

## Announcements

### Announcement 2002-4

#### Commerce in Explosives; List of Explosive Materials

Pursuant to the provisions of section 841(d) of title 18, United States Code (U.S.C.), and 27 CFR 55.23, the Director, Bureau of Alcohol, Tobacco and Firearms, must publish and revise at least annually in the Federal Register a list of explosives determined to be within the coverage of 18 U.S.C. Chapter 40, Importation, Manufacture, Distribution, and Storage of Explosive Materials. This chapter covers not only explosives, but also blasting agents and detonators, all of which are defined as explosive materials in section 841(c) of title 18, U.S.C. Accordingly, the following is the 2002 List of Explosive Materials subject to regulation under 18 U.S.C. Chapter 40. It includes both the list of explosives (including detonators) required to be published in the Federal Register and blasting agents.

The list is intended to include any and all mixtures containing any of the materials on the list. Materials constituting blasting agents are marked by an asterisk. While the list is comprehensive, it is not all-inclusive. The fact that an explosive material may not be on the list does not mean that it is not within the coverage of the law if it otherwise meets the statutory definitions in section 841 of title 18, U.S.C. Explosive materials are listed alphabetically by their common names followed, where applicable, by

chemical names and synonyms in brackets.

In the 2002 List of Explosive Materials, ATF has added five terms to the list of explosives, has further defined two explosive materials, and has made amendments to two explosive materials to more accurately reference these materials.

The five additions to the list are as follows:

1. Azide explosives
2. HMTD  
[hexamethylenetriperoxidediamine]
3. Nitrate explosive mixtures
4. Picrate explosives
5. TATP [triacetoneperoxide]

We have added these explosive materials to the List because their primary or common purpose is to function by explosion. ATF has encountered the criminal use of some of these materials in improvised devices. "Nitrate explosive mixtures" is intended to be an all-encompassing term, including all forms of sodium, potassium, barium, calcium, and strontium nitrate explosive mixtures.

The two explosive materials that we have further defined by including their chemical names are listed as follows:

1. DIPAM [dipicramide; diaminohexanitrobiphenyl]
2. EDNA [ethylenedinitramine]

The two amendments to previously listed explosive materials are as follows:

1. "Nitrates of soda explosive mixtures" has been deleted and replaced with "Sodium nitrate explosive mixtures" to reflect current terminology.

2. PBX was previously defined as "RDX and plasticizer." We are changing the definition to reflect that PBX is an acronym for "plastic bonded explosive."

This revised list supersedes the List of Explosive Materials dated September 14, 1999 (Notice No. 880, 64 FR 49840; correction notice of September 28, 1999, 64 FR 52378) and will be effective on April 26, 2002.

#### List of Explosive Materials

— A —

Acetylides of heavy metals.  
Aluminum containing polymeric propellant.  
Aluminum ophorite explosive.  
Amatex.  
Amatol.  
Ammonal.  
Ammonium nitrate explosive mixtures (cap sensitive).  
\*Ammonium nitrate explosive mixtures (non-cap sensitive).  
Ammonium perchlorate composite propellant.  
Ammonium perchlorate explosive mixtures.  
Ammonium picrate [picrate of ammonia, Explosive D].  
Ammonium salt lattice with isomorphously substituted inorganic salts.  
\*ANFO [ammonium nitrate-fuel oil].

Aromatic nitro-compound explosive mixtures.  
Azide explosives.

— B —

Baranol.  
Baratol.  
BEAF [1, 2-bis (2, 2-difluoro-2-nitroacetoxyethane)].  
Black powder.  
Black powder based explosive mixtures.  
\*Blasting agents, nitro-carbo-nitrates, including non-cap sensitive slurry and water gel explosives.  
Blasting caps.  
Blasting gelatin.  
Blasting powder.  
BTNEC [bis (trinitroethyl) carbonate].  
BTNEN [bis (trinitroethyl) nitramine].  
BTTN [1,2,4 butanetriol trinitrate].  
Bulk salutes.  
Butyl tetryl.

— C —

Calcium nitrate explosive mixture.  
Cellulose hexanitrate explosive mixture.  
Chlorate explosive mixtures.  
Composition A and variations.  
Composition B and variations.  
Composition C and variations.  
Copper acetylide.  
Cyanuric triazide.  
Cyclonite [RDX].  
Cyclotetramethylenetetranitramine [HMX].  
Cyclotol.  
Cyclotrimethylenetrinitramine [RDX].

— D —

DATB [diaminotrinitrobenzene].  
DDNP [diazodinitrophenol].  
DEGDN [diethyleneglycol dinitrate].  
Detonating cord.  
Detonators.

Dimethylol dimethyl methane dinitrate composition.  
Dinitroethyleneurea.  
Dinitroglycerine [glycerol dinitrate].  
Dinitrophenol.  
Dinitrophenolates.  
Dinitrophenyl hydrazine.  
Dinitroresorcinol.  
Dinitrotoluene-sodium nitrate explosive mixtures.  
DIPAM [dipicramide; diaminohexanitrobiphenyl].  
Dipicryl sulfone.  
Dipicrylamine.  
Display fireworks.  
DNPA [2,2-dinitropropyl acrylate].  
DNPD [dinitropentano nitrile].  
Dynamite.

— E —

EDDN [ethylene diamine dinitrate].  
EDNA [ethylenedinitramine].  
Ednatol.  
EDNP [ethyl 4,4-dinitropentanoate].  
EGDN [ethylene glycol dinitrate].  
Erythritol tetranitrate explosives.  
Esters of nitro-substituted alcohols.  
Ethyl-tetryl.  
Explosive conitrates.  
Explosive gelatins.  
Explosive liquids.  
Explosive mixtures containing oxygen-releasing inorganic salts and hydrocarbons.  
Explosive mixtures containing oxygen-releasing inorganic salts and nitro bodies.  
Explosive mixtures containing oxygen-releasing inorganic salts and water insoluble fuels.  
Explosive mixtures containing oxygen-releasing inorganic salts and water soluble fuels.  
Explosive mixtures containing sensitized nitromethane.  
Explosive mixtures containing tetranitromethane (nitroform).

Explosive nitro compounds of aromatic hydrocarbons.  
Explosive organic nitrate mixtures.  
Explosive powders.

— F —

Flash powder.  
Fulminate of mercury.  
Fulminate of silver.  
Fulminating gold.  
Fulminating mercury.  
Fulminating platinum.  
Fulminating silver.

— G —

Gelatinized nitrocellulose.  
Gem-dinitro aliphatic explosive mixtures.  
Guanyl nitrosamino guanyl tetrazene.  
Guanyl nitrosamino guanylidene hydrazine.  
Guncotton.

— H —

Heavy metal azides.  
Hexanite.  
Hexanitrodiphenylamine.  
Hexanitrostilbene.  
Hexogen [RDX].  
Hexogene or octogene and a nitrated N-methylaniline.  
Hexolites.  
HMTD [hexamethylenetriperoxidediamine].  
HMX [cyclo-1,3,5,7-tetramethylene 2,4,6,8-tetranitramine; Octogen].  
Hydrazinium nitrate/hydrazine/aluminum explosive system.  
Hydrazoic acid.

— I —

Igniter cord.  
Igniters.  
Initiating tube systems.

— *K* —

KDNBF [potassium dinitrobenzofuroxane].

— *L* —

Lead azide.  
Lead mannite.  
Lead mononitroresorcinat.  
Lead picrate.  
Lead salts, explosive.  
Lead styphnate [styphnate of lead, lead trinitroresorcinat].  
Liquid nitrated polyol and trimethylolethane.  
Liquid oxygen explosives.

