CHAPTER 22

BEVERAGES, SPIRITS AND VINEGAR

Notes

- 1. This chapter does not cover:
 - Products of this chapter (other than those of heading 2209) prepared for culinary purposes and thereby rendered unsuitable for consumption as beverages (generally heading 2103)
 - (b) Sea water (heading 2501);
 - (c) Distilled or conductivity water or water of similar purity (heading 2851);
 - (d) Acetic acid of a concentration exceeding 10 percent by weight of acetic acid (heading 2915);
 - (e) Medicaments of heading 3003 or 3004; or
 - (f) Perfumery or toilet preparations (chapter 33).
- For the purposes of this chapter and of chapters 20 and 21, the "<u>alcoholic strength by volume</u>" shall be determined at a temperature of 20°C.
- For the purposes of heading 2202 the term "<u>nonalcoholic beverages</u>" means beverages of an alcoholic strength by volume not exceeding 0.5 percent vol. Alcoholic beverages are classified in headings 2203 to 2206 or heading 2208 as appropriate.

Subheading Note

 For the purposes of subheading 2204.10 the expression "<u>sparkling wine</u>" means wine which, when kept at a temperature of 20°C in closed containers, has an excess pressure of not less than 3 bars.

Additional U.S. Notes

- 1. The duties prescribed on products covered by this chapter are in addition to the internal-revenue taxes imposed under existing law or any subsequent act. The duties imposed on products covered by this chapter which are subject also to internal-revenue taxes are imposed only on the quantities subject to such taxes; except that, in the case of distilled spirits transferred to the bonded premises of a distilled spirits plant under the provisions of section 5232 of the Internal Revenue Code of 1954, the duties are imposed on the quantity withdrawn from customs custody.
- Subheadings 2202.90.30, 2202.90.35, 2202.90.36 and 2202.90.37 cover vitamin or mineral fortified fruit or vegetable juices that are imported only in non-concentrated form. Such juices imported in concentrated form are classifiable in subheadings 2106.90.48, 2106.90.52 or 2106.90.54, as appropriate.
- Dutiable quantities of alcoholic juices (including grape must) classified in heading 2204, 2206 or 2208 shall be calculated in accordance with additional U.S. notes 1, 2 and 3 in chapter 20.
- The term "<u>effervescent wine</u>" means wine other than sparkling wine which contains in excess of 0.392 grams of carbon dioxide per 100 milliliters of wine.
- 5. Where in heading 2204, 2206, 2207 or 2208, the rates shown in the rates of duty columns are in terms of a proof liter, proof liter shall mean a liter of liquid at 15.56°C (60°F) which contains 50 percent (100 proof) by volume of ethyl alcohol having a specific gravity of 0.7939 at 15.56°C (60°F) referred to water at 15.56°C (60°F) as unity or the alcoholic equivalent thereof.
- 6. Where in heading 2204, 2206, 2207 or 2208, the rates of duty are assessed on a proof liter basis, the rates shown indicate the amount of duty which shall be collected on each liter of an imported product at 100 proof. The amount of duty which shall be collected for each liter of a product which is imported at more than or less than 100 proof shall bear the same ratio to the applicable rate of duty as the proof of the imported product bears to 100 proof.
- 7. The standard for determining the proof of brandy and other spirits or liquors of any kind when imported is the same as that which is defined in the laws relating to internal revenue. The Secretary of the Treasury, at his discretion, may authorize the ascertainment of the proof of wines, cordials or other liquors and fruit juices by distillation or otherwise, when it is impracticable to ascertain such proof by the means prescribed by existing law or regulations.
- Provisions for the free entry of certain samples of alcoholic beverages are covered by subheading 9811.00.20 of chapter 98.
- 9. For the purposes of heading 2209, the standard proof of vinegar is 4 percent by weight of acetic acid.

