

DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU
BOND FOR DRAWBACK UNDER 26 U.S.C. 5131
MANUFACTURERS OF NONBEVERAGE PRODUCTS
(File in duplicate. See instructions below)

CONTINUING
BOND

PRINCIPAL (See instructions 2, 3 and 4.)

ADDRESS OF BUSINESS OFFICE (Number, Street, City, State, ZIP Code)

ADDRESS OF MANUFACTURING PREMISES (Number, Street, City, State, ZIP Code)

SURETY(IES)

AMOUNT OF BOND

EFFECTIVE DATE

KIND OF BOND (Check applicable box)

ORIGINAL

STRENGTHENING

SUPERSEDING

We, the above-named principal and surety (or sureties), are held and firmly bound unto the United States in the above amount, lawful money of the United States; for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

This bond must not in any case be effective before the above date, but if accepted by the United States it must be effective according to its terms on and after that date without notice to the obligors: *Provided*, That if no effective date is inserted in the space provided therefore, the date of execution shown below must be the effective date of the bond.

WHEREAS, the principal has used, and/or intends to use from time to time pursuant to the provisions of 26 U.S.C. 5111, distilled spirits on which all internal revenue taxes have been paid or determined in the manufacture or production of medicines, medicinal preparations, food products, flavors, flavoring extracts, or perfume unfit for beverage purposes, in accordance with laws and regulations now or hereafter in force; and

WHEREAS, the principal has filed and/or intends to file monthly a claim for allowance of drawback on such distilled spirits pursuant to said laws and regulations, with the authorized official of the Alcohol and Tobacco Tax and Trade Bureau; and

WHEREAS, it is intended by this bond in the event of failure by the principal to satisfy the authorized official of the Alcohol and Tobacco Tax and Trade Bureau that the tax on the distilled spirits on which drawback was claimed was paid or determined and the distilled spirits were used in accordance with laws and regulations in the manufacture or production of medicines, medicinal preparations, food products, flavors, flavoring extracts, or perfume unfit for beverage purposes, and a claim for allowance of drawback on such distilled spirits has been paid, the obligors must refund to the United States an amount equal to the amount of the drawback so allowed and paid.

NOW, THEREFORE, the conditions of this bond are such that the principal-

1. Complies with the provisions of 26 U.S.C. 5111 - 5114, and regulations issued pursuant thereto now or hereafter in force respecting the use of distilled spirits in the manufacture or production of medicines, medicinal preparations, food products, flavors, flavoring extracts, or perfume unfit for beverage purposes; and

2. Furnishes evidence satisfactory to the authorized official of the Alcohol and Tobacco Tax and Trade Bureau that (a) the tax on such distilled spirits was paid or determined, and (b) such spirits were used in accordance with laws and regulations in the manufacture or production of products as aforesaid unfit for beverage purposes;

Then this obligation is void, otherwise to remain in full force and effect.

And we, the obligors, for ourselves, our heirs, executors, administrators, successors, and assigns, do further covenant and agree that upon the breach of any of the covenants of this bond, the United States may pursue its remedies against the principal or surety independently, or against both jointly, and the said surety hereby waives any right or privilege it may have of requiring, upon notice, or otherwise, that the United States must first commence action, intervene in any action of any nature whatsoever already commenced, or otherwise exhaust its remedies against the principal.

WITNESS our hands and seals this _____ day of _____ in the year _____

Signed, sealed, and delivered in the presence of-

_____	_____ SEAL
_____	_____ SEAL
_____	_____ SEAL
_____	_____ SEAL
_____	_____ SEAL
_____	_____ SEAL

On behalf of the United States, I approve the foregoing bond, which has been executed in due form and in compliance with the applicable law, regulations, and instructions.

SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL OF THE ALCOHOL AND TOBACCO TAX AND TRADE BUREAU	DATE APPROVED
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INSTRUCTIONS

1. This bond must be filed in duplicate with the Director, National Revenue Center, Alcohol and Tobacco Tax and Trade Bureau, 550 Main St, Ste 8002, Cincinnati, OH 45202-5215.
2. The name, including the full given name, of each party to the bond must be given in the heading, and each party must sign the bond with his/her signature, or the bond may be executed in his/her name by an empowered attorney-in-fact.
3. In the case of a partnership, the firm name, followed by the names of all its members, must be given in the heading. In executing the bond, the firm name must be typed or written by the word "by" and the signature of all partners, or the signature of any partner authorized to sign the bond for the firm, or the signature of an empowered attorney-in-fact.
4. If the principal is a corporation, the heading must give the corporate name, the name of the state under the laws of which it is organized, and the location of the principal office. The bond must be executed in the corporate name, immediately followed by the signature and title of the person authorized to act for the corporation.
5. If the bond is signed by an attorney-in-fact for the principal, or by one of the members for a partnership or association, or by an officer or other person for the corporation, there must be filed with the bond an authenticated copy of the power of attorney, or a resolution of the board of directors, or an excerpt of the bylaws, or other document, authorizing the person signing the bond to execute it for the principal, unless such authorization has been filed with the Director, National Revenue Center, Alcohol and Tobacco Tax and Trade Bureau, with which the bond must be filed, in which event a statement to the effect must be attached to the bond.
6. The signature for the surety must be attested under corporate seal. The signature for the principal, if a corporation, must also be so attested if the corporation has a corporation seal. If the corporation has no seal, that fact should be stated. Each signature must be made in the presence of two persons (*except where corporate seals are affixed*) who must sign their names as witnesses.
7. A bond on this form may be given with corporate surety authorized to act as surety by the Secretary of the Treasury, or by the deposit of collateral security consisting of Government obligations. Public Law 97-258 (at 31 U.S.C. 9301) defines "Government obligations" as "a public debt obligation of the United States Government and the obligation whose principal and interest is unconditionally guaranteed by the Government." If collateral security is filed, the Alcohol and Tobacco Tax and Trade Bureau will modify this form prior to execution.
8. If any alteration or erasure is made in the bond before its execution, there must be incorporated in the bond a statement to that effect by the principal and surety or sureties; or if any alteration or erasure is made in the bond after its execution, the consent of all parties thereto must be written in the bond.
9. The penal sum named in the bond must be in accordance with 27 CFR Part 17.
10. After approval of the bond, a copy must be returned to the principal.
11. All correspondence about the filing of this bond or any subsequent action affecting this bond, including termination thereof, should be addressed to the Director, National Revenue Center, Alcohol and Tobacco Tax and Trade Bureau, 550 Main St, Ste 8002, Cincinnati,

PAPERWORK REDUCTION ACT NOTICE

This request is in accordance with the Paperwork Reduction Act of 1995. The information collection is used to determine operations, to determine location and extent of operations, and to determine whether the operations will be in conformity with Federal laws and regulations. The information requested is required to obtain or retain a benefit and is authorized by statute (26 U.S.C. 5114).

The estimated average burden associated with this collection of information is **12 minutes per respondent or recordkeeper**, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to the Reports Management Officer, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, **Washington, DC 20220**.

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