— *M* —

Magnesium ophorite explosives.  
Mannitol hexanitrate.  
MDNP [methyl 4,4-dinitropentanoate].  
MEAN [monoethanolamine nitrate].  
Mercuric fulminate.  
Mercury oxalate.  
Mercury tartrate.  
Metriol trinitrate.  
Minol-2 [40% TNT, 40% ammonium nitrate, 20% aluminum].  
MMAN [monomethylamine nitrate]; methylamine nitrate.  
Mononitrotoluene-nitroglycerin mixture.  
Monopropellants.

— *N* —

NIBTN [nitroisobutametrial trinitrate].  
Nitrate explosive mixtures.  
Nitrate sensitized with gelled nitroparaffin.  
Nitrated carbohydrate explosive.  
Nitrated glucoside explosive.  
Nitrated polyhydric alcohol explosives.  
Nitric acid and a nitro aromatic compound explosive.

Nitric acid and carboxylic fuel explosive.  
Nitric acid explosive mixtures.  
Nitro aromatic explosive mixtures.  
Nitro compounds of furane explosive mixtures.  
Nitrocellulose explosive.  
Nitroderivative of urea explosive mixture.  
Nitrogelatin explosive.  
Nitrogen trichloride.  
Nitrogen tri-iodide.  
Nitroglycerine [NG, RNG, nitro, glyceryl trinitrate, trinitroglycerine].  
Nitroglycide.  
Nitroglycol [ethylene glycol dinitrate, EGDN].  
Nitroguanidine explosives.  
Nitronium perchlorate propellant mixtures.  
Nitroparaffins Explosive Grade and ammonium nitrate mixtures.  
Nitrostarch.  
Nitro-substituted carboxylic acids.  
Nitrourea.

— *O* —

Octogen [HMX].  
Octol [75 percent HMX, 25 percent TNT].  
Organic amine nitrates.  
Organic nitramines.

— *P* —

PBX [plastic bonded explosives].  
Pellet powder.  
Penthrinite composition.  
Pentolite.  
Perchlorate explosive mixtures.  
Peroxide based explosive mixtures.  
PETN [nitropentaerythrite, pentaerythrite tetranitrate, pentaerythritol tetranitrate].  
Picramic acid and its salts.  
Picramide.  
Picrate explosives.

Picrate of potassium explosive mixtures.  
Picratol.  
Picric acid (manufactured as an explosive).  
Picryl chloride.  
Picryl fluoride.  
PLX [95% nitromethane, 5% ethylenediamine].  
Polynitro aliphatic compounds.  
Polyolpolynitrate-nitrocellulose explosive gels.  
Potassium chlorate and lead sulfocyanate explosive.  
Potassium nitrate explosive mixtures.  
Potassium nitroaminotetrazole.  
Pyrotechnic compositions.  
PYX [2,6-bis(picrylamino)]-3,5-dinitropyridine.

— R —

RDX [cyclonite, hexogen, T4, cyclo-1,3,5,-trimethylene-2,4,6,-trinitramine; hexahydro-1,3,5-trinitro-S-triazine].

— S —

Safety fuse.  
Salts of organic amino sulfonic acid explosive mixture.  
Salutes (bulk).  
Silver acetylde.  
Silver azide.  
Silver fulminate.  
Silver oxalate explosive mixtures.  
Silver styphnate.  
Silver tartrate explosive mixtures.  
Silver tetrazene.  
Slurried explosive mixtures of water, inorganic oxidizing salt, gelling agent, fuel, and sensitizer (cap sensitive).  
Smokeless powder.  
Sodatol.  
Sodium amatol.  
Sodium azide explosive mixture.

Sodium dinitro-ortho-cresolate.  
Sodium nitrate explosive mixtures.  
Sodium nitrate-potassium nitrate explosive mixture.  
Sodium picramate.  
Special fireworks.  
Squibs.  
Styphnic acid explosives.

— T —

Tacot [tetranitro-2,3,5,6-dibenzo-1,3a,4,6a tetrazapentalene].  
TATB [triaminotrinitrobenzene].  
TATP [triacetone triperoxide].  
TEGDN [triethylene glycol dinitrate].  
Tetranitrocarbazole.  
Tetrazene [tetracene, tetrazine, 1(5-tetrazoly)-4-guanyl tetrazene hydrate].  
Tetryl [2,4,6 tetranitro-N-methylaniline].  
Tetrytol.  
Thickened inorganic oxidizer salt slurried explosive mixture.  
TMETN [trimethylolethane trinitrate].  
TNEF [trinitroethyl formal].  
TNEOC [trinitroethyl orthocarbonate].  
TNEOF [trinitroethyl orthoformate].  
TNT [trinitrotoluene, trotyl, trilit, triton].  
Torpex.  
Tridite.  
Trimethylol ethyl methane trinitrate composition.  
Trimethylolthane trinitrate-nitrocellulose.  
Trimonite.  
Trinitroanisole.  
Trinitrobenzene.  
Trinitrobenzoic acid.  
Trinitrocresol.  
Trinitro-meta-cresol.  
Trinitronaphthalene.  
Trinitrophenetol.  
Trinitrophenol.  
Trinitroresorcinol.  
Tritonal.

— U —

Urea nitrate.

— W —

Water-bearing explosives having salts of oxidizing acids and nitrogen bases, sulfates, or sulfamates (cap sensitive).

Water-in-oil emulsion explosive compositions.

— X —

Xanthamomas hydrophilic colloid explosive mixture.

**FOR FURTHER INFORMATION**

**CONTACT:** Chad Yoder, ATF Specialist, Arson and Explosives Programs Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., Washington, DC 20226 (202-927-7930).

Signed: April 19, 2002.

**Bradley A. Buckles,**

*Director.*

**Announcement 2002-5**

**Major Disaster Areas Proclaimed by the President**

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

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

**COLORADO 1421** June 28, 2002.

Type of disaster: Wildfires beginning April 23, 2002, and continuing.

Counties: Adams, Alamosa, Arapahoe, Archuleta, Baca, Bent, Boulder, Broomfield City and County, Chaffee,

Cheyenne, Clear Creek, Conejos, Costilla, Crowley, Custer, Delta, Denver City and County, Dolores, Douglas, Eagle, Elbert, El Pason, Fremont, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Huerfano, Jefferson, Kiowa, Kit Carson, Lake, La Plata, Las Animas, Lincoln, Mesa, Mineral, Moffat, Montezuma, Montrose, Otero, Ouray, Park, Pitkin, Pueblo, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, San Miguel, Summit, Teller, Washington, Yuma, Southern Ute Reservation, Ute Mountain Reservation.

**ILLINOIS 1416**

June 4, 2002.

Type of disaster:

Severe storms, flooding, and tornadoes on April 21, 2002.

Counties:

Adams, Alexander, Bond, Brown, Calhoun, Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, De Witt, Douglas, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Fulton, Gallatin, Greene, Hamilton, Hancock, Hardin, Iroquois, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Logan, Macon, Macoupin, Madison, Marion, Mason, Massac, McDonough, Menard, Monroe, Montgomery, Morgan, Moultrie, Perry, Piatt, Pike, Pope, Pulaski, Randolph, Richland, Saline, Sangamon, Schuyler, Scott, Shelby, St. Clair, Union, Vermilion, Wabash, Washington, Wayne, White, Williamson.

**INDIANA 1418**

June 24, 2002.

Type of disaster:

Severe storms, tornadoes, and flooding beginning April 28, 2002, through June 7, 2002.

