



**DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU (TTB)
BREWER'S COLLATERAL BOND
CONTINUATION CERTIFICATE**

*(You must file two copies of this bond with original signatures.
Please see the instructions on the back.)*

Please check one box. This bond covers a:

Brewery Pilot Brewing Plant

EIN: _____

What is your brewery's legal name? _____ If your brewery is a corporation, a limited liability company, a partnership,

What is your brewery's mailing address?

(Number and Street) _____ (City) _____ (County) _____ (State) _____ (Zip Code) _____

What is the location of your brewery?

(Number and Street) _____ (City) _____ (County) _____ (State) _____ (Zip Code) _____

| TTB Form Number | Effective Date | Bond Amount | TTB Form Number | Effective Date | Bond Amount |
|-----------------|----------------|-------------|-----------------|----------------|-------------|
| | | \$ | | | \$ |
| | | \$ | | | \$ |
| | | \$ | | | \$ |
| | | \$ | | | \$ |

Effective Date of this Continuation Certificate: _____ Total Amount of this Continuation Certificate is: \$ _____

Penalties of Perjury Statement

I, the brewery, agree to all terms and conditions of the bond as listed below. I further declare, under penalties of perjury, that the persons owning, controlling, or actively participating in the management of the brewery have never compromised or been convicted in a court of competent jurisdiction of:

- Any fraudulent noncompliance with any provision of law of the United States
 - if it relates to internal revenue or customs taxation of distilled spirits, wines or beer, or
 - if the offense is compromised with the individual, firm, partnership, corporation or association on payment of penalties or otherwise;

OR

- Any felony under a law of any State or the District of Columbia, or the United States, prohibiting the manufacture, sale, importation, or transportation of distilled spirits, wines, beer, or other intoxicating liquor.

We witness our hands and seals this _____ day of _____, _____.

Signed, sealed, and delivered in the presence of--

Brewery's Legal Name _____

Notary Public _____
Required for Treasury Securities

Signature _____

Signature _____

Name and Title _____

Name and Title _____

Seal (or two witnesses if no seal) _____

Notary Seal

Alcohol and Tobacco Tax and Trade Bureau - Approval and Acceptance

On behalf of the United States of America, I approve and accept this brewer's collateral bond continuation certificate.

Director, National Revenue Center
Alcohol and Tobacco Tax and Trade Bureau

Date Approved _____

This certificate continues the listed bonds and will expire on _____

What is the purpose of this continuation certificate?

We, the brewery, promise to pay to the United States of America payment in the amount of this bond in lawful money of the United States. This bond firmly binds me, my heirs, executors, administrators, successors, and assigns.

At the premises identified in this certificate I am now engaged in, or intend to continue to engage in:

- the business of producing beer on the premises of the brewery; OR
- the operation of a pilot brewing plant.

1. What is the certificate effective date?

- The certificate is effective only if TTB agrees to accept it.
- If TTB accepts this certificate it is effective without notice to me.
- The certificate effective date is the date listed on the front of this form. The certificate will not in any case be effective before the date shown.

2. When does this certificate expire?

- This certificate expires with respect to the accrual of further liability four years from the effective date.
- I may continue the certificate in force for additional, successive, periods of four years by agreeing to extend the certificate, with a Brewer's Collateral Bond Continuation Certificate, TTB F 5130.27. The certificate will continue in force only if TTB agrees to accept the continuation certificate.

These are the conditions of this certificate.

1. Continuation of bond: I agree to continue in force the bonds and continuation certificates I list on the front of this certificate. I continue these bonds subject to all provisions of law and regulations that apply to brewer's bonds.

2. Liability: I, the brewery, must pay to the United States, according to the laws and regulations of the United States, the taxes on all beer, including penalties and interest, for which I become liable.

(a) Liability as a brewery: I am liable for taxes for all beer removed for consumption or sale, including beer I:

- (1) transfer to this brewery from other breweries or pilot brewing plants I control;
- (2) import in bulk and remove from customs custody for transfer to my internal revenue bond;
- (3) remove without payment of tax for export, for use as supplies on vessels or aircraft, or for transfer to and deposit in foreign-trade
- (4) remove without payment of tax for laboratory analysis, or for authorized research, development, or testing of processes, systems, materials,

(b) Liability as a pilot brewing plant: As a pilot brewing plant operator I am liable for taxes for all beer I brew, produce, or receive on the pilot brewing plant.

3. Faithful compliance: I must faithfully comply in all respects, without fraud or evasion, with all legal and regulatory requirements relating to the production and sale of beer.

4. Full obligation: This obligation remains in full force and effect until I fulfill my obligations under the laws and regulations.

5. Changes while certificate is in effect: We agree that all stipulations, covenants, and agreements of this certificate extend and apply equally to any change in the business that requires a new or amended Brewer's Notice for this brewery or pilot brewing plant. This applies to any installment agreement TTB may agree to with respect to taxes, penalties, or interest. This condition does not apply when the change is a change in the ownership of the business or in a change of location of the premises.

6. Pledge of collateral to secure the certificate: I understand this collateral is pledged to secure my performance and fulfillment of brewery operations in accordance with 31 U.S.C. 9303 and 31 CFR 225.

7. United States action if I breach any condition: On the breach of any of the conditions of this certificate, the United States may pursue remedies against me.

8. No interest: I understand that I will not receive any interest on cash that I deposit with TTB.

9. Authorization: I authorize the Director, National Revenue Center, to use the collateral I submit with this certificate to satisfy any outstanding liability. This authorization is irrevocable.