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2201		Waters, including natural or artificial mineral waters and aerated waters, not containing added		
		sugar or other sweetening matter nor flavored; ice		
		and snow:		
2201.10.00	00	Mineral waters and aerated waters liters	0.31¢/liter	Free (A,CA,E,IL,J,2.6¢/liter
				MX)
2201.90.00	00	Other t	Free	Free

2202		Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavored, and other nonalcoholic beverages, not including fruit or vegetable juices of heading 2009: Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavored		0.2¢/liter	Free (A,CA,E,IL,J) 0.1¢/liter (MX)	4¢/liter
	20	Carbonated soft drinks: Containing high-intensity sweeteners (e.g., aspartame and/or saccharin)	liters		, ,	
	40	Other	liters			
	60	Other	liters			
2202.90		Other:				
2202.90.10	00	Milk-based drinks: Chocolate milk drink	liters	18%	Free (A+,CA,E,IL, J,MX)	20%
		Other:				
2202.90.22	00	Described in general note 15 of the tariff schedule and entered				
		pursuant to its provisions	liters.v kq	17.5%	<pre>Free (A+,CA,E,IL, J,MX)</pre>	35%
2202.90.24	00	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its			0,1,	
		provisions	liters v kg	17.5%	Free (A+,CA,E,IL, J)	35%
2202.90.28	00	Other <u>1</u> /			See 9906.22.01- 9906.22.03 (MX)	

<u>1</u>/ See subheadings 9904.04.50-9904.05.01.

2202 (con.) 2202.90		Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavored, and other nonalcoholic beverages, not including fruit or vegetable juices of heading 2009 (con.): Other (con.):				
(con.)		Fruit or vegetable juices, fortified with vitamins or minerals:				
2202.90.30	00	Orange juice: Not made from a juice having a degree of concentration of 1.5 or more (as determined before correction to the				
		nearest 0.5 degree)	liters	4.8¢/liter	Free (A+,CA,E,IL, J)	18¢/liter
					See 9906.22.04- 9906.22.05 (MX)	
2202.90.35	00	0ther	liters	8.32¢/liter	Free (A+,CA,E,IL, J)	18¢/liter
		Other:			6.1¢/liter (MX)	
2202.90.36	0.0	Juice of any single				
		fruit or vegetable	liters	The rate applicable to the natural juice in heading 2009	Free (E,IL,J) The rate applicable to the natural juice in heading 2009 (A*,CA,MX)	The rate applicable to the natural juice in heading 2009
2202.90.37	00	Mixtures of juices	liters	The rate applicable to the natural juice in heading 2009	Free (E,IL,J) The rate applicable to the natural juice in heading 2009 (A,CA,MX)	The rate applicable to the natural juice in heading 2009
2202.90.90		Other		0.2¢/liter	Free (A,CA,E,IL,J, MX)	4¢/liter
	10	Nonalcoholic beer	litorg		1.121 /	
	90	Other				

2203.00.00	Beer made from malt	0.8¢/liter <u>1</u> /	Free (A,CA,E,IL, 13.2¢/ J) <u>1</u> / liter <u>1</u> / 0.8¢/liter (MX) 1/
30	In containers each holding not over 4 liters: In glass containers liters		····, ···· (, <u>·</u> ,
60 90	Other liters In containers each holding over 4 liters liters		

2204		fresh grapes, including fortified wines;
	grape	ust other than that of heading 2009:
2204.10.00	S	arkling wine Free (A,CA,E,IL,J, \$1.59/
		1/ MX) 1/ liter 1/
	30	Valued not over \$1.59/liter liters
	60	Valued over \$1.59/liter liters

