paragraph (b) of this section. The successor may adopt the formulas and statements of process of the predecessor.

(Approved by the Office of Management and Budget under control number 1512-0336)


§ 20.58 Adoption of documents by a fiduciary.

If the business covered by a permit issued under this part, is to be operated by a fiduciary, the fiduciary may, in lieu of qualifying as a new proprietor, file a written notice, and any necessary supporting documents, to amend the predecessor’s permit. The fiduciary may adopt the formulas and statements of process of the predecessor. The effective date of the qualifying documents filed by a fiduciary shall coincide with the effective date of the court order or the date specified therein for the fiduciary to assume control. If the fiduciary was not appointed by the court, the date the fiduciary assumed control shall coincide with the effective date of the filing of the qualifying documents.

(Approved by the Office of Management and Budget under control number 1512-0336)


§ 20.59 Continuing partnerships.

(a) General. If, under the laws of a particular State, a partnership is not terminated on death or insolvency of a partner, but continues until final settlement of the partnership affairs is completed, and the surviving partner has the exclusive right to the control and possession of the partnership assets for the purpose of liquidation and settlement, the surviving partner may continue to withdraw and use specially denatured spirits under the prior qualifications of the partnership.

(b) Requalification. If a surviving partner acquires the business on completion of the settlement of the partnership, that partner shall qualify as a new proprietor, from the date of acquisition, under the same conditions and limitations prescribed in § 20.57(c).

(c) More than one partner. The rule set forth in this section also applies if there is more than one surviving partner.

(Approved by the Office of Management and Budget under control number 1512-0336)


§ 20.60 Change in name of permittee.

When the only change is a change in the individual, firm, or corporation name, a permittee may not conduct operations under the new name until a written notice, accompanied by necessary supporting documents, to amend the application and permit has been filed and an amended permit issued by the appropriate TTB officer.

(Approved by the Office of Management and Budget under control number 1512-0336)


§ 20.61 Change in trade name.

If there is to be a change in, or addition of, a trade name, the permittee may not conduct operations under the new trade name until a written notice has been filed and an amended permit has been issued by the appropriate TTB officer.

(Approved by the Office of Management and Budget under control number 1512-0336)


§ 20.62 Change in location.

When there is to be a change in location, a permittee may not conduct operations at the new location until a written notice, accompanied by necessary supporting information to amend the application and permit has been filed and an amended permit issued by the appropriate TTB officer.

(Approved by the Office of Management and Budget under control number 1512-0336)


§ 20.63 Adoption of formulas and statements of process.

(a) The adoption by a successor (proprietorship or fiduciary) of a predecessor’s formulas and statements of process as provided in § 20.57(c), and
§ 20.58. will be in the form of a certifi-
cate submitted to the appropriate TTB
officer.
(b) The certificate will contain, as
applicable, (1) a list of all approved for-
mulas or statements of process in
which specially denatured spirits are
used or recovered, (2) the formulas of
specially denatured spirits used, (3) the
TTB laboratory number of the sample
(if any), (4) the date of approval of
Form 1479–A or serial number of Form
5150.19, and (5) the applicable code
number for the article or process. In
addition, the certificate will contain
the name of the successor followed by
the phrase “Formula of
(Name of predecessor) is hereby adopt-
ed.”

(Approved by the Office of Management and
Budget under control number 1512–0336)
[T.D. ATF–199, 50 FR 9162, Mar. 6, 1985, as
amended by ATF–332,
57 FR 40849, Sept. 8, 1992]

§ 20.64 Return of permits.

Following the issuance of a new or
amended permit, the permittee shall
(a) obtain and destroy all photocopies
of the previous permit from its sup-
pliers, and (b) return the original of the
previous permit to the appropriate
TTB officer.

REGISTRY OF STILLS

§ 20.66 Registry of stills.

The provisions of subpart C of part 29
of this chapter are applicable to stills
or distilling apparatus located on the
premises of a permittee used for dis-
tilling. As provided under §29.55, the
listing of a still in the permit applica-
tion (Form 5150.22), and approval of the
application, constitutes registration of the
still.

(Sec. 201, Pub. L. 85–859, 72 Stat. 1355, as
amended (26 U.S.C. 5179))

PERMANENT DISCONTINUANCE OF
BUSINESS

§ 20.68 Notice of permanent dis-
continuance.

(a) Notice. When a permittee perma-
nently discontinues business, a written
notice shall be filed with the appro-
priate TTB officer to cover the dis-
continuance. The notice will be accom-
panied by the permit, and contain—
(1) A request to cancel the permit,
(2) A statement of the disposition
made of all specially denatured spirits,
as required in §20.234, and
(3) The date of discontinuance.

(b) Final Reports. The written notice
required by this paragraph will also be
accompanied by a report on Form
5150.18 covering the discontinuance and
marked “Final Report.”

(Approved by the Office of Management and
Budget under control number 1512–0336)
[T.D. ATF–199, 50 FR 9162, Mar. 6, 1985, as
12, 2002]

Subpart E [Reserved]

Subpart F—Formulas and
Statements of Process

§ 20.91 Formula.

(a) Each article made with specially
denatured spirits shall be made in ac-
cordance with (1) an approved formula,
Form 5150.19, or (2) an approved gen-
eral-use formula prescribed in this sub-
part, approved by the appropriate TTB
officer as an alternate method, or pub-
lished as a TTB ruling in the TTB Bul-
letin. The manufacturer shall file
Form 5150.19, along with the sample(s)
required by §20.92, and obtain an ap-
proved formula before manufacturing
the article.

(b) An article made in accordance
with a formula on Form 1479–A ap-
proved under previous regulations in
part 211 of this chapter will be consid-
ered to comply with the requirements
of this subpart.

(c) Any person who has approved for-
mulas or statements of process, Form
1479–A or Form 5150.19, which have been
discontinued or have become obsolete,
may submit these formulas or state-
ments of process to the appropriate
TTB officer for cancellation.

§ 20.92 Samples.

(a) For each formula submitted in ac-
cordance with §20.91 covering a toilet
preparation made with S.D.A. Formula
No. 39–C and containing an essential
oil, the manufacturer shall submit a