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. We use this information to determine whether you are qualified to operate as a brewer. We must identify: you as the brewer and the bond amount. The information we request is required for you to obtain a benefit and is mandatory by law (26 U.S.C. § 5401).

We estimate the average burden associated with this collection to be 45 minutes per brewer, depending on individual circumstances. Address your comments concerning the accuracy of this burden estimate and suggestions to reduce this burden to: Reports Management Officer, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, Washington, DC 20220.

An agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Privacy Act Information

We provide this information to comply with Section 3 of the Privacy Act of 1974 (5 U.S.C. 552a(e)(3)):

- 1. What is TTB's authority to ask for this information?** We require this information under the authority of 26 U.S.C. 5401. You must disclose this information to obtain authority to conduct brewing operations.
- 2. What is the purpose for this information collection?** You provide this information to give TTB bond for your compliance with requirements to establish a brewery, so that we may identify you as a brewer, and to identify your collateral for a brewer's bond.
- 3. How does TTB routinely use this information?** We use this information to make determinations for the purposes described in paragraph 2. Also, we may disclose the information to other Federal, State, foreign and local law enforcement and regulatory agency personnel to verify information on the form where such disclosure is not prohibited by law. We may disclose the information to the Justice Department if it appears that the furnishing of false information may constitute a violation of Federal law. Finally, we may disclose the information to members of the public in order to verify information on the form where such disclosure is not prohibited by law.
- 4. What is the effect of my not supplying the information TTB requests?** If you fail to supply complete information then we will delay processing and may disapprove or deny your application.

Brewer's Collateral Bond Continuation Certificate — Instructions

- 1. Where can I get assistance?**
For help with this form, you may call us toll-free at **1- 877-882-3277**.
- 2. Why must I submit two copies with original signatures?**
If we accept your continuation certificate, we will keep one copy in our files and return the duplicate copy to you for your records. Both copies must have original signatures. This certificate must be signed by someone who has authority to sign documents submitted to this Bureau on behalf of the brewery.
- 3. Where do I send this certificate?**
Send both signed copies with all necessary attachments to:
Director, National Revenue Center
Alcohol and Tobacco Tax and Trade Bureau
550 Main Street, Suite 8002
Cincinnati, OH 45202
- 4. What is an EIN?**
EIN stands for Employer Identification Number. We use your EIN to identify your brewery in our registry and tax systems. If you do not have an EIN, you must obtain one from the Internal Revenue Service (IRS). Use an IRS Form SS-4 and follow instructions on the form to apply for an EIN.
- 5. How do I identify the former bonds and certificates this agreement continues?**
You must list each of the applicable bonds and continuation certificates that you continue with this agreement. Start with the original bond, then list each bond or certificate continued thereafter.
- 6. How do I determine the certificate amount?**
The certificate amount is the sum of all of the bond amounts that you continue with this agreement. You may not change your total bond amount with the continuation certificate. The total bond amount must remain the same. To change bond amounts you must file a new bond. Please see 27 CFR Part 25 to determine the appropriate bond amount, or call us toll-free at 1-877-882-3277 for assistance.

7. What do I list for “brewery’s name” and who signs this certificate for me?

| Brewery Name and Signature | | |
|---|---|---|
| If the brewery is... | Then your brewery’s name on the certificate must include... | And... |
| An Individual Owner as a Sole | The full given name of the individual | The individual OR an empowered attorney-in-fact must sign the certificate. |
| A Partnership | <ul style="list-style-type: none">• Your firm’s name, followed by• The names of all its partners | Each partner must sign OR an authorized partner must sign OR empowered attorney-in-fact must sign the certificate. |
| A Limited Partnership (<i>LP</i>) | <ul style="list-style-type: none">• Your Limited Partnership’s name | The person who is authorized to sign for the limited partnership must give their signature and title AND the limited partnership’s seal must be affixed. If there is no seal, two witnesses must sign the certificate. |
| A Corporation or Limited Liability Company (<i>LLC</i>) | <ul style="list-style-type: none">• Your Corporate or LLC name• The name of the State of Incorporation or Organization | The person authorized to act for the corporation or LLC must give their signature and title AND the corporate seal must be affixed. If there is no seal, two witnesses must sign the certificate. |

8. Who may sign for a partnership, corporation or LLC?

The person signing on behalf of the brewery must have current signing authority or a Power of Attorney on file with this office.

9. Do I need witness signatures if I have a corporate seal?

If your brewery has obtained a seal, it must be impressed on both copies of the certificate. If your brewery has no seal, the signature for the brewery must be made in the presence of two persons who will sign their names as witnesses.

10. Do I need to have my signature witnessed by a Notary Public?

- If your collateral is cash, by check or money order...No.

11. Do I need to give an explanation if I have an affirmative answer in the Penalties of Perjury Statement?

Yes, under the provisions of 27 CFR 25.91(c), in the event the statement contains an affirmative answer, you must submit a statement describing in detail the circumstances surrounding the conviction or compromise.

12. How do I make corrections to the bond if I make a mistake?

Where you make any alteration or erasure in the bond, you must incorporate a statement consenting to the alteration. You must add this statement in the side margin of the bond. The person signing for the brewery must initial the statement:

(initials)

13. What if I download this form from the Internet and I cannot print both sides on one page?

We prefer that the bond be on a single sheet. However, if you cannot print both sides on one sheet, you may print two pages.