

27 CFR Part 20

[Notice No. 827]

RIN 1512-AB57

Distribution and Use of Denatured Alcohol and Rum (95R-028P)

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

ACTION: Advance notice of proposed rulemaking.

SUMMARY: Pursuant to the President's regulatory reform initiative, ATF is conducting a complete review of all Federal government regulations relating to the distribution and use of denatured alcohol and rum. ATF believes that the regulations can be modernized and simplified since the last major revision in 1985.

ATF is issuing this advance notice to solicit comments on ways in which the regulations can be simplified so as to greatly reduce or eliminate unnecessary regulatory burdens on industry members, while continuing to provide adequate protection of the revenue.

DATES: Comments must be submitted by August 12, 1996.

ADDRESSES: Submit all comments to: Chief, Wine, Beer, and Spirits Regulations Branch; Bureau of Alcohol, Tobacco and Firearms; P.O. Box 50221; Washington, DC 20091-0221. ATTN: Notice No. 827.

FOR FURTHER INFORMATION CONTACT: Mary A. Wood; Wine, Beer, and Spirits Regulations Branch; Bureau of Alcohol, Tobacco and Firearms; 650 Massachusetts Avenue, NW; Washington, DC 20226; (202) 927-8210.

SUPPLEMENTARY INFORMATION:**Background**

ATF wishes to solicit comments from the public on its proposal to conduct a complete review of the regulatory requirements in Part 20 pertaining to the distribution and use of denatured alcohol and rum. ATF aims to eliminate, revise, or simplify the regulations where necessary. ATF believes that the current regulations may contain unnecessary provisions and ATF desires to delete regulatory requirements which have become obsolete.

ATF wants to ensure that the regulations provided for in this part are made as simple as possible, while still providing the necessary protection to the revenue. In updating the regulations, primary emphasis will be given to the simplification of procedures for qualifying as a denatured alcohol and rum distributor and user or for keeping records and filing reports.

ATF solicits comments on the following issues:

(1) Are specific regulations in Part 20 duplicative and unnecessary? Can specific sections of the regulations be combined to eliminate such duplication?

(2) Can the permit application, approved formula or statement of process, or loss claim requirements in these regulations be made more streamlined, while continuing to provide adequate safeguards to the revenue?

(3) Can the labeling requirements for articles or packages of specially denatured spirits be simplified?

(4) Are there any other suggestions for providing flexibility in the provisions in Part 20, including the recovery of denatured spirits and the reuse of the recovered spirits.

(5) Overall, ATF would like to solicit general comments on ways in which it could reduce recordkeeping paperwork and/or simplify procedures, while continuing to maintain adequate safeguards to the revenue.

(6) Finally, under the current regulations, ATF may grant a permittee's request for an alternate method or procedure as a variance from some regulatory requirements. ATF is interested in comments from permittees concerning their experience with such variances and whether these regulations should be revised to incorporate some of the practices authorized by existing variances.

Participation

ATF requests comments from all interested persons. All comments received on or before the closing date will be carefully considered. Comments received after that date will be given the same consideration if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closing date.

ATF will not recognize any material as confidential. Comments may be disclosed to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure should not be included in the comment. The name of the person submitting the comment is not exempt from disclosure.

During the comment period, any person may request an opportunity to present oral testimony at a public hearing. However, the Director reserves the right, in light of all circumstances, to determine if a public hearing is necessary.

Executive Order 12866

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

Drafting Information: The principal author of this document is Mary A. Wood of the Wine, Beer, and Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 20

Administrative practice and procedure, Advertising, Alcohol and alcohol beverages, Authority delegations, Claims, Excise taxes, Reporting and recordkeeping requirements, Surety bonds.

Authority and Issuance

This advance notice of proposed rulemaking is issued under the authority in 26 U.S.C. 5001, 5206, 5214, 5241-5276, 5311, 5552, 5555, 5607, 6065, 7805.

Signed: May 17, 1996.

Bradley A. Buckles,

Acting Director.

Approved: May 24, 1996.

John P. Simpson,

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

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27 CFR Part 22

[Notice No. 828]

RIN 1512-AB51

Distribution and Use of Tax-Free Alcohol (95R-030P)

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

ACTION: Notice of proposed rulemaking.

SUMMARY: Pursuant to the President's regulatory reform initiative, the Bureau of Alcohol, Tobacco and Firearms (ATF) is proposing revisions in this notice to eliminate and liberalize certain regulatory requirements relating to tax-free alcohol. ATF believes that these proposed revisions will greatly reduce and simplify the qualification process governing the tax-free alcohol permit application process.

DATES: Written comments must be received on or before August 12, 1996.

ADDRESSES: Submit written comments to: Chief, Wine, Beer, and Spirits