

message to a person by means of images or sounds of a very brief nature that cannot be perceived at a normal level of awareness.

[T.D. 7020, 34 FR 20337, Dec. 30, 1969, as amended by T.D. ATF-180, 49 FR 31674, Aug. 8, 1984; TTB T.D.-1, 68 FR 10105, Mar. 3, 2003]

#### § 5.66 Comparative advertising.

(a) *General.* Comparative advertising shall not be disparaging of a competitor's product.

(b) *Taste tests.* (1) Taste test results may be used in advertisements comparing competitors' products unless they are disparaging, deceptive, or likely to mislead the consumer.

(2) The taste test procedure used shall meet scientifically accepted procedures. An example of a scientifically accepted procedure is outlined in the *Manual on Sensory Testing Methods*, ASTM Special Technical Publication 434, published by the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103, ASTM, 1968, Library of Congress Catalog Card Number 68-15545.

(3) A statement shall appear in the advertisement providing the name and address of the testing administrator.

[T.D. ATF-180, 49 FR 31674, Aug. 8, 1984]

### Subpart I—Use of the Term “Organic.”

#### § 5.71 Use of the term “organic.”

(a) Use of the term “organic” is optional and is treated as “additional information on labels” under § 5.33(f).

(b) Any use of the term “organic” on a distilled spirits label or in advertising of distilled spirits must comply with the United States Department of Agriculture's (USDA) National Organic Program rules, 7 CFR part 205, as interpreted by the USDA.

(c) This section applies to labels and advertising that use the term “organic” on and after October 21, 2002.

[T.D. ATF-483, 67 FR 62858, Oct. 8, 2002]

## PART 6—“TIED-HOUSE”

### Subpart A—Scope of Regulations

Sec.  
6.1 General.

6.2 Territorial extent.  
6.3 Application.  
6.4 Jurisdictional limits.  
6.5 Delegations of the Administrator.  
6.6 Administrative provisions.

### Subpart B—Definitions

6.11 Meaning of terms.

### Subpart C—Unlawful Inducements

#### GENERAL

6.21 Application.

#### INTEREST IN RETAIL LICENSE

6.25 General.  
6.26 Indirect interest.  
6.27 Proprietary interest.

#### INTEREST IN RETAIL PROPERTY

6.31 General.  
6.32 Indirect interest.  
6.33 Proprietary interest.  
6.34 Mortgages.  
6.35 Renting display space.

#### FURNISHING THINGS OF VALUE

6.41 General.  
6.42 Indirect inducement through third party arrangements.  
6.43 Sale of equipment.  
6.44 Free warehousing.  
6.45 Assistance in acquiring license.  
6.46-6.47 [Reserved]

#### PAYING FOR ADVERTISING, DISPLAY OR DISTRIBUTION SERVICE

6.51 General.  
6.52 Cooperative advertising.  
6.53 Advertising in ballparks, racetracks, and stadiums.  
6.54 Advertising in retailer publications.  
6.55 Display service.  
6.56 Renting display space.

#### GUARANTEEING LOANS

6.61 Guaranteeing loans.

#### EXTENSION OF CREDIT

6.65 General.  
6.66 Calculation of period.  
6.67 Sales to retailer whose account is in arrears.

#### QUOTA SALES

6.71 Quota sales.  
6.72 “Tie-in” sales.

### Subpart D—Exceptions

6.81 General.  
6.82 [Reserved]  
6.83 Product displays.  
6.84 Point of sale advertising materials and consumer advertising specialties.