

107TH CONGRESS  
1ST SESSION

# H. R. 3134

To amend the Internal Revenue Code of 1986 to make a technical correction to the definition of hard cider for purposes of the excise tax on alcohol.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2001

Mr. DAVIS of Illinois (for himself and Ms. LEE) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to make a technical correction to the definition of hard cider for purposes of the excise tax on alcohol.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. TECHNICAL CORRECTION TO DEFINITION OF**  
4       **HARD CIDER.**

5       (a) IN GENERAL.—Paragraph (6) of section 5041(b)  
6       of the Internal Revenue Code of 1986 (relating to rates  
7       of tax) is amended to read as follows:

8               “(6) 22.6 cents per wine gallon on hard cider  
9       which is a still, carbonated, or sparkling wine—

1           “(A) which is prepared by fermenting  
2           apple or pear juice, either fresh or diluted,  
3           without at any time—

4                   “(i) adding alcoholic liquors or for-  
5                   tifying with alcohol, or

6                   “(ii) using any fruit product other  
7                   than apples and pears, except that fla-  
8                   voring may be added as provided in sub-  
9                   paragraph (C)(iii),

10           “(B) which contains at least one-half of 1  
11           percent and less than 7 percent alcohol by vol-  
12           ume, and

13           “(C) with respect to which, at any time be-  
14           fore or after fermentation—

15                   “(i) apple juice, pear juice, water, or  
16                   sugar, or any combination, may be added,  
17                   and

18                   “(ii) the cider may be flavored using  
19                   natural flavorings or natural food products  
20                   other than apples or pears, but only if such  
21                   flavorings and products do not exceed 5  
22                   percent by volume of the finished cider.”

1       (b) EFFECTIVE DATE.—The amendment made by  
2 this section shall take effect on the date of the enactment  
3 of this Act.