2204 (con.)		Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009 (con.): Other wine; grape must with fermentation prevented or arrested by the addition of alcohol:			
2204.21 2204.21.20	00	In containers holding 2 liters or less: Effervescent wine	liters	23.5¢/ liter 1/	Free (A+,CA,E,IL, \$1.59/ J,MX) 1/ liter 1/
		Other: Of an alcoholic strength by volume not over 14 percent vol.:		<u>11001 <u>1</u>/</u>	0,111, <u>1</u> , 11001 <u>1</u> ,
2204.21.30	00	If entitled under regu- lations of the United States Internal Revenue Service to a type desig- nation which includes the name "Tokay" and if so designated on the			
		approved label	liters	7.5¢/ liter <u>1</u> /	Free (A,CA,E,IL, 33¢/ J) <u>1</u> / liter <u>1</u> / 4.9¢/liter (MX) 1/
2204.21.50		Other		7.5¢/ liter <u>1</u> /	⊥/ Free (A+,CA,E,IL, 33¢/ J) <u>1</u> / liter <u>1</u> / 4.9¢/liter (MX) 1/
		Valued not over \$1.05/liter:			<u> </u>
	05	Red			
	15 25	White Other Valued over			
	30	\$1.05/liter: Red	liters		
	45	White	liters		
	60	Other Of an alcoholic strength by volume over 14 percent vol.:	liters		
2204.21.60	00	If entitled under regu- lations of the United States Internal Revenue Service to a type desig- nation which includes the name "Marsala" and if so designated on the			
		approved label	liters	6.3¢/ liter 1/	Free (A,CA,E,IL,J,33¢/ MX) 1/ liter 1/
2204.21.80		Other		20.1¢/ liter <u>1</u> /	Free (A,E,IL,J, 33¢/ MX) <u>1</u> / liter <u>1</u> /
	30 60	SherryOther		_	

(con.) 2204.29	Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009 (con.): Other wine; grape must with fermentation prevented or arrested by the addition of alcohol (con.): Other: In containers holding over 2 liters but not over 4 liters:				
2204.29.20	Of an alcoholic strength by volume not over 14 percent vol		8.9¢/ liter <u>1</u> /	Free (A+,CA,E,IL, J) <u>1</u> / 4.9¢/liter (MX) <u>1</u> /	33¢/ liter <u>1</u> /
05 15 25 30 45 60	Valued not over \$1.05/ liter: Red White Valued over \$1.05/liter: Red White	liters liters liters liters		2	
2204.29.40 00	Other Of an alcoholic strength by volume over 14 percent vol		23.7¢/ liter <u>1</u> /	Free (A+,CA,E,IL, J) <u>1</u> / 13.2¢/liter (MX) <u>1</u> /	33¢/ liter <u>1</u> /
2224 22 62 22	In containers holding over 4 liters:			<u>+</u> /	
2204.29.60 00	Of an alcoholic strength by volume not over 14 percent vol.	liters	14.8¢/ liter <u>1</u> /	Free (A+,CA,E,IL, J) <u>1</u> / 8.2¢/liter (MX) <u>1</u> /	33¢/ liter <u>1</u> /
2204.29.80 00	Of an alcoholic strength by volume over 14 percent vol	liters	23.7¢/ liter <u>1</u> /	Free (A+,CA,E,IL, J) <u>1</u> / 13.2¢/liter (MX) 1/	33¢/ liter <u>1</u> /
2204.30.00 00	Other grape must		5.2¢/liter + 37.3¢/pf. liter <u>1</u> /	<u>+</u> / Free (A+,CA,E,IL, J,MX) <u>1</u> /	18.5¢/ liter + \$1.32/pf. liter <u>1</u> /

2205	Vermouth and other wine of fresh grapes flavored with plants or aromatic substances:	
2205.10	In containers holding 2 liters or less:	
2205.10.30 00	Vermouth	
2205.10.60 00	Other	
2205.90	Other:	
	Vermouth:	
2205.90.20 00	In containers each holding over	
	2 liters but not over 4 litersliters 4.2¢/liter <u>1</u> / Free (A,CA,E,IL,J,33¢/ MX) 1/ liter 1/	
2205.90.40 00	In containers each holding over	
	4 liters	
2205.90.60 00	Other	

2206.00	I a a	Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non- alcoholic beverages, not elsewhere specified or included:				
2206.00.15	00	Cider, whether still or sparkling	liters	0.4¢/ liter 1/	Free	(A,CA,E,IL,J,1.3¢/ MX) 1/ liter 1/
2206.00.30	00	Prune wine				(A+, CĀ, E, IL, 18.5¢/ J,MX) <u>1</u> / liter + \$1.32/pf. liter on ethyl alcohol content 1/
2206.00.45	00	Rice wine or sake	liters	4.2¢/ liter <u>2</u> /	Free	(A,CA,E,IL,J,33¢/ MX) <u>2</u> / liter <u>2</u> /
2206.00.60	00	Other: Effervescent wine	liters	19.6¢/		(A+,CA,E,IL, \$1.59/
2206.00.90	00	Other	liters	liter <u>1</u> / 5¢/ liter <u>3</u> / <u>4</u> /	Free	J,MX) <u>1</u> / liter <u>1</u> / (A,CA,E,IL,J,33¢/ MX) <u>3</u> / liter <u>3</u> /
2207	ŝ	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 percent vol. or higher; ethyl alcohol and other spirits, denatured, of any strength:				
2207.10	c	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 percent vol. or higher:				
2207.10.30	00 \$1.32/m	For beverage purposes	pf.liters	22.5¢/pf.	Free	(A,CA,E,IL,J,)
2207.10.60	00	For nonbeverage purposes Ethyl alcohol and other spirits, denatured,	liters	liter <u>5</u> / 2.7% <u>6</u> / <u>7</u> /		$\begin{array}{llllllllllllllllllllllllllllllllllll$
2207.20.00	00	of any strength	liters	2.3% <u>5</u> / <u>6</u> /		(A+,CA,E,IL, 20% <u>5/ 6</u> / J) <u>5/ 6</u> / (MX) <u>6</u> /

1/ Imports under this subheading are subject to Federal Excise Tax (26 U.S.C. 5041). 2/ Imports under this subheading are subject to Federal Excise Tax (26 U.S.C. 5051). 3/ Imports under this subheading are subject to Federal Excise Tax (26 U.S.C. 5051, if fremented from malt, 26 U.S.C. 5041, if

<u>J</u> Imports under this subheading are subject to Federal Excise Tax (26 U.S.C. 5051, if fremented from malt, 26 U.S.C. 5041, if fermented from other than malt).
<u>4</u>/ See subheading 9903.23.25.
<u>5</u>/ Imports under this subheading are subject to Federal Excise Tax (26 U.S.C. 5001).
<u>6</u>/ For ethyl alcohol, see subheading 9901.00.50.
<u>7</u>/ Imports under this subheading are subject to Federal Excise Tax (26 U.S.C. 5001) if they contain one-half of one percent or more of alcohol by volume and if they are determined to be fit for beverage use.

2208		Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 percent vol.; spirits,					
		liqueurs and other spirituous beverages:					
2208.20		Spirits obtained by distilling grape wine					
2208.20.10	0.0	or grape marc (grape brandy):	nf litora	1 () / m f	Erco		61 70/mf
2208.20.10	00	Pisco and singani	pr.iiters	1iter <u>1</u> /	Free	(A,CA,E,IL,J, MX) <u>1</u> /	
		Other:					
		In containers each holding not over 4 liters:					
2208.20.20	00	Valued not over \$2.38/liter	pf.liters	31.5¢/pf. liter 1/	Free	(A+,CA,E,IL, J,MX) 1/	\$2.35/pf. liter 1/
2208.20.30	00	Valued over \$2.38 but					
		not over \$3.43/liter	pf.liters	11.5¢/pf. liter 1/	Free	(A+,CA,E,IL, J,MX) 1/	
2208.20.40	00	Valued over \$3.43/liter	pf.liters	4.6¢/pf. liter 1/	Free	(A+,CA,E,IL, J,MX) 1/	\$2.35/pf. liter 1/
		In containers each holding over 4		_		· · <u>-</u> ·	
		liters:					
2208.20.50	00	Valued not over \$2.38/liter	pf.liters	4.6¢/pf. liter 1/	Free	(A+,CA,E,IL, J,MX) 1/	\$1.32/pf. liter 1/
2208.20.60	00	Valued over \$2.38/liter	pf.liters		Free	(A+,CA,E,IL, J,MX) <u>1</u> /	

2208 (con.)	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 percent vol.; spirits, liqueurs and other spirituous beverages (con.):				
2208.30 2208.30.30	Whiskies: Irish and Scotch			Free (A+,CA,E,IL,	
30	In containers each holding not over 4 liters	. pf.liters	liter <u>1</u> /	J,MX) <u>1</u> /	liter <u>1</u> /
60 2208.30.60	In containers each holding over 4 liters Other			Free (A+,CA,E,IL, J,MX) 1/	\$2.04/pf. liter 1/
20	Bourbon: In containers each holding not over 4 liters	. pf.liters	_	<u>, m, </u>	11001 <u>1</u> ,
40	In containers each holding over 4 liters Other: In containers each holding	. pf.liters			
55 65	not over 4 liters: Rye Other				
75 85	In containers each holding over 4 liters: Rye Other				
2208.40	Rum and tafia: In containers each holding not over 4 liters:				
2208.40.20 00	Valued not over \$3 per proof liter	. pf.liters	28.1¢/pf. liter <u>1</u> /	Free (A+,CA,E, IL) <u>1</u> / 18.5¢/pf. liter (MX) <u>1</u> /	\$1.32/pf. liter <u>1</u> /
2208.40.40 00	Valued over \$3 per proof liter	. pf.liters	21.7¢/pf. liter <u>1</u> /	(MX) <u>1</u> / Free (<u>1</u> , CA, E, IL) <u>1</u> / 18.5¢/pf. liter (MX) 1/	\$1.32/pf. liter <u>1</u> /
	In containers each holding over 4			,	
2208.40.60 00	liters: Valued not over 69¢ per proof liter	. pf.liters	28.14¢/pf. liter <u>1</u> /	Free (A+,CA,E, IL) <u>1</u> / 18.5¢/pf.	\$1.32/pf. liter <u>1</u> /
2208.40.80 00	Valued over 69¢ per proof liter	. pf.liters	21.7¢/pf. liter <u>1</u> /	liter (MX) <u>1</u> / Free (A+,CA,E, IL) <u>1</u> / 18.5¢/pf.	\$1.32/pf. liter <u>1</u> /
2208.50.00	Gin and Geneve		5.4¢/pf. liter 1/	liter (MX) <u>1</u> / Free (A,CA,E,IL,J MX) 1/	,\$1.99/pf. liter 1/
30	In containers each holding not over 4 liters	. pf.liters	—	·	
60	In containers each holding over 4 liters	. pf.liters			

spirits, liqueurs and other spirituous beverages (con.): 2208.60 Volka: In containers each holding not over 4 liters: 2208.60.10 00 Valued not over \$2.05/liter pf.liters 27.7¢/pf. Free (A,CA,E,IL,J, \$1.78/ liter 1/ MX) 1/ liter	er <u>1</u> / /pf.
2208.60.10 00 Valued not over \$2.05/liter pf.liters 27.7¢/pf. Free (A,CA,E,IL,J,\$1.78/liter liter 1/ MX) 1/ liter	er <u>1</u> / /pf.
2208.60.20 00 Valued over \$2.05/liter pf.liters 5.4¢/pf. Free (A,CA,E,IL,J,\$1.78/ liter 1/ MX) 1/ liter	·± ±/
2208.60.50 00 In containers each holding over 4 liters pf.liters 13.6¢/pf. Free (A,CA,E,IL,J, \$1.32/ liter 1/ MX) 1/ liter	
2208.70.00 Liqueurs and cordials	/pf.
30 In containers each holding not over 4 liters pf.liters	—
60 In containers each holding over 4 liters pf.liters	
2208.90 Other: 2208.90.01 00 Aquavit	
2208.90.05 00 Not fit for use as beverages pf.liters 4.1¢/pf. Free (A,CA,E,IL,J,) \$1.32/pf.	
liter 1/ MX) 1/ liter 2208.90.10 00 Fit for use as beverages pf.liters 5.4¢/pf. Free (A,CA,E,IL,J,\$1.32/ liter 1/ Free (A,CA,E,IL,J,\$1.32/ liter 1/	/pf.
Brandy: Slivovitz:	
Valued not over \$3.43/liter: 2208.90.12 00 In containers each holding not over	
4 liters pf.liters 11.6¢/pf. Free (A,CA,E,IL,J, \$2.35/ liter <u>1</u> / MX) <u>1</u> / liter	
2208.90.14 00 In containers each holding over 4 liters pf.liters 4.6¢/pf. Free (A,CA,E,IL,J, \$1.32/ liter 1/ MX) 1/ liter	
2208.90.15 00 Valued over \$3.43/liter pf.liters 4.6¢/pf. Free (A,CA,E,IL,J, \$2.35/liter 1 1 1 1	j/pf.