Counties:

Brown, Crawford, Dearborn, Dubois, Franklin, Gibson, Greene, Hamilton, Jackson, Jefferson, Johnson, Knox, Marion, Martin, Montgomery, Ohio, Orange, Owen, Parke, Pike, Posey, Putnam, Sullivan, Switzerland, Union, Vermillion, Vigo, Washington.

**IOWA 1420**

June 28, 2002.

Type of disaster:

Severe storms and flooding beginning June 3, 2002, and continuing.

Counties:

Allamakee, Benton, Buchanan, Cedar, Clayton, Clinton, Delaware, Dubuque, Fayette, Iowa, Jackson, Johnson, Jones, Linn, Muscatine, Scott, Winneshiek.

**KENTUCKY 1407** April 25, 2002.  
Type of disaster: Severe storms and flooding on March 17-21, 2002.  
Counties: Bath, Bell, Bourbon, Boyd, Breathitt, Carter, Clay, Elliott, Estill, Fleming, Floyd, Greenup, Harlan, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Letcher, Leslie, Lewis, Magoffin, Martin, McCreary, Menifee, Montgomery, Morgan, Nicholas, Owsley, Perry, Pike, Powell, Rowan, Wayne, Whitley, Wolfe.

**KENTUCKY 1414** May 20, 2002.  
Type of disaster: Severe storms, tornadoes, and flooding on April 27, 2002.  
Counties: Boyle, Breathitt, Breckinridge, Casey, Clay, Crittenden, Edmondson, Floyd, Grayson, Green, Hancock, Hardin, Henderson, Hopkins, Jackson, Knott, Knox, Laree, Laurel, Letcher, Lincoln, Magoffin, Marion, Martin, McCreary, McLean, Meade, Neslon, Ohio, Owsley, Perry, Pike, Pulaski, Rockcastle, Taylor, Union, Washington, Webster, Whitley.

**MARYLAND 1409** May 14, 2002.  
Type of disaster: Tornado on April 28, 2002.  
Counties: Calvert, Charles, Dorchester.

**MICHIGAN 1413** May 14, 2002.  
Type of disaster: Flooding on April 15, 2002.  
Counties: Baraga, Gogebic, Houghton, Iron, Marquette, Ontonagon, Keweenaw Bay Indian Community.

**MINNESOTA 1419** June 28, 2002.  
Type of disaster: Severe storms, tornadoes, and flooding beginning June 9, 2002, and continuing.  
Counties: Roseau.

**MISSOURI 1412** May 14, 2002.  
Type of disaster: Severe storms and tornadoes on April 24-28, 2002.  
Counties: Adair, Barry, Barton, Boone, Bollinger, Butler, Cape Girardeau, Camden, Carroll, Carter, Cedar, Chariton, Christian, Clark, Cooper, Crawford, Dade, Dallas,



Dekalb, Dent, Douglas, Dunklin, Greene, Grundy, Hickory, Howard, Howell, Iron, Jasper, Jefferson, Johnson, Knox, Laclede, Lafayette, Lawrence, Lewis, Lincoln, Linn, Livingston, Madison, Maries, Marion, McDonald, Mercer, Miller, Mississippi, New Madrid, Newton, Oregon, Osage, Ozark, Pemiscot, Perry, Phelps, Pike, Polk, Pulaski, Ralls, Ray, Reynolds, Ripley, Scotland, Scott, Schuyler, Shannon, St. Francois, Ste. Genevieve, Stoddard, Stone, Sullivan, Taney, Texas, Vernon, Washington, Wayne, Webster, Wright.

**NEW YORK 1415**

May 29, 2002.

Type of disaster:

Earthquake on April 20, 2002.

Counties:

Clinton, Essex, Franklin, Hamilton, Warren, Washington.

**TENNESSEE 1408**

April 25, 2002.

Type of disaster:

Severe storms and flooding over the periods of January 23-28, 2002, and March 15-20, 2002.

Counties:

Anderson, Bedford, Bledsoe, Blount, Cannon, Claiborne, Clay, Cocke, Cumberland, Decatur, Dekalb, Dickson, Fentress, Giles, Grainger, Hancock, Hardin, Hawkins, Jackson, Lauderdale, Lawrence, Lewis, Lincoln, Loudon, McNairy, Macon, Marshall, Maury, Meigs, Overton, Roane, Scott, Sevier, Van Buren, Warren, Wayne.

**VIRGINIA 1406**

April 25, 2002.

Type of disaster:

Severe storms and flooding on March 17-20, 2002.

Counties:

Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe, independent city of Norton.

**VIRGINIA 1411**

May 14, 2002.

Type of disaster:

Severe storms, tornadoes, and flooding on April 28, 2002.

Counties:

Bedford, Buchanan, Campbell, Cumberland, Greenville, Prince Edward, Halifax, Pittsylvania, Prince George, Scott, Shenandoah, Tazewell, Wise, independent cities of Bedford and Emporia.

**WEST VIRGINIA 1410** May 14, 2002.  
 Type of disaster: Severe storms, flooding, and landslides on May 2, 2002.  
 Counties : Kanawha, Logan, McDowell, Mercer, Mingo, Raleigh, Summers, Wyoming.

**Announcement 2002-6**

**Offers in Compromise**

<i>Company or Individual &amp; Amount of Offer</i>	<i>Alleged Violations</i>
Bacardi Corporation Catano, PR  \$7,500	Violated section 205(e) of FAA Act and 27 CFR 5.31 and 5.55(a) by selling products with labels not identical to Federal Certificates of Label Approval.
Bacardi Caribbean Corporation Catano, PR  \$2,500	Violated section 205(f) of FAA Act and 27 CFR 5.61 and 5.63(a) by disseminating advertisements not in accordance with regulations.
Distribution Technology, Incorporated Charlotte, NC  \$8,000	Violated 26 USC 5061(e)(1) and 27 CFR 24.272 by failing to make tax payments by electronic funds transfer.
The Heritage Store, Inc. Virginia Beach, VA  \$22,500	Failure to pay special tax violation of 26 USC 5081; bottling and selling distilled spirits without basic permit, interstate shipping and sale of distilled spirits without certificate of label approval, making therapeutic claims for distilled spirits, and interstate shipping of distilled spirits without Government health warning labels in violation of 27 USC 203(b)(1), 205(e), 205(f), and 215, respectively; and failure to register as a distilled spirit plant prior to commencing operations in violation of 26 USC 5171(c)(1).

