

**TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
CHAPTER 13. FUEL ALCOHOL**

35:13-1-1. Incorporation by reference of federal distilled spirits for fuel use regulations

The Distilled Spirits for Fuel Use regulations found in Title 27 of the Code of Federal Regulations (CFR) (2005 Revision), Part 19.901 et seq. for the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau, as promulgated and amended in the Federal Register, are hereby adopted in their entirety with the exception of the deleted regulations specified in 35:13-1-2.

35:13-1-2. Deleted regulations

The following sections of the Code of Federal Regulations governing distilled spirits for fuel use of the United States Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau incorporated by reference under 35:13-1-1 are deleted and are not rules of the Oklahoma Department of Agriculture, Food, and Forestry: 27 CFR §§ 19.905, 19.906, 19.955, 19.956, 19.957, 19.958, and 19.959 (2005 Revision).

35:13-1-3. Definitions

(a) All words or terms defined or used in the Federal regulations incorporated by reference shall mean the state equivalent or counterpart to those word or terms.

(b) The following words or terms, when used in this subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Commodities" means nonperishable whole grains or seeds.

"Producer" means any person planting, raising, growing, or harvesting commodities.

35:13-1-4. Permit required

(a) Any person engaging in the production of alcohol for use as a motor fuel shall obtain a permit from the Department.

(b) Any medium or large alcohol fuel producer that receives commodities from grain producers who do not receive compensation for the grain at the time of delivery or title is not transferred at the time of delivery shall obtain a public warehouse charter to operate a public commodity storage warehouse pursuant to the Oklahoma Public Warehouse and Commodity Storage Indemnity Act.

35:13-1-5. Inspections

(a) The Department may inspect any facility to determine compliance with the Oklahoma Fuel Alcohol Act.

(b) The inspection shall include but not be limited to inspections of the equipment at the facility and records.