand that these interruptions in mail service may cause many problems for industry members who mail their label and formula applications to us, however, this situation is completely out of our hands. We will continue to process all applications as we receive them in as timely a manner as possible.

We encourage you to consider alternative methods for delivery of label and formula applications to ATF for the near future. We have been receiving commercial express mail deliveries, such as Fed-Ex, so that is one option. If you belong to a trade association that offers hand-delivery of applications to ATF's

walk-up desk, I encourage this option also (although, if their office is in DC they may also be experiencing mail problems).

Unfortunately we cannot accept faxed or e-mail applications.

Information on the status of label, formula, pre-import or lab analysis applications can be obtained by calling our Customer Service Team at 1-866-927-2533, or by e-mail at alfd@atfhq.atf.gov.

We thank you for your patience during this time and apologize for any inconvenience. □

Offers-in-Compromise on the Internet

By Allen McClaskey (513) 684-3334

The Office of Alcohol and Tobacco has plans to post summaries of recently accepted offers in compromise on ATF's Internet site. While the details of the project have not been finalized, you can expect to see records reflecting details of offers accepted in compromise of liabilities and/or violations incurred under the Internal Revenue Code or the Federal Alcohol Administration Act. Further down the road, we plan to post summaries of other administrative actions such as suspensions and revocations. We will give further details on how to access this information in a future issue of The Alcohol & Tobacco Newsletter. □



Beverage Alcohol Manual (BAM)

By Wanda Burggraaf (202) 927-8140

Volume 1 of the Beverage Alcohol Manual (BAM) is now available as an official ATF publication. This first volume is a guide to basic mandatory labeling information for domestic and imported wine. The publication number is ATF P 5120.3. The publication will be mailed to members of the wine industry and all importers. If you do not receive a copy or would like additional copies, contact the ATF Distribution Center at (703) 455-7810. The BAM will also be available at the ATF web site at <http://www.atf.treas.gov/pub/alctob/pub/bevalmanual/index.htm>. Watch future editions of this newsletter for the upcoming publication of Volume 2 (Distilled Spirits) and Volume 3 (Malt Beverages). □

Removals of Tobacco Products From Manufacturer's Premises for Experimental Purposes

By Robert Ruhf (202) 927-8210

A proposed rule will eliminate the requirement that manufacturers of tobacco products apply to ATF to remove tobacco products from their factories in bond for experimental purposes. Also, it eliminates the recordkeeping requirement for such applications. In place of these requirements, manufacturers of tobacco products will prepare and maintain records of tobacco products removed from their factories in bond for experimental purposes. In addition, this proposed rule defines "experimental purposes." You can view the proposed rule at <http://www.atf.treas.gov/tobacco/rules/index.htm>. If you want to comment about this proposed rule, your comments must be received on or before December 14, 2001. □

U.S. Customs Reference Guide

The following is a reference guide for Importers of cigarettes and tobacco products based on an amendment to the 1930 Tariff Act, signed into law November 7, 2000.

RELANDED PRODUCT

-Previously exported tobacco products or cigarette papers and tubes.

IMPORT REQUIREMENT

At the time of entry, the ATF Form 5200.11 signed by an ATF official is required.

Personal exemption: If the cigarettes have been manufactured and labeled for exportation in the United States (previously exported cigarettes), passengers/travelers may only import 200 cigarettes. The remaining cigarettes must be confiscated.

- Cigarettes that **do not** bear a U.S. Registered trademark.

At the time of entry, the following 3, Signed certificates are required:

1. A certificate referring to compliance with section 7 of the Federal Cigarette Labeling and Advertising Act administered by the Health and Human Services.

2. A certificate referring to compliance with the Federal Cigarette Labeling and Advertising Act, Surgeon General's Warning Label Administered by the Federal Trade Commission.

3. A certificate referring to compliance with the Federal Cigarette Labeling and Advertising Act, Surgeon General's Warning Label rotation plan.

- Cigarettes that bear a U.S. Registered trademark.

- In addition to the 3 certificates reflected, above, importers must provide the following 2 additional certificates at the time of entry:

4. A certificate signed by the trademark holder (or authorized representative) consenting to the importer's use of trademark.

5. A certificate from the importer stating that the consent is accurate, remains in effect and has not been withdrawn.

INFORMATION:

Questions regarding information provided in this document should be referred to Jerry Bowerman, Chief, Diversion Branch at 202-927-3580. □

Questions or suggestions relating to the Alcohol & Tobacco Newsletter should be directed to the Editor by fax at (202) 927-5611 or by mail at the following address: Bureau of ATF, 650 Massachusetts Avenue, NW, Room 8110, Attention: Donna Smith, Editor, Alcohol & Tobacco Newsletter, Washington, D.C. 20226.