

“high test,” “high proof,” “pre-war strength,” “full oldtime alcoholic strength,” or similar words or statements, likely to be considered as statements of alcoholic content, unless required by State law. This does not preclude use of the terms “low alcohol,” “reduced alcohol,” “non-alcoholic,” and “alcohol-free,” in accordance with § 7.71 (d), (e), and (f), nor does it preclude labeling with the alcohol content in accordance with § 7.71.

(g) *Use of numerals.* Labels shall not contain any statements, designs, or devices, whether in the form of numerals, letters, characters, figures, or otherwise, which are likely to be considered as statements of alcoholic content, unless required by State law, or as permitted by § 7.71.

(h) *Coverings, cartons, or cases.* Individual coverings, cartons, cases, or other wrappers of containers of malt beverages, used for sale at retail, or any written, printed, graphic, or other matter accompanying the container shall not contain any statement or any graphic pictorial, or emblematic representation, or other matter, which is prohibited from appearing on any label or container of malt beverages.

[T.D. 6521, 25 FR 13859, Dec. 29, 1960, as amended by T.D. ATF-66, 45 FR 40552, June 13, 1980; T.D. ATF-180, 49 FR 31674, Aug. 8, 1984; T.D. ATF 280, 54 FR 3594, Jan. 25, 1989; T.D. ATF-339, 58 FR 21232, Apr. 19, 1993; TTB T.D.-1, 68 FR 10105, Mar. 3, 2003; TTB T.D.-21, 70 FR 234, Jan. 3, 2005]

### Subpart D—Requirements for Withdrawal of Imported Malt Beverages From Customs Custody

#### § 7.30 Application.

Sections 7.30 and 7.31 shall apply to withdrawals of malt beverages from customs custody only in the event that the laws or regulations of the State in which such malt beverages are withdrawn for consumption require that all malt beverages sold or otherwise disposed of in such State be labeled in conformity with the requirements of §§ 7.20 through 7.29.

#### § 7.31 Label approval and release.

(a) *Certificate of label approval.* No imported malt beverages in containers

shall be released from Customs custody for consumption unless there is deposited with the appropriate Customs officer at the port of entry the original or a photostatic copy of an approved certificate of label approval, TTB Form 5100.31.

(b) *Release.* If the original or photostatic copy of TTB Form 5100.31 has been approved, the brand or lot of imported malt beverages bearing labels identical with those shown thereon may be released from U.S. Customs custody.

(c) *Relabeling.* Imported malt beverages in U.S. Customs custody which are not labeled in conformity with certificates of label approval issued by the appropriate TTB officer must be relabeled, prior to release, under the supervision and direction of the U.S. Customs officers of the port at which the malt beverages are located.

(d) *Formula and samples.* The appropriate TTB officer may require an importer to submit a formula for a malt beverage, or a sample of any malt beverage or ingredients used in producing a malt beverage, prior to or in conjunction with the filing of a certificate of label approval on TTB Form 5100.31.

(e) *Cross reference.* For procedures regarding the issuance, denial, and revocation of certificates of label approval, as well as appeal procedures, see part 13 of this chapter.

[T.D. ATF-66, 45 FR 40552, June 13, 1980, as amended by T.D. ATF-94, 46 FR 55097, Nov. 6, 1981; T.D. ATF-242, 51 FR 39525, Oct. 29, 1986; T.D. ATF-359, 59 FR 42160, Aug. 17, 1994; T.D. ATF-406, 64 FR 2129, Jan. 13, 1999; TTB T.D.-21, 70 FR 235, Jan. 3, 2005]

### Subpart E—Requirements for Approval of Labels of Malt Beverages Domestically Bottled or Packed

#### § 7.40 Application.

Sections 7.40 through 7.42 shall apply only to persons bottling or packing malt beverages (other than malt beverages in customs custody) for shipment, or delivery for sale or shipment, into a State, the laws or regulations of which require that all malt beverages sold or otherwise disposed of in such State be labeled in conformity with the requirements of §§ 7.20 through 7.29.