<p>Star Tobacco Inc., formerly known as Star Tobacco and Pharmaceuticals, Inc. Petersburg, VA</p> <p>\$60,000</p>	<p>Failure to apply for new permit after change in control in violation of 26 USC 5713 and 27 CFR 270.104; improper marking of name and permit number on cigarette packages in violation of 26 USC 5723 and 27 CFR 270.212; inaccurately maintained records in violation of 26 USC 5741 and 27 CFR 270.183; failure to submit accurate required reports in violation of 26 USC 5722 and 27 CFR 270.202; improper determination and payment of tax on removals and inventory shortages in violation of 26 USC 5703 and 27 CFR 270.161 and 270.255; failure to provide evidence of exportation in violation of 26 USC 5703 and 27 CFR 290.66; failure to pay taxes on undocumented exportations in violation of 26 USC 5703 and 27 CFR 290.67; failure to prepare and submit Form 2149/2150 in violation of 26 USC 5704 and 27 CFR 290.198 and 290.199; and failure to maintain required records in violation of 26 USC 5741 and 27 CFR 270.254.</p>
<p>T.R. Metro Chemical, Incorporated Avenel, NJ</p> <p>\$50,000</p>	<p>Submission of false export documentation in violation of 26 USC 7207; failure to prepare and maintain records and reports relating to distilled spirits plant operations and exports in violation of 26 USC 5207 (a)(2)(C), 5214, and 5271, and 27 CFR 19.740, 19.751, 19.752, 19.753, 19.540, 252.152, 19.400, and 19.792; failure to make timely tax payments by electronic funds transfer in violation of 26 USC 5061(e)(1); and failure to file tax return and deposit excise tax in a timely manner in violation of 26 USC 5061(a) and 5061(e)(1) and 27 CFR 19.523 and 19.524.</p>

**Announcement 2002-7**

**Revoked Licenses and Permits**

**(a) Federal Firearms License (FFL) and Federal Explosives License/Permit (FEL) Revocations**

<i>License No.</i>	<i>License/Permit Type</i>	<i>License Name (Business Name)</i>	<i>City, State, Zip</i>
1-62-81613	(02) Pawnbroker in Firearms	Alisha Michelle Clark (Athens Pawn Shop & Trading Post	Athens, TN 37303

3-37-01593	(01) Dealer in Firearms	Bakos, Richard (Bakos State Park Hardware	Collinsville, IL 62234
3-37-10357	(01) Dealer in Firearms	Maserang, William L. (Maserangs Kommunity Store	Millstadt, IL 62260
1-62-11419	(06) Manuf. of Ammunition	Appalachian Resources Development Corp. (Bend of the River PSC)	Cookeville, TN 38506
1-PR-12006	(34) User of Low Explosives	Fireworks by Girone of Puerto Rico	Coama, PR 00769
3-36-12704	(01) Dealer in Firearms	Universal Firearms, Ltd. (Bells Gun & Sport Shop)	Franklin Park, IL 60131

**(b) Revoked Permits**

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

*Company/Location*

Gift Cosmetics, Inc.  
Batavia, IL

Packaging Technologies Group, Inc.  
Gurnee, IL

Scentex, Inc.  
Chicago, IL

**Announcement 2002-8**

**Bureau of Alcohol, Tobacco and Firearms (ATF)**

**Unified Agenda – Spring 2002 (Semiannual Regulatory Agenda)**

**SUMMARY:** This notice is given pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, September 19, 1980) and Executive Order (E.O.) 12866 ("Regulatory Planning and Review," September 30, 1993), which require the publication by the Department of a semiannual agenda of regulations.

**FOR FURTHER INFORMATION CONTACT:**

For additional information about a specific entry in the agenda, contact the "Agency Contact" identified in the agenda item relating to that regulation.

**SUPPLEMENTARY INFORMATION:**

The semiannual agenda of the Department of the Treasury conforms to the Unified Agenda format developed by the Regulatory Information Service Center (RISC). This Unified Agenda appeared in the Federal Register on May, 13, 2002 (Volume 67, Number 92).

**PROPOSED RULE STAGE**

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**ALCOHOL**

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**2254. AMERICAN VITICULTURAL AREAS**

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

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

**Timetable:**

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California Coast, CA (contact Nancy Sutton): NPRM 09/26/00 (65 FR 57763); Final Action To Be Determined

Expansion of Lodi Viticultural Area (contact Nancy Sutton): NPRM 02/07/00 (65 FR 5828); Final Action 09/00/02

Oak Knoll District, CA (contact Joanne Brady): NPRM 09/00/02

Rockpile Viticultural Area (Nancy Sutton): NPRM 05/01/01 (66 FR 21707); Final Rule 02/28/02 (67 FR 9192); Final Rule Effective 04/29/02

Yadkin Valley (contact Tim DeVanney): NPRM 02/07/02 (67 FR 5756); NPRM Comment Period End 04/08/02; Final Action To Be Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1512-AA07

2255. REVISION OF BREWERY REGULATIONS AND ISSUANCE OF REGULATIONS FOR TAVERNS ON BREWERY PREMISES (BREW PUBS)

Priority: Other Significant

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

CFR Citation: 27 CFR 7; 27 CFR 25

Legal Deadline: None

Abstract: ATF intends to streamline regulations applying to breweries. ATF will eliminate obsolete regulatory provisions. A formula system for manufactured beer products will replace statements of process attached to the brewers notice. The annual notice for small brewers to pay the reduced rate of tax will be eliminated. Separate regulations for brewpubs will be added to part 25. A section will be added to part 25 to authorize and regulate the alternating use of brewery premises by different brewers. Regulations authorizing the operation of brew-on-premises facilities will be added to part 25.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Charles N. Bacon, Program Manager, Department of the

Treasury, Bureau of Alcohol, Tobacco and Firearms; Phone: 617 557-1250

RIN: 1512-AB37

2256. PROHIBITION OF ALCOHOL BEVER-AGE CONTAINERS AND STANDARD OF FILL FOR DISTILLED SPIRITS AND WINE

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	02/09/99	64 FR 6486
NPRM Comment		
Period End	04/12/99	
Revised NPRM		
-- Aggregate Packaging	05/00/02	
-- Deceptive Packaging	05/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1512-AB89

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2257. AMENDED STANDARD OF  
IDENTITY FOR SHERRY

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf,  
ATF Specialist, Department of the  
Treasury, Bureau of Alcohol, Tobacco  
and Firearms, 650 Massachusetts  
Avenue NW., Washington, DC 20226;  
Phone: 202 927-8210 or  
Email: [mdruhf@atfhq.atf.treas.gov](mailto:mdruhf@atfhq.atf.treas.gov)

RIN: 1512-AB96

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2258. ALCOHOL BEVERAGE  
HEALTH WARNING STATEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205; 27 USC  
215

CFR Citation: 27 CFR 16

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
ANPRM	05/22/01	66 FR 28135
ANPRM Comment		
Period End	08/20/01	
NPRM	12/00/02	

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Ficaretta,  
Program Manager, Department of the  
Treasury, Bureau of Alcohol, Tobacco

and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226; Phone: 202 927-8210

RIN: 1512-AC12

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2259. PRODUCTION OF AGRICULTURAL WINES

Priority: Substantive, Nonsignificant

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

CFR Citation: 27 CFR 24

Legal Deadline: None

Abstract: ATF has received two petitions relating to the production of agricultural wines. One petition proposes that the wine regulations be amended to allow for the production of dried fruit wines with an alcohol by volume content of more than 14 percent. The second petition proposes that the regulations be amended to allow for the production of honey wines with a starting Brix of less than 22 degrees.

Timetable:

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Action	Date	FR Cite
NPRM	09/00/02	

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Regulatory Flexibility Analysis Required: No

Small Entities Affected: No  
Government Levels Affected: None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-230; Phone: 716 551-4048

RIN: 1512-AC48

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2260. PETITION TO ESTABLISH THE SANTA BARBARA HIGHLANDS VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms (ATF) has received a petition proposing the establishment of Santa Barbara Highlands as an American viticultural area. The proposed Santa Barbara Highlands area is located in Santa Barbara and Ventura Counties in California. The petition was submitted by Mr. Nebil Zarif, President, Barnwood Vineyards.

