

Federal Property Management Regulations

§ 101-48.001-1

PART 101-48—UTILIZATION, DONATION, OR DISPOSAL OF ABANDONED AND FORFEITED PERSONAL PROPERTY

Sec.

- 101-48.000 Scope of part.
- 101-48.001 Definitions.
 - 101-48.001-1 Abandoned or other unclaimed property.
 - 101-48.001-2 Distilled spirits.
 - 101-48.001-3 Eleemosynary institution.
 - 101-48.001-4 Firearms.
 - 101-48.001-5 Forfeited property.
 - 101-48.001-6 Malt beverages.
 - 101-48.001-7 Property.
 - 101-48.001-8 Voluntarily abandoned property.
 - 101-48.001-9 Wine.
 - 101-48.001-10 Drug paraphernalia.

Subpart 101-48.1—Utilization of Abandoned and Forfeited Personal Property

- 101-48.100 Scope of subpart.
- 101-48.101 Forfeited or voluntarily abandoned property.
 - 101-48.101-1 Sources of property available for utilization.
 - 101-48.101-2 Custody of property.
 - 101-48.101-3 Cost of care and handling.
 - 101-48.101-4 Retention by holding agency.
 - 101-48.101-5 Property required to be reported.
 - 101-48.101-6 Transfer to other Federal agencies.
 - 101-48.101-7 Reimbursement and costs incident to transfer.
 - 101-48.101-8 Billing.
 - 101-48.101-9 Disposition of proceeds.
- 101-48.102 Abandoned or other unclaimed property.
 - 101-48.102-1 Vesting of title in the United States.
 - 101-48.102-2 Reporting.
 - 101-48.102-3 Reimbursement.
 - 101-48.102-4 Proceeds.

Subpart 101-48.2—Donation of Abandoned and Forfeited Personal Property

- 101-48.200 Scope of subpart.
- 101-48.201 Donation of forfeited distilled spirits, wine, and malt beverages.
 - 101-48.201-1 General.
 - 101-48.201-2 Establishment of eligibility.
 - 101-48.201-3 Requests by institutions.
 - 101-48.201-4 Filling requests.
 - 101-48.201-5 Donation of lots not required to be reported.
 - 101-48.201-6 Packing and shipping costs.
- 101-48.202 Donation of forfeited drug paraphernalia.

Subpart 101-48.3—Disposal of Abandoned and Forfeited Personal Property

- 101-48.300 Scope of subpart.
- 101-48.301 General.
- 101-48.302 Distilled spirits, wine, and malt beverages.
- 101-48.303 Firearms.
- 101-48.304 Drug paraphernalia.
- 101-48.305 Property other than distilled spirits, wine, malt beverages, firearms, and drug paraphernalia.
- 101-48.306 Disposition of proceeds from sale.
 - 101-48.306-1 Abandoned or other unclaimed property.
 - 101-48.306-2 Forfeited or voluntarily abandoned property.

Subparts 101-48.4—101-48.48 [Reserved]

Subpart 101-48.49—Illustrations of Forms

- 101-48.4900 Scope of subpart.
- 101-48.4901 [Reserved]
- 101-48.4902 GSA forms.
- 101-48.4902-18 GSA Form 18, Application of Eleemosynary Institution.

AUTHORITY: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

SOURCE: 42 FR 55813, Oct. 19, 1977, unless otherwise noted.

§ 101-48.000 Scope of part.

This part prescribes the policies and methods governing the utilization, donation, and disposal of abandoned and forfeited personal property under the custody or control of any Federal agency in the United States, the Commonwealth of Puerto Rico, American Samoa, Guam, the Trust Territory of the Pacific Islands, and the Virgin Islands. In addition to the requirements of this part 101-48, the disposition of abandoned and forfeited hazardous materials shall be accomplished in accordance with part 101-42.

[57 FR 39137, Aug. 28, 1992]

§ 101-48.001 Definitions.

For the purposes of this part 101-48, the following terms shall have the meanings set forth in this section.

§ 101-48.001-1 Abandoned or other unclaimed property.

Abandoned or other unclaimed property means personal property that is found on premises owned or leased by the Government and which is subject to the filing of a claim therefor by the

§ 101-48.001-2

former owner(s) within 3 years from the vesting of title in the United States.

§ 101-48.001-2 Distilled spirits.

Distilled spirits, as defined in the Federal Alcohol Administration Act (27 U.S.C. 211), as now in force or hereafter amended, means ethyl alcohol; hydrated oxide of ethyl; or spirits of wine, whiskey, rum, brandy, gin, and other distilled spirits, including all dilutions and mixtures thereof.

§ 101-48.001-3 Eleemosynary institution.

Eleemosynary institution means a non-profit institution organized and operated for charitable purposes whose net income does not inure in whole or in part to the benefit of shareholders or individuals and which shall have filed with the GSA National Capital Region a satisfactory statement establishing such status.

[56 FR 40260, Aug. 14, 1991]

§ 101-48.001-4 Firearms.

Firearms, as defined in 18 U.S.C. 921, as now in force or hereafter amended, means any weapon (including a starter gun) which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon or any firearm muffler or firearm silencer; or any destructive device. This term does not include an antique firearm.

§ 101-48.001-5 Forfeited property.

Forfeited property means personal property acquired by a Federal agency either by summary process or by order of a court of competent jurisdiction pursuant to any law of the United States.

§ 101-48.001-6 Malt beverages.

Malt beverages, as defined in the Federal Alcohol Administration Act (27 U.S.C. 211), as now in force or hereafter amended, means beverages made by the alcoholic fermentation of an infusion or decoction, or combination of both, in potable brewing water, of malted barley with hops or their parts or products and with or without other malted

41 CFR Ch. 101 (7-1-02 Edition)

cereals; and with or without the addition of unmalted or prepared cereals, other carbohydrates, or products prepared therefrom; and with or without the addition of carbon dioxide; and with or without other wholesome products suitable for human food consumption.

§ 101-48.001-7 Property.

Property means all personal property, including but not limited to vessels, vehicles, aircraft, distilled spirits, wine, and malt beverages.

§ 101-48.001-8 Voluntarily abandoned property.

Voluntarily abandoned property means personal property abandoned to a Federal agency in such a manner as to vest title thereto in the United States.

§ 101-48.001-9 Wine.

Wine means any of the wines defined in sections 5381 and 5385 of the Internal Revenue Code of 1954 (26 U.S.C. 5381, 5385), as now in force or hereafter amended, and other alcoholic beverages not so defined, but made in the manner of wine, including sparkling and carbonated wine; wine made from condensed grape must; wine made from agricultural products other than the juice of sound, ripe grapes; imitation wine; compounds sold as wine; vermouth; cider; perry; and sake. The alcoholic content of these beverages shall not contain less than 7 percent nor more than 24 percent of alcohol by volume and shall not be for industrial use.

§ 101-48.001-10 Drug paraphernalia.

Drug paraphernalia means any equipment, product, or material of any kind which is primarily intended or designed for use in manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the Controlled Substances Act (title II of Pub. L. 91-513). It includes items primarily intended or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, hashish oil, PCP, or amphetamines into the human body, such as: