

STATUTORY RULES.

1913. No. 344.

REGULATIONS UNDER THE SPIRITS ACT 1906.

I THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, do hereby make the following Regulations under the *Spirits Act* 1906, to come into operation forthwith. Such Regulations to supersede the following Regulations under the said Act, made on the dates shown, viz., Statutory Rules 1907, No. 29, 28th March 1907; Statutory Rules 1910, No. 37, 8th April, 1910; Statutory Rules 1911, No. 160, 20th September, 1911.

Dated this 19th day of December, One thousand nine hundred and thirteen.

DENMAN,

Governor-General.

By His Excellency's Command,

LITTLETON E. GROOM,

Minister for Trade and Customs

PART I.—INTRODUCTORY.

1. These Regulations may be cited as the *Spirits Act Regulations* 1913.

2. These Regulations are divided into parts as follows:—

Part I.—Introductory.

Part II.—Certificates and marking of Spirits.

Part III.—Licences—Methylated Spirits.

Part IV.—Standards.

Part V.—Methylated Spirits for special manufacture.

Part VI.—Methylated Spirits for scientific investigation.

Part VII.—Methylated Spirits generally.

Division (1) Methylators.

Division (2) Officers—powers of.

Division (3) Imported Methylated Spirits.

Division (4) Miscellaneous.

3. In these Regulations, except where otherwise clearly intended—

“The Comptroller” means the Comptroller-General of Customs;

“The Collector” means the Collector of Customs for a State.

“By authority” means by the authority of the Comptroller or Collector.

“Permission” means the written permission of the Comptroller or Collector.

“Methylator” means a person licensed to make Methylated Spirits under these Regulations.

PART II.—CERTIFICATES AND MARKING OF SPIRITS.

4. Any Distiller or Blender who desires a certificate in respect of any Spirits shall make application in writing to the principal officer doing duty at the time and place in relation to such Spirits.

Sec. 7 (1).

5. An officer may, upon receipt of an application, issue to a Distiller or Blender a certificate in Form 1 in the schedule hereto.

Sec. 7 (1).

6. No certificate shall be issued in respect of any Spirits after removal from Customs control.

Sec. 7 (2).

7. Upon the written application of the owner and satisfactory proof as to the identity of any Spirits under Customs control, an officer may mark or cause to be marked the description of such Spirits in the following manner:—

(1) *Casks and Vessels*—

The marking shall be effected by affixing on the head of each cask or vessel or case the prescribed stamp or seal.

(2) *Bottles*—

The prescribed stamp shall be placed on each bottle, and in addition, if desired by the owner, the prescribed seal shall be impressed in wax or otherwise on the cork or capsule of every bottle.

Sec. 7 (2).

8. The stamp to be used for descriptive purposes shall be adhesive, not less than 2 inches in diameter, or such smaller size as may be authorized by the Comptroller in special cases, printed in black letters on white ground, and in the following design, but the descriptive terms varied to suit the requirements, provided that a reduced facsimile of the stamp may be used for miniature bottles.



Sec. 7 (2).

9. The Seal to be used shall be not less than 1 inch in diameter, and of a design similar to the prescribed stamp, provided that a reduced facsimile of the seal may be used for miniature bottles.

PART III.—LICENCES—METHYLATED SPIRITS.

Sec. 20.

Sec. 26 (e).

10. Application for a licence to make Methylated Spirits shall be in Form 2 in the schedule hereto.

Sec. 20.

Sec. 26 (e).

11. The applicant for a licence to make Methylated Spirits shall pay to the Collector the prescribed licence-fee and give security in the sum of £100 (with two approved sureties or an approved guarantee company or bank) for compliance with these Regulations.

Sec. 20.

Sec. 26 (e).

12. The Collector, if satisfied that the applicant is a fit and proper person to hold a licence and if he approves of the security given, may grant to the applicant a licence in the Form 3 in the schedule hereto, but if the application is refused the licence-fee shall be returned to the applicant.

Sec. 20.

Sec. 26 (d).

13. The fee payable by a Methylator for every licence granted or to be granted in respect of the making and selling of Methylated Spirits shall be **Two pounds**.

14. The Collector may at any time require any Methylator to give fresh security, and fresh security shall be given accordingly, and in default the licence may be cancelled by the Comptroller. Sec. 20. Sec. 26 (c).

15. Methylators' licences shall be operative from the day of their date, and shall remain in force until cancelled by the Comptroller.

16. If a licensee is convicted of any contravention of the *Spirits Act* 1906 or of these Regulations his licence may be forthwith cancelled by the Comptroller. Sec. 20. Sec. 26 (c).

PART IV.—STANDARDS.

17. The standards for the classes of Methylated Spirits called Industrial Spirits and Mineralized Spirits are as follow:—

Standard for Industrial Spirits.

The spirit before methylation to be of a strength not less than 65 degrees over proof, and to be methylated by the addition of 2 per cent. of wood naphtha, $\frac{1}{2}$ per cent. of pyridine liquid, and $\frac{1}{2}$ per cent. of coal tar naphtha or shale naphtha.

Standard for Mineralized Spirits.

The spirit before methylation to be of a strength of not less than 65 degrees over proof, and to be methylated by the addition of 1 per cent. of wood naphtha, $\frac{1}{4}$ per cent. of pyridine, 2 to 20 per cent. of benzine, and $\frac{1}{4}$ per cent. of a solution of aniline, violet, or blue dye.

18. Except with the written permission of the Comptroller, Methylated Spirits for sale shall not be treated in any manner or mixed with water or other substance, so as to reduce the strength normally appertaining to such Methylated Spirits, which in the case of "industrial" Methylated Spirits shall not be less than 64 degrees over-proof.

PART V.—METHYLATED SPIRITS FOR SPECIAL MANUFACTURE.

19. The Spirits to be of a strength not less than 65 degrees over proof, or, in special cases, such lower strength as is approved by the Comptroller, and the methylation thereof shall be effected by the addition of such Methylating Substance and in such proportions as the Comptroller directs. 2
Sec. 14 (c).
Sec. 14 (d).

20. Any manufacturer desiring to use Methylated Spirits in any manufacture in which he proves to the satisfaction of the Collector that Industrial Spirits or Mineralized Spirits would be unsuitable or detrimental, may make application in writing to the Collector stating the means by which it is proposed and desired to methylate such Spirits. Sec. 26 (b).

21. The manufacturer shall give full particulars of the situation of the premises in which, and the purpose for which, the Spirits are to be used, together with a description of the process of manufacture. Sec. 26 (b).

22. Upon approval of the application and upon the Spirits being methylated in such manner as the Comptroller directs, an entry shall be made and shall specify the purpose for which the Methylated Spirits are to be used, and upon the passing of the entry the Methylated Spirits may be delivered to the manufacturer. Sec. 26 (b).

23. Before the entry is passed the manufacturer shall give approved security in an amount to be fixed by the Collector that the Methylated Spirits shall not, unless by permission, be used for any purpose other than the manufacture specified in the entry. Sec. 26 (b).
Sec. 26 (e).

Sec. 26 (b).

24. The Methylated Spirits shall forthwith, after the passing of the entry, be removed to the premises of the manufacturer in which they are to be used.

Sec. 21.

Sec. 26 (b).

25. The quantity of Methylated Spirits to be received or kept at any one time in the premises of a manufacturer must not, unless by permission, exceed 100 gallons.

Sec. 26 (b).

26. Methylated Spirits shall not, unless by permission, be removed from the premises of a manufacturer wherein their use has been authorized, or be used for any purpose other than that approved by the Collector.

Sec. 26 (b).

27. Every manufacturer shall keep a book in the Form 4 in the schedule hereto, in which he shall enter from day to day the quantity of Methylated Spirits received into his premises, the quantity used, and the purposes for which such Spirits are used, and the nature and quantity of the products manufactured therefrom.

Sec. 15 (b).

Sec. 26 (b).

28. No Methylated Spirits used in manufacturing operations shall be wholly or partially recovered unless in premises approved by the Collector and under such conditions as the Comptroller approves, and Methylated Spirits so recovered shall be mixed with fresh Methylating Substance in such quantities as the Collector directs.

Sec. 26 (b).

29. Methylated Spirits shall not be used for manufacturing purposes in any premises in which ordinary alcoholic beverages are made or sold.

Sec. 26 (b).

30. If, in the opinion of the Collector, the services of an officer are necessary to supervise wholly or partially the manufacture of any product in which Methylated Spirits are used, the manufacturer shall pay to the Collector 2s. per hour, or part thereof, for the time the services of such officer are required.

PART VI.—METHYLATED SPIRITS FOR SCIENTIFIC INVESTIGATION.

2

Sec. 14 (d).

Sec. 14 (5).

31. The Spirits before methylation shall be of a strength not less than 65 degrees over proof, and shall be methylated in such manner as the Comptroller directs.

2

Sec. 14 (d).

32. Any responsible officer of a University or Public Institution desiring to use Methylated Spirits for scientific investigation in connexion with a University or Public Institution may make application in writing to the Collector, stating the quantity required and the premises in which it is intended to keep and use such Methylated Spirits.

2

Sec. 14 (d).

33. Upon approval of the application, the Spirits shall be treated as directed by the Comptroller, an entry shall be made and shall specify the purpose for which the Methylated Spirits are to be used, and upon the passing of the entry the Methylated Spirits may be delivered to the responsible officer of a University or Public Institution.

2

Sec. 14 (d).

34. The Methylated Spirits shall forthwith, after the passing of the entry, be removed to the premises for which approval has been given.

2

Sec. 14 (d).

Sec. 14 (5).

35. The responsible officer of a University or Public Institution shall, upon receipt of the Methylated Spirits, forward to the Collector a receipt for the quantity of such Methylated Spirits received.

2

Sec. 14 (d).

Sec. 14 (5).

36. Subject to the discretion of the Collector, a book shall be kept by the responsible officer of a University or Public Institution, in which shall be entered particulars of the Methylated Spirits received, and the manner in which such Spirits have been used.

37. The Collector may at any time require the responsible officer of a University or Public Institution to give security for compliance with these Regulations to such amount as may be fixed by the Collector. 2
Sec. 14 (d).
Sec. 14 (5).

PART VII.—METHYLATED SPIRITS GENERALLY.

Division (1)—Methylators.

38. Any Methylator desiring to make Methylated Spirits shall apply to the Collector according to the Form 5 in the Schedule hereto. Sec. 20.
Sec. 26 (c).

39. Upon approval of the application, the Spirits shall be methylated as provided by these Regulations. Sec. 20.
Sec. 26 (c).

40. The quantity of Methylated Spirits to be made at any one time shall not be less than 21 gallons. Sec. 20.
Sec. 26 (c).

41. When required by the Collector, a mixing vat shall be provided, of sufficient capacity to admit of the Spirits being properly methylated. Sec. 20.
Sec. 26 (c).

42. If the quantity of Methylated Spirits to be made is such as to require, in the opinion of the Collector, the services of a special officer, the Methylator shall pay to the Collector 2s. per hour, or part thereof, for the time the services of such officer are required. Sec. 20.
Sec. 26 (c).

43. Every Methylator shall keep a book in the Form 6 in the Schedule hereto, in which he shall enter from day to day the quantity and class of Methylated Spirits made and removed, and the names and addresses of the persons to whom such Spirits are delivered. Sec. 20.
Sec. 26 (c).

44. No Methylator shall deliver Methylated Spirits for special manufacture or Methylated Spirits for scientific investigation to any person without the approval of the Collector. Sec. 20.
Sec. 21.
Sec. 26 (c).

45. (1) Upon every vessel containing Methylated Spirits and every package covering such vessels the Methylator shall legibly cut or brand or paint in oils the following particulars:— Sec. 26 (f).

(a) The name of the Methylator and the place where the Methylated Spirits were made.

(b) The words Industrial Methylated Spirits or Mineralized Methylated Spirits or Methylated Spirits for Special Manufacture, or Methylated Spirits for Scientific Investigation, according to the class of Methylated Spirits contained therein.

(2) The marking on any vessel under this Regulation shall not be altered or erased so long as the vessel contains Methylated Spirits.

46. Upon every vessel in which Methylated Spirits are made the Methylator shall paint thereon in oil colours and in conspicuous letters the words Methylated Spirits. Sec. 26 (f).

47. No Methylator shall, without permission, sell or deliver to a purchaser at any one time a greater quantity of Methylated Spirits than 100 gallons. Sec. 21.

Division (2)—Officers, Powers of.

Sec. 20.
Sec. 20 (b).

48. Officers may examine and take copies of, or extracts from, all books kept in relation to the making, or sale, or removal, or use of Methylated Spirits under these Regulations.

Division (3)—Imported Methylated Spirits.

Sec. 14.

49. Imported Methylated Spirits are subject to the Regulations, and before delivery from Customs control samples shall be taken and submitted for analysis to an analyst approved by the Collector.

50. If upon analysis of Imported Methylated Spirits the analyst certifies that such Methylated Spirits are not sufficiently methylated, such Spirits shall not be delivered for home consumption until so methylated.

Division (4)—Miscellaneous.

Sec. 20.
Sec. 20 (c).

51. Spirits may be methylated only by authority and under the personal supervision of an officer in a Customs Warehouse, Spirit Store of a Spirit Maker's Distillery, or on the premises specified in the Methylator's licence, or any other place approved by the Collector.

52. Methylated Spirits shall not be delivered from Customs control in packages of less than 4 gallons.

Sec. 21.

53. No person, other than a Methylator, shall, unless authorized by the Collector, receive or have in his possession any Methylated Spirits for scientific investigation or Methylated Spirits for special manufacture.

Sec. 22 (3)

54. Samples taken or obtained by an officer under the provisions of Section 22 of the *Spirits Act* 1906 may, when required by the Collector, be dealt with subject to the following conditions:—

(a) The officer taking or obtaining a sample shall, in the presence of the person, or his agent, or servant, from whom such sample is taken or obtained, divide such sample into three parts, each part to be labelled or marked and securely sealed.

(b) The sample shall be dealt with by the officer as follows:—
One sample to be handed to the owner, or his agent, or servant, the second to be submitted to an approved analyst for report, and the third to be kept, if necessary, by the Customs for further examination.

(c) The production of a certificate signed by an analyst, to whom a sample is submitted by an officer, shall be sufficient evidence of the identity of the sample analyzed, and of the result of the analysis, without proof of the signature of the person appearing to have signed the same.

55. The prescribed quantity of Methylated Spirits which a person, not licensed or authorized to make and sell Methylated Spirits, may sell at any one time shall be 20 gallons of Industrial Spirits or Mineralized Spirits, or partly of one kind and partly of the other kind. Provided that this quantity may be exceeded in special cases by permission.

56. The prescribed quantity of Methylated Spirits which a person, not licensed or authorized to make and sell Methylated Spirits, may have in his possession at any one time shall be 100 gallons of Industrial Spirits or Mineralized Spirits, or partly of one kind and partly of the other kind. Provided that this quantity may be exceeded in special cases by permission.

57. Upon every vessel (including any bottle, tin, or metal vessel) containing two gallons or less of Methylated Spirits, a label bearing the words "Methylated Spirits" in prominent letters shall be placed; and no person shall sell any such vessel containing Methylated Spirits unless such label has been placed thereon, and no person shall, while such vessel contains Methylated Spirits, remove the label therefrom or alter or interfere with the lettering on it.

58. No Methylating Substance shall be used for the purpose of making Methylated Spirits before being approved by the Collector. Sec. 20.

59. Samples of all Methylated Spirits made shall, when required by the Collector, be taken and submitted for analysis to an analyst approved by the Collector. Sec. 20.

60. Where any liniment or veterinary medicine made in Australia contains Methylated Spirits, a label shall be affixed to the bottle or packet in which it is contained, having thereon in clear and prominent characters a statement as follows:—

"This preparation contains * per cent. by volume of Methylated Spirits."

* Quantity to be stated.

61. A Distiller holding a Spirit Maker's general licence under the *Distillation Act* 1901, shall be subject to the provisions of these Regulations relating to Methylators to the same extent as if he were himself a Methylator under these Regulations.

62. Spirits ordered by the Minister to be methylated in accordance with the provisions of Section 13 of the *Spirits Act* 1906 shall be methylated as the Comptroller directs.

63. Any person guilty of any breach of these Regulation shall be guilty of an offence, and shall, where no higher penalty is provided for by the *Spirits Act* 1906,* be punishable on conviction by a penalty not exceeding Ten pounds. Sec. 26 (g).

* By Section 15 of the *Spirits Act* 1906 any person who treats, deals with, or uses any Methylated Spirits in contravention of the Act or the Regulations is liable to a penalty not exceeding Five hundred pounds.

SCHEDULE.

FORM 1.

Commonwealth of Australia

Spirits Act 1906.

OFFICIAL CERTIFICATE.

I hereby certify that the Spirits contained in the packages enumerated hereunder are*—

Description of Package.		Marks and Numbers.	Name Painted or Branded on the Vessels or Cases.	Quantity.		
Kind of Vessel.	No. of Cases.			Liq. Gal.	Strength.	Proof Gals.

Dated at _____ in the State of _____
this _____ day of _____ 19 _____

Officer.

NOTE.—This certificate holds good only whilst the above spirits are under Customs control.

*Insert whether "Pure Australian Standard Brandy," or "Australian Blended Brandy," or "Australian Standard Malt Whisky," or "Australian Blended Whisky," or "Australian Standard Rum."

FORM 2.

Commonwealth of Australia.

Spirits Act 1906.

APPLICATION FOR A LICENCE TO MAKE METHYLATED SPIRITS.

To the Collector of Customs,
State of _____

I hereby apply for a licence to make Methylated Spirits on premises situated at _____, and enclose the sum of £2 Licence-Fee.

I also submit names and addresses of my sureties.

Name in full

Address

Occupation

(Signature of Applicant.)

Witness—

Date

Spirits Act 1906.

METHYLATOR'S LICENCE.

A.B., of [here state address and occupation] is hereby licensed, subject to the Regulations now, or which may hereafter be, in force under the *Spirits Act* 1906, to make Methylated Spirits on premises situated at and to sell any Methylated Spirits made in pursuance of this licence.

Dated the day of, 19...

Collector of Customs for the State of

Spirits Act 1906.

MANUFACTURER'S BOOK.

Name of Manufacturer

Premises in which manufacture is carried on.....

[illegible]

I declare that the foregoing entries relating to the month of _____, 19__, fully set forth all the matters required by law, and that the same are true in every particular.

(Signature of Manufacturer.)

Declared before me this 10 day of February, 1922
 Authorised Version C1913L00344 registered T0/09/2022
 C14095.

Commonwealth of Australia.

APPLICATION TO MAKE METHYLATED SPIRITS.

19.

To the Collector of Customs,

State of

I request permission to make the following Methylated Spirits at
(name licensed premises, or Customs Warehouse).

Methylator.

Brand.	Vessels.					Material made from.	Class of Methylated Spirits to be made.	Methylating Substance to be added.		
	No.	Descrip- tion.	Liq. Gal.	Strength.	Pf. Gal.			Nature.	Quan- tity.	Brand and Date of Approval.

Approved.

Collector of Customs,

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I certify that I have this day supervised the making of the above
 Methylated Spirits, and that the methylation has been effectually per-
 formed.

.....

Officer.