Timetable:

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Action	Date	FR Cite
NPRM	05/00/02	

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Regulatory Flexibility Analysis Required: No

Small Entities Affected: No



Government Levels Affected: None

Agency Contact: Tim DeVanney, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms; Phone: 202 927-8196

RIN: 1512-AC53

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2261. PETITION TO ESTABLISH THE TRINITY LAKE VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms has received a petition from Keith Groves of Alpen Cellars proposing the establishment of a viticultural area located in Trinity County, California. The proposed Trinity Lake viticultural area consists of approximately 96,000 acres.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Tim DeVanney, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms; Phone: 202 927-8196

RIN: 1512-AC62

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2262. CORRECTION OF TECHNICAL ERROR IN 27 CFR PART 4

Priority: Info./Admin./Other  
Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is correcting a technical error in 27 CFR 4.22(b) regarding the ameliorating of non-grape wines.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC63

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2263. PROPOSAL TO RECOGNIZE SYNONYMS FOR PETITE SIRAH AND ZINFANDEL GRAPE VARIETIES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is proposing to amend the list of prime grape names for American wines to recognize the name "Durif" as a synonym for the Petite Sirah grape and to recognize the name "Primitivo" as a synonym for the Zinfandel grape. This is in response to the result of recent DNA research into the identity of these grape varieties.

Timetable:

Action	Date	FR Cite
NPRM	04/10/02	67 FR 17312
NPRM Comment		
Period End	06/10/02	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC65

2264. PETITION TO ESTABLISH "SENECA LAKE" AS AN AMERICAN VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is requesting comments from any interested parties concerning the proposed establishment of "Seneca Lake" as an American viticultural area. The proposed Seneca Lake viticultural area encompasses about 180,000 acres of land surrounding Seneca Lake in upstate New York. This area is located within the approved Finger Lakes viticultural area in the State of New York.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kristy Colon, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms Phone: 202 927-8206

RIN: 1512-AC70

2265. PETITION TO ESTABLISH  
"CAPAY VALLEY" AS AN  
AMERICAN VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is requesting comments concerning the proposed establishment of "Capay Valley" as an American viticultural area. The proposed Capay Valley is located in northwestern Yolo County, California. This area is approximately 20 miles long and 5 miles wide. Approximately 25 acres are currently planted in wine grapes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kristy Colon, ATF  
Specialist, Department of the Treasury,  
Bureau of Alcohol, Tobacco and  
Firearms  
Phone: 202 927-8206

RIN: 1512-AC71

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2266. PETITION FOR THE  
ESTABLISHMENT OF "RED HILL"  
AS AN AMERICAN VITICULTURAL  
AREA

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 205(e)

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms has received a petition proposing the establishment of "Red Hill" as an American viticultural area located within the State of Oregon. The proposed viticultural area consists of approximately 1,668 acres or 8.6 square miles.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Tim DeVanney, ATF  
Specialist, Department of the Treasury,  
Bureau of Alcohol, Tobacco and  
Firearms  
Phone: 202 927-8196

RIN: 1512-AC76

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EXPLOSIVES

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2267. COMMERCE IN EXPLOSIVES  
(INCLUDING EXPLOSIVES IN THE  
FIREWORKS INDUSTRY)

Priority: Other Significant

Legal Authority: 5 USC 552(a); 31  
USC 9303; 31 USC 9304; 40 USC  
304(k); 18 USC 847; 18 USC 921 to  
930; 18 USC 1261; 19 USC 1612; 19  
USC 1613;  
19 USC 1618; 26 USC 7101; 26 USC  
7322 to 7326; 31 USC 9301  
CFR Citation: 27 CFR 55

Legal Deadline: None

Abstract: Pursuant to section 610 of the  
Regulatory Flexibility Act, ATF  
published a notice on January 10, 1997,  
seeking public comments on whether it  
should revise its regulations, codified at  
27 CFR part 55, governing Commerce  
in Explosives (Including Explosives in  
the Fireworks Industry). Based on  
comments received, ATF plans to  
initiate a rulemaking to revise these  
regulations in 2001.

Timetable:

Action	Date	FR Cite
General Notice of Regulatory Review:		
	01/10/97	62 FR 1386
NPRM	11/00/02	

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Ficaretta,  
Program Manager, Department of the  
Treasury, Bureau of Alcohol, Tobacco

and Firearms, 650 Massachusetts  
Avenue NW., Washington, DC 20226  
Phone: 202 927-8210

RIN: 1512-AB48

2268. IDENTIFICATION  
MARKINGS PLACED ON  
EXPLOSIVE MATERIALS

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 847

CFR Citation: 27 CFR 55

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
ANPRM		
	11/03/00	65 FR 67669
ANPRM Comment		
Period End	01/12/01	
NPRM	11/00/02	

Regulatory Flexibility Analysis  
Required: Undetermined

Government Levels Affected: None

Agency Contact: James Ficaretta,  
Program Manager, Department of the  
Treasury, Bureau of Alcohol, Tobacco

and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226  
Phone: 202 927-8210

RIN: 1512-AC25

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FIREARMS

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2269. IMPLEMENTATION OF PUBLIC LAW 105-277, MAKING OMNIBUS CONSOLIDATED AND EMERG. SUPPLEMENTAL APPROPRIATIONS FOR FY 1999, RELATING TO THE PERMANENT PROVISIONS OF THE BRADY HANDGUN VIOLENCE PREVENTION ACT

Priority: Substantive, Nonsignificant

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

CFR Citation: 27 CFR 178

Legal Deadline: None

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

advise local law enforcement within 48 hours after receipt of information.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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

RIN: 1512-AB83

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2270. IMPLEMENTATION OF P.L. 105-277 RELATING TO SECURE GUN STORAGE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552(a); 18 USC 847; 18 USC 421 to 430; 44 USC 3504(h)

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms will issue a notice of proposed rulemaking amending the regulations to implement the provisions of Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999. Regulations are proposed with regard

to: (1) certification by applicants for dealers' licenses that secure gun storage or safety devices will be available at any place where firearms are sold to nonlicensed individuals; and (2) an amended definition of "antique firearm," to include certain muzzle loading firearms.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis  
Required: No  
Small Entities Affected: No

Government Levels Affected: None

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

Related RIN: Related To 1512-AB93

RIN: 1512-AC67

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PROCEDURAL

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2271. PLAIN LANGUAGE IN PART 7

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 7

Legal Deadline: None

Abstract: This project revises regulations to plain language. The revision will make no substantive changes to the current 27 CFR part 7.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None  
Agency Contact: Lisa Marie Gesser,  
ATF Specialist, Department of the  
Treasury, Bureau of Alcohol, Tobacco  
and Firearms, 650 Massachusetts  
Avenue NW., Washington, DC 20226  
Phone: 202 927-8210

RIN: 1512-AC10

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TOBACCO PRODUCTS

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2272. REGULATORY CHANGES  
FROM CUSTOMS SERVICE FINAL  
RULE (2001R-90T)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 44

Legal Deadline: None

Abstract: The temporary rule prescribes ATF regulations relating to a U.S. Customs Service (USCS) final rule (T.D. 92-181, 57 FR 37692). The USCS published this final rule to create a

separate class of customs bonded warehouses, class 9 (duty-free store). A class 9 customs bonded warehouse (duty-free store) may receive tobacco products or cigarette papers or tubes without payment of Federal excise tax. The temporary rule prescribes the regulations that allow a manufacturer of tobacco products or cigarette papers and tubes and an export warehouse proprietor to send such articles to a class 9 customs bonded warehouse.

In addition, the temporary rule prescribes regulations that allow a proprietor of a customs bonded manufacturing warehouse where cigars are manufactured to send such cigars to a class 9 customs bonded warehouse. This notice of proposed rulemaking invites comments on the temporary rule.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	
Interim Final Rule	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 202 927-8210

RIN: 1512-AC56

**FINAL RULE STAGE**

ALCOHOL

2273. LABELING OF UNAGED GRAPE BRANDY

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5

Legal Deadline: None

Abstract: ATF proposes to amend the regulations to permit the use of the word "unaged" as an alternative to "immature," to describe grape brandy that has not been stored in oak containers.

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30015
NPRM Comment		
Period End	09/11/96	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1512-AB46

2274. DISTILLED SPIRITS PLANT REGULATORY INITIATIVE PROPOSAL

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	11/30/98	63 FR 65720
NPRM Comment Period En	01/29/99	
Final Action	09/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joanne Brady, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms  
Phone: 215 597-5288

RIN: 1512-AB58

2275. IMPLEMENTATION OF WINE CREDIT PROVISIONS OF PUBLIC LAW 104-188

Priority: Substantive, Nonsignificant

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

CFR Citation: 27 CFR 24.278; 27 CFR 24.279

Legal Deadline: None

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

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None



Agency Contact: Marjorie D. Ruhf,  
ATF Specialist, Department of the  
Treasury, Bureau of Alcohol, Tobacco  
and Firearms, 650 Massachusetts  
Avenue NW., Washington, DC 20226  
Phone: 202 927-8210  
Email: [mdruhfhq@atfhq.atf.treas.gov](mailto:mdruhfhq@atfhq.atf.treas.gov)

RIN: 1512-AB65

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2276. IMPLEMENTATION OF  
PUBLIC LAW 105-34, SECTION  
1416, RELATING TO REFUND OF  
TAX FOR DOMESTIC WINE  
RETURNED TO BOND  
REGARDLESS OF  
MERCHANTABILITY (TAXPAYER  
RELIEF ACT OF 1997)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5044; 26 USC  
5361; 26 USC 5367; 26 USC 5371  
CFR Citation: 27 CFR 24.66; 27 CFR  
24.295; 27 CFR 24.312

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Interim Final Rule		06/00/02

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AB74

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2277. HEALTH CLAIMS AND  
OTHER HEALTH RELATED  
STATEMENTS IN THE LABELING  
AND ADVERTISING OF ALCOHOL  
BEVERAGES

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

Legal Authority: 27 USC 205

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

Legal Deadline: None

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

disqualify these products entirely from entitlement to any health-related statements.

Timetable:

Action	Date	FR Cite
NPRM	10/25/99	64 FR 57413
NPRM Comment Period		
End	02/22/00	
Public Hearing	02/28/00	65 FR 10434
Cancellation/Rescheduling of Hearing		
	04/25/00	65 FR 24158
Comment Period		
Extended	04/25/00	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No  
Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AB97

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2278. RECODIFICATION OF PART 251

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 81(c); 19 USC 1202; 26 USC 5001; 26 USC 5007; 26 USC 5008; 26 USC 5041; 26 USC 5051; 26 USC 5054; 26 USC 5061; 26 USC 5111; 26 USC 5112; 26 USC 5114; 26 USC 5121; 26 USC 5122; 26 USC 5124; 26 USC 5201; 26 USC 5205; 26 USC 5207; 26 USC

5232; 26 USC 5273; 26 USC 5301; 26 USC 5313; 26 USC 5355; 26 USC 6302; 26 USC 7805; 27 USC 203; 27 USC 205; 27 USC 206; 27 USC 215;  
\* \* \*

CFR Citation: 27 CFR 251

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	08/05/96	61 FR 40568
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC27

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2279. ALBARINO, BLACK CORINTH AND FIANO GRAPE VARIETIES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	07/19/01	66 FR 37609
Final Action	05/00/02	
Final Action Effective	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No  
Government Levels Affected: None

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

RIN: 1512-AC29

2280. DELEGATION OF AUTHORITY IN 27 CFR PART 252

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 252

Legal Deadline: None

Abstract: This final rule places most ATF authorities with the appropriate ATF officer" and requires that persons

file documents with the appropriate ATF officer" or in accordance with the instructions on the ATF form.

Timetable:

Action	Date	FR Cite
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC44

2281. LIQUOR DEALERS; RECODIFICATION OF REGULATIONS

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 31; 27 CFR 194

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms (ATF) is recodifying the regulations pertaining to liquor dealers. The purpose of this recodification is to reissue the regulations in part 194 of title 27 of the Code of Federal Regulations (CFR) as

27 CFR part 31. This change improves the organization of title 27 CFR.

Timetable:

Action	Date	FR Cite
Final Action	09/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Karl Joedicke, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms  
Phone: 202 927-7460

RIN: 1512-AC45

2282. DELEGATION OF AUTHORITY IN 27 CFR PART 31  
Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 31

Legal Deadline: None

Abstract: This final rule places all ATF authorities contained in part 31, title 27 of the Code of Federal Regulations (CFR), with the "appropriate ATF officer" and requires that persons file documents required by 27 CFR part 31 with the "appropriate ATF officer" or in accordance with the instructions on the form. Also, this final rule removes the definitions of, and references to, specific officers subordinate to the Director.

Timetable:

Action	Date	FR Cite
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Karl Joedicke, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms

Phone: 202 927-7460

RIN: 1512-AC49

2283. DELEGATION OF AUTHORITY IN 27 CFR PART 251

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 251

Legal Deadline: None

Abstract: This final rule places most ATF authorities with the "appropriate ATF officer" and requires that persons file documents with the "appropriate ATF officer" or in accordance with the instructions on the ATF form.

Timetable:

Action	Date	FR Cite
Final Action	06/00/02	

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC58

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## FIREARMS

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### 2284. COMMERCE IN FIREARMS AND AMMUNITION (OMNIBUS CONSOLIDATED APPROPRIATIONS ACT OF 1997)

Priority: Substantive, Nonsignificant

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

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: The Omnibus Consolidated  
Appropriations Act of 1997 contains  
amendments to the Gun Control Act of  
1986 (18 U.S.C. chapter 44). These  
amendments add to the category of  
"prohibited persons" anyone convicted  
of a "misdemeanor crime of domestic  
violence." The amendments require  
individuals acquiring handguns from  
Federal firearms licensees to certify (in  
accordance with the Brady Law) that

they have not been convicted of such a  
crime. The amendments also provide  
for sales between Federal firearms  
licensees of curio and relic firearms  
away from their licensed premises.

#### Timetable:

Action	Date	FR Cite
NPRM	06/30/98	63 FR 35551
Interim Final Rule	06/30/98	63 FR 35520
NPRM Comment Period End	09/28/98	
Final Action	11/00/02	

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

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

RIN: 1512-AB64

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### 2285. RESIDENCY REQUIREMENT FOR PERSONS ACQUIRING FIREARMS

Priority: Other Significant

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

CFR Citation: 27 CFR 178

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	04/21/97	62 FR 19446
Interim Final Rule	04/21/97	62 FR 19442

NPRM Comment  
 Period End 07/21/97  
 Final Action 12/00/02

Regulatory Flexibility Analysis  
 Required: No

Government Levels Affected: None

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

RIN: 1512-AB66

2286. IMPLEMENTATION OF  
 PUBLIC LAW 104-208, THE  
 OMNIBUS CONSOLIDATED  
 APPROPRIATIONS ACT OF 1997,  
 RELATING TO THE  
 ESTABLISHMENT OF A NATIONAL  
 REPOSITORY FOR ARSON AND  
 EXPLOSIVES INFORMATION

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 846(b)

CFR Citation: 27 CFR 55

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	11/15/01	66 FR 57404
NPRM Comment		
Period End	02/13/02	
Final Rule	12/00/02	

Regulatory Flexibility Analysis  
 Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Ficaretta,  
Program Manager, Department of the  
Treasury, Bureau of Alcohol, Tobacco  
and Firearms, 650 Massachusetts  
Avenue NW., Washington, DC 20226

Phone: 202 927-8210

RIN: 1512-AB73

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2287. PUBLIC LAW 105-277,  
MAKING OMNIBUS  
CONSOLIDATED AND  
EMERGENCY SUPPLEMENTAL  
APPROPRIATIONS FOR FY99,  
RELATING TO FIREARMS  
DISABILITIES FOR  
NONIMMIGRANT ALIENS

Priority: Substantive, Nonsignificant

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

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: ATF will issue a temporary  
rule amending the regulations to  
implement the provisions of Public Law  
105-277, Making Omnibus  
Consolidated and Emergency  
Supplemental Appropriations for Fiscal  
Year 1999. The regulations implement  
the law by prohibiting, with certain  
exceptions, the transfer to and  
possession of firearms by aliens  
admitted to the United States under a  
nonimmigrant visa.