strength by volume o	of less than 80 percent vol.;					
(con.):	a other spirituous severages					
Other (con.):						
Brandy (cc	n.):					
Other	:					
00	Valued not over \$2.38/					
	liter	pf.liters	31.4¢/pf. liter <u>1</u> /	Free	(A+,CA,E,IL, J,MX) <u>1</u> /	\$2.35/pf. liter <u>1</u> /
00	Valued over \$2.38 but		—		_	—
	not over \$3.43/liter	pf.liters	11.6¢/pf. liter 1/	Free	(A+,CA,E,IL, J,MX) 1/	\$2.35/pf. liter 1/
00	Valued over \$3.43/liter	pf.liters	4.6¢/pf. liter 1/	Free	(A+,CA, E,IL, J,MX) 1/	\$2.35/pf. liter 1/
			_		· · <u>-</u> ·	
00	Valued not over \$2.38/					
	liter	pf.liters		Free		
00	Valued over \$2.38/liter	pf.liters		Free		
	strength by volume of spirits, liqueurs ar (con.): Other (con.): Brandy (co Other 00 00	Other (con.): Brandy (con.): Other: In containers each holding not over 4 liters: 00 Valued not over \$2.38/ liter 00 Valued over \$2.38 but not over \$3.43/liter 00 Valued not over \$2.38/ liter	<pre>strength by volume of less than 80 percent vol.; spirits, liqueurs and other spirituous beverages (con.): Other (con.): Brandy (con.):</pre>	<pre>strength by volume of less than 80 percent vol.; spirits, liqueurs and other spirituous beverages (con.): Other (con.): Brandy (con.): Other: In containers each holding not over 4 liters: 00</pre>	<pre>strength by volume of less than 80 percent vol.; spirits, liqueurs and other spirituous beverages (con.): Other (con.): Brandy (con.): Other: In containers each holding not over 4 liters: Valued not over \$2.38/</pre>	<pre>strength by volume of less than 80 percent vol.; spirits, liqueurs and other spirituous beverages (con.): Other (con.): Brandy (con.): Other:</pre>

2208 (con.)		Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 percent vol.; spirits, liqueurs and other spirituous beverages (con.):					
2208.90 (con.)		Other (con.):					
2208.90.46		Kirschwasser and ratafia		5.4¢/pf. liter <u>1</u> /	Free	(A,CA,E,IL,J, MX) <u>1</u> /	
	30	In containers each holding not over 4 liters	pf.liters				
	60	In containers each holding over 4 liters Tequila:	pf.liters				
2208.90.50	00	In containers each holding not over 4 liters	pf.liters	Free <u>1</u> /			\$1.68/pf. liter 1/
2208.90.55	00	In containers each holding over 4 liters	pf.liters	Free <u>1</u> /			\$1.32/pf. liter 1/
2208.90.71	00	Imitations of brandy and other spirituous beverages	pf.liters	63¢/pf. liter 1/	Free	(A,CA,E,IL,J, MX) 1/	
		Other: Spirits:		-		_	_
2208.90.72	00	Mescal in containers each					
		holding not over 4 liters	pf.liters	Free <u>1</u> /			\$1.78/pf. liter 1/
2208.90.75	00	0ther	pf.liters	27.7¢/pf. liter 1/	Free	(A,CA,E,IL,J, MX) 1/	\$1.78/pf.
2208.90.80	00	Other	pf.liters		Free	(A,CA,E,IL,J, MX) <u>1</u> /	\$4.05/pf.
2209.00.00	00	Vinegar and substitutes for vinegar obtained from acetic acid	pf.liters v liters		Free	(A,CA,E,IL,J, MX)	2.1¢/pf. liter