

Meetings Held With Industry Members to Discuss E-Filing of Label Approvals

By Tom Stewart (202) 927-8193

During February 7-8, 2002, ATF participated in four separate meetings with members of the alcohol beverage industry to discuss requirements for the system to electronically file label applications. The meetings were held at the Fairfax, Virginia, facilities of Idea Integration, the contractor designing and building the system. Approximately 65 persons attended the sessions. The purpose of the meetings was to discuss the goals and status of the project and solicit the industry's input on the requirements before finalizing them. Material presented at these four presentations included background and history of the COLAs Online project and the schedule and status of the project. Industry representatives were shown samples of the screens they would use to log in, create applications and search for electronically filed COLAs, along with descriptions of these processes. These presentations yielded many valuable comments and suggestions which ATF will be able to use to enhance the requirements for the system. We will continue to keep industry members informed of our progress through this publication, attendance at industry meetings and seminars and on our Internet site (www.atf.treas.gov). We greatly appreciate the time and effort our customers have spent in assisting us to develop a process to modernize and improve the label approval system. ■



Cigarette Thefts and Hijackings

By George Kim (202) 927-3580

ATF enforces Chapter 114-Trafficking in Contraband Cigarettes, which makes it a federal felony to knowingly ship, transport, receive, possess, sell, distribute, or purchase contraband cigarettes. "Contraband cigarettes" means a quantity in excess of 60,000 cigarettes, which bear no evidence of the payment of applicable State cigarette taxes in the State where such cigarettes are found, if such State requires a stamp, impression, or other indication to be placed on packages or other containers of cigarettes to evidence payment of cigarette taxes. Stolen cigarettes usually do not have any State stamp or the inappropriate State stamp, as they are moving between regulated warehouses in interstate commerce.

Recently, there has been a marked increase in the theft of cigarettes while in interstate transportation. ATF would like to encourage tobacco permit holders and others to report these thefts to ATF's National Enforcement Operations Center (NEOC) at 1-800-800-3855. The information may be used to initiate or assist in an appropriate investigation. If you have any questions concerning ATF's Tobacco Programs, please call the Diversion Branch at (202) 927-3580 or refer to the ATF web site at www.atf.treas.gov. ■



New Microsoft Word Version of COLA Form

By Adam Krautheim (202) 927-8450

The Alcohol Labeling and Formulation Division has recently released a Microsoft Word (MS) version of ATF Form 5100.31, Application for and Certification/Exemption of Label/Bottle Approval (COLA). The regulations require generally that an approved COLA, ATF Form 5100.31, be obtained prior to the bottling, packing, importation or removal of wine, distilled spirits or malt beverages from the plant where bottled or packed, or from Customs custody. The MS Word version of this form is available on our web site at <http://www.atf.treas.gov/forms/msword/f510031.dot>. This version of the form will allow you to type the information required on the form on your computer, print it, attach your label(s) and forward it to ATF. Please note that when the form is printed, 8.5" x 14" legal-size paper must be used.

A proposed revision of ATF Form 5100.31 was published in the Federal Register on February 13, 2002. ATF is also developing paperless electronic filing of COLA forms which will enable you to submit the completed application via the internet, check the status of your applications, and receive a response on approval or rejection on-line. It is anticipated that this system will be available by January 2003. If you have any questions, please contact ALFD Customer Service at (202) 927-8140, toll free (866) 927-ALFD (2533) or by email at alfd@atfhq.atf.treas.gov. ■

Proposed Revision of the COLA Form



By William Moore (202) 927-8204

The COLA form, "Application for Certification/Exemption of Label/Bottle Approval," ATF F 5100.31 is being revised in part to accommodate future electronic filing of applications for Certificates of Label Approval.

We are proposing some revisions to the front of the COLA form. One of the more significant changes to the front of the form is the elimination of the vendor code.

Our draft of the back of the COLA form, however, differs dramatically from the current COLA form. The instructions for completing the form and conditions of approval are restructured. The conditions under which approved labels may be modified were changed to allow the deletion of any nonmandatory label information without submission of a new application for certificate of label approval.

Notice of our proposed revision was published in the Federal Register on February 13, 2002. To request copies of the notice and draft revised form, contact the Alcohol Labeling and Formulation Division (ALFD) Customer Service Desk at (202) 927-8140 or toll free at 1-866-927-2533 or you can e-mail us at alfd@atfhq.atf.treas.gov. If you would like to comment on the form, please address your comments in writing to Bureau of Alcohol, Tobacco and Firearms, Attn: Linda Barnes, 650 Massachusetts Avenue, NW, Washington, DC 20226. Written comments must be received on or before April 15, 2002, to be assured of consideration. Comments may also be submitted by e-mail at alfd@atfhq.atf.treas.gov. ■

Notice of Proposed Rulemaking for Yadkin Valley American Viticultural Area



By Timothy DeVanney (202) 927-8210

On February 7, 2002, the Bureau of Alcohol, Tobacco and Firearms (ATF) published a Notice of Proposed Rulemaking (Notice No. 936), which proposes establishing an American viticultural area known as "Yadkin Valley." The notice is the result of a petition filed by Ms. Patricia McRitchie, on behalf of Shelton Vineyards, Inc., Dobson, North Carolina. The proposed viticultural area is in the State of North Carolina and encompasses Surry, Wilkes, and Yadkin Counties, as well as portions of Stokes, Forsyth and Davie Counties. It is also located entirely within the Yadkin River Watershed. If this proposal is approved, "Yadkin Valley" will be the first viticultural area in the State of North Carolina.

The proposed area encompasses approximately 192.4 square miles or 1,231,000 acres. Within these boundaries there are over 30 growers that devote approximately 350 acres to the cultivation of wine grapes, three bonded wineries, and at least two wineries that are undergoing construction.

ATF requests comments on this proposal. Written comments must be received by April 8, 2002, and should be sent to the Chief, Regulations Division, Bureau of ATF, P.O. Box 50221, Washington, DC 20091-0221 (Attn: Notice No. 936). Comments may also be submitted by e-mail to nprm@atfhq.atf.treas.gov or by fax (if three pages or less) to (202) 927-8525. ■

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.