Timetable:

Action	Date	FR Cite
NPRM	02/05/02	67 FR 5428
Interim Final Rule	02/05/02	67 FR 5422
Comment Period End	05/06/02	

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AB93

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2288. COMMERCE IN FIREARMS  
AND AMMUNITION--ANNUAL  
INVENTORY

Priority: Substantive, Nonsignificant

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

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: ATF is proposing to amend  
the regulations to require federally  
licensed importers, manufacturers, and  
dealers of firearms to take at least one  
physical inventory each year. The

proposed regulations also specify the circumstances under which these licensees must conduct a special physical inventory. In addition, these proposed regulations clarify who is responsible for reporting a firearm that is stolen or lost in transit between licensees.

Timetable:

Action	Date	FR Cite
NPRM	08/28/00	65 FR 52054
Final Action	12/00/02	

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC08

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TOBACCO PRODUCTS

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2289. TOBACCO PRODUCTS AND  
CIGARETTE PAPERS AND TUBES  
SHIPPED FROM PUERTO RICO TO  
THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 5701; 27 USC  
7652

CFR Citation: 27 CFR 275

Legal Deadline: None

Abstract: This temporary rule eliminates ATF onsite supervision of tobacco products and cigarette papers and tubes of Puerto Rican manufacture that are shipped from Puerto Rico to the United States. It also eliminates related ATF forms. This rule requires that persons who ship such articles maintain records so that the amount of tax is calculated and recorded for ATF audit and examination. Also, this temporary rule revises certain sections to simplify and clarify, and it corrects a few errors.

Timetable:

Action	Date	FR Cite
NPRM	03/08/01	66 FR 13864
NPRM Comment Period End	05/07/01	
Interim Final Rule	03/08/01	66 FR 13849
Final Action	10/00/02	

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC24



2290. ELIMINATION OF APPLICATION TO REMOVE TOBACCO PRODUCTS FROM MANUFACTURER'S PREMISES FOR EXPERIMENTAL PURPOSES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5704

CFR Citation: 27 CFR 40

Legal Deadline: None

Abstract: This rule eliminates the requirement that manufacturers of tobacco products apply to ATF to remove tobacco products from their factories in bond for experimental purposes. It is replaced with the requirement to keep records.

Timetable:

Action	Date	FR Cite
NPRM	10/17/01	66 FR 52730
NPRM Comment Period End	12/17/01	
Final Rule	10/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC32

2291. DELEGATION OF AUTHORITY IN 27 CFR PART 44

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 44

Legal Deadline: None

Abstract: This final rule places most ATF authorities with the appropriate ATF officer and requires that persons file documents with the appropriate ATF officer or in accordance with the instructions on the ATF form.

Timetable:

Action	Date	FR Cite
Final Action	10/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None  
Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 Phone: 202 927-8210

RIN: 1512-AC36

2292. IMPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES; RECODIFICATION OF REGULATIONS

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 41; 27 CFR 275

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is recodifying the regulations in part 275, Importation of Tobacco Products and Cigarette Papers and Tubes. The purpose of this recodification is to reissue the regulations in part 275 of title 27 of the Code of Federal Regulations (CFR) as 27 CFR part 41. This change improves the organization of title 27 CFR.

Timetable:

Action	Date	FR Cite
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Final Action 09/00/02

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms  
Phone: 415 947-5192

RIN: 1512-AC46

**LONG-TERM ACTIONS**

ALCOHOL

**2293. EXPORTATION OF LIQUORS**

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 252

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joanne Brady  
Phone: 215 597-5288

RIN: 1512-AA98

**2294. ALCOHOLIC CONTENT LABELING FOR MALT BEVERAGES**

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 7

Timetable:

Action	Date	FR Cite
NPRM	04/19/93	58 FR 21233
Interim Final Rule	04/19/93	58 FR 21228

NPRM Comment  
Period End 07/19/93  
NPRM Comment Period  
Extended 07/19/93 58 FR 38543  
NPRM Comment Period Extended  
End 09/17/93  
2nd NPRM To Be Determined

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

Agency Contact: Bernard J. Kipp  
Phone: 503 356-1341

RIN: 1512-AB17

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#### 2295. SAKE REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis  
Required: Undetermined

Government Levels Affected: None

Agency Contact: Bernard J. Kipp  
Phone: 503 356-1341

RIN: 1512-AC09

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#### 2296. FLAVORED MALT BEVERAGES

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis  
Required: Undetermined

Government Levels Affected: None

Agency Contact: Charles N. Bacon  
Phone: 617 557-1250

RIN: 1512-AC11

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#### 2297. REMOVAL OF REQUIREMENT TO DISCLOSE SACCHARIN IN THE LABELING OF WINE, DISTILLED SPIRITS AND MALT BEVERAGES

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

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis  
Required: No  
Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf  
Phone: 202 927-8210  
Email: [mdruh@atfhq.atf.treas.gov](mailto:mdruh@atfhq.atf.treas.gov)

RIN: 1512-AC17

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#### 2298. PROPOSED ADDITION OF "TANNAT" AS A GRAPE VARIETY NAME FOR AMERICAN WINES

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 4

Timetable:

Action	Date	FR Cite
NPRM	01/23/02	67 FR 3135
NPRM Comment Period		
End	03/25/02	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jennifer Berry  
Phone: 716 551-4048

RIN: 1512-AC50

2299. PETITION TO AMEND THE STANDARDS OF IDENTITY FOR WHISKY AND BRANDY

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 5.22

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1512-AC51

2300. PROPOSED REVISIONS OF 27 CFR PART 19

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 19

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1512-AC52

2301. PROPOSED SAN BERNABE VITICULTURAL AREA

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 9

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy Sutton  
Phone: 415 947-5192

RIN: 1512-AC60

2302. PETITION TO ESTABLISH  
RED HILLS AMERICAN  
VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: This proposed viticultural area of northern California lies within the Clear Lake viticultural area in Lake County, which is entirely within the multi-county North Coast viticultural area. The area consists of approximately 31,250 acres of hilly terrain covered with rocky, volcanic soil.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, ATF  
Specialist, Department of the Treasury,  
Bureau of Alcohol, Tobacco and  
Firearms  
Phone: 415 947-5192

RIN: 1512-AC66

2303. PETITION TO ESTABLISH  
"BENNETT VALLEY" AS AN  
AMERICAN  
VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: The proposed 8,100-acre viticultural area is located entirely within the North Coast viticultural area of northern California, Sonoma County, and predominantly within the Sonoma Valley viticultural area. There are small overlaps into the Sonoma Coast and Sonoma Mountain viticultural areas. The petitioned area is approximately 40 miles northeast of San Francisco and is bordered by mountains, foothills, and the City of Santa Rosa. Currently, there are 650 acres of vineyards.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, ATF  
Specialist, Department of the Treasury,  
Bureau of Alcohol, Tobacco and  
Firearms  
Phone: 415 947-5192

RIN: 1512-AC72

2304. TAXPAID DISTILLED  
SPIRITS USED IN  
MANUFACTURING PRODUCTS  
UNFIT FOR BEVERAGE USE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5010; 26 USC 5131 to 5134; 26 USC 5143; 26 USC 5206; 26 USC 5273.

CFR Citation: 27 CFR 17

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms (ATF) proposes to amend the regulations on taxpaid distilled spirits used to manufacture nonbeverage products to allow manufactures to use natural and artificial 1 percent solutions without having to file ATF Form 5154.1, Formula and Process for Nonbeverage Product. This proposal is part of an ongoing effort to streamline the ATF National Laboratory Center's flavor formula approval process.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Linda Wade-Chapman, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms  
Phone: 202 927-8181

RIN: 1512-AC73

2305. PETITION TO CHANGE THE TEMECULA VITICULTURAL AREA'S NAME TO TEMECULA VALLEY

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: The proposed name change from Temecula to Temecula Valley is intended to provide a more accurate portrayal of the viticultural area, geographically and politically, and to provide clarity to wine consumers. The boundaries will not change.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms  
Phone: 415 947-5192

RIN: 1512-AC77

PROCEDURAL

2306. DELEGATION OF  
AUTHORITY IN 27 CFR PART 19

Priority: Info./Admin./Other

CFR Citation: 27 CFR 19

Timetable:

Action	Date	FR Cite
Final Action	To Be Determined	

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

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

RIN: 1512-AC06

2307. COMMERCE IN FIREARMS  
AND AMMUNITION;  
RECODIFICATION OF  
REGULATIONS (2002R-013P)

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 47; 27 CFR 50;  
27 CFR 178; 27 CFR 179; 27 CFR 70

Legal Deadline: None

Abstract: The Bureau of Alcohol,  
Tobacco and Firearms is recodifying the  
regulations pertaining to commerce in  
firearms and ammunition. The purpose  
of this recodification is to reissue the  
regulations in part 178 of title 27, Code  
of Federal Regulation (27 CFR part

178) as 27 CFR part 50. This change  
will improve the organization of 27  
CFR.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 202 927-8210

RIN: 1512-AC68

2308. MACHINE GUNS,  
DESTRUCTIVE DEVICES, AND  
CERTAIN OTHER FIREARMS;  
RECODIFICATION OF  
REGULATIONS

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 47; 27 CFR 51;  
27 CFR 55; 27 CFR 70; 27 CFR 179; ...

Legal Deadline: None

Abstract: The Bureau of Alcohol,  
Tobacco and Firearms is recodifying the  
regulations pertaining to machine guns,  
destructive devices, and certain other  
firearms. The purpose of this  
recodification is to reissue the  
regulations in part 179 of title 27, Code  
of Federal Regulations (27 CFR part

179) as 27 CFR part 51. This change will improve the organization of title 27 CFR.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC69

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2309. DELEGATION OF AUTHORITY FOR PART 70

Priority: Info./Admin./Other  
Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 70

Legal Deadline: None

Abstract: This final rule references an additional ATF order, ATF Order 1130.32, for delegating certain ATF authorities contained in its Procedure and Administration regulations. ATF Order 1130.32 delegates the authority to accept or reject offers in compromise other than forfeiture to the appropriate ATF officer. A previous final rule (T.D. ATF-450, 66 FR 29021) referenced only ATF Order 1130.19. ATF Order 1130.19 delegates all other authorities in its Procedure and Administration regulations.

Timetable:

Action	Date	FR Cite
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC74

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TOBACCO PRODUCTS

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2310. IMPLEMENTATION OF PUBLIC LAW 105-33, SECTION 9302, REQUIRING THE QUALIFICATION OF TOBACCO PRODUCT IMPORTERS AND MISCELLANEOUS TECHNICAL AMENDMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 275

Timetable:

Action	Date	FR Cite
NPRM	12/22/99	64 FR 71955
Interim Final Rule	12/22/99	64 FR 71947
Interim Final Rule Effective	01/01/00	



Interim Final Rule Comment Period  
End 05/03/00 65 FR 17477  
Final Action To Be Determined

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

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

RIN: 1512-AC07

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2311. PROHIBITED MARKS ON  
PACKAGES OF TOBACCO  
PRODUCTS AND CIGARETTE  
PAPERS AND TUBES IMPORTED  
OR BROUGHT INTO THE UNITED  
STATES

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 275

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

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

RIN: 1512-AC14

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2312. DETERMINATION OF TAX  
AND RECORDKEEPING ON LARGE  
CIGARS

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 270; 27 CFR 275

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

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

RIN: 1512-AC22

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2313. ELIMINATION OF  
STATISTICAL CLASSES FOR  
LARGE CIGARS

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 40; 27 CFR 275

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

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

RIN: 1512-AC33

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2314. DELEGATION OF  
AUTHORITY IN 27 CFR PART 40

Priority: Info./Admin./Other

CFR Citation: 27 CFR 40

Timetable:

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Action            Date            FR Cite  
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Final Action    To Be Determined

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

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

RIN: 1512-AC54

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2315. SHIPMENTS OF TOBACCO  
PRODUCTS OR CIGARETTE  
PAPERS OR TUBES WITHOUT  
PAYMENT OF TAX.

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 40; 27 CFR 275

Timetable:

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Action            Date            FR Cite  
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NPRM            To Be Determined

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

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

RIN: 1512-AC57

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2316. VOLUNTARY WAIVER OF  
FILING CLAIM FOR CREDIT,  
REFUND, ALLOWANCE OR  
CREDIT OF TAX FOR TOBACCO  
PRODUCTS MANUFACTURED IN  
CANADA

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 44

Timetable:

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Action            Date            FR Cite  
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Final Action    To Be Determined

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf  
Phone: 202 927-8210  
RIN: 1512-AC64

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2317. REMOVAL OF TOBACCO  
PRODUCTS AND CIGARETTE  
PAPERS AND TUBES WITHOUT  
PAYMENT OF TAX FOR USE OF  
THE UNITED STATES

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 45

Legal Deadline: None

Abstract: This proposed rule revises, in  
plain language, the existing regulations

relating to the removal of tobacco products and cigarette papers and tubes, without payment of tax, for use of the United States. ATF is proposing this rule to clearly communicate the requirements of these regulations. In addition, we are liberalizing the requirements for emergency variations.

Timetable:

Action	Date	FR Cite
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1512-AC75

**COMPLETED ACTIONS**

2318. DISTRIBUTION OF DENATURED ALCOHOL AND RUM

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 20

Completed:

Reason	Date	FR Cite
Final Action	04/12/02	67 FR 17937

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1512-AB57

2319. DELEGATION OF AUTHORITY IN 27 CFR PARTS 45 AND 46

Priority: Info./Admin./Other

CFR Citation: 27 CFR 45; 27 CFR 46

Completed:

Reason	Date	FR Cite
Final Action	02/27/02	67 FR 8878

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1512-AC59

DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

Distribution Center  
P.O. Box 5950  
Springfield, VA 22150-5950

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OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300