

DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
ABSTRACT AND STATEMENT

NOT IN SUIT

For briefing offers in compromise of liabilities and/or violations incurred under Chapters 32,51,52,53,68 and/or 78 of the Internal Revenue Code, and/or liabilities and/or violations incurred under the Federal Alcohol Administration Act.

|   |  |   |
|---|--|---|
| OFFER SUBMITTED BY (Name and address)<br><br><b>D. &amp; J.F. Cellars, Inc.</b><br><br><b>23145 US Hwy 99W</b><br><br><b>Dundee, Oregon 97115</b> | OFFER IN COMPROMISE  |   |
|   | 2. ORIGINATING OFFICE<br><br><b>San Francisco Field Div.</b>                         | 3. AMOUNT OF OFFER<br><br><b>\$12,000</b> |
|   | 4. PERMIT, LICENSE, OR<br>REGISTRY NO. (if applicable)<br><br>[REDACTED]             | 5. SYSTEM CONTROL NUMBER(S)               |
|   | 6. DOLLAR AMOUNT OF LIABILITY BEING COMPROMISED (if applicable)<br><br><b>\$ N/A</b> |   |
| 7. TAXPAYER IDENTIFICATION NUMBER<br><br>[REDACTED]   | [REDACTED]   |   |

8. CHARGE

During the period October 15, 2000 through March 31, 2001, the proponent allegedly violated Title 26, United States Code, Sections 5367 and 5041; and Title 27, Code of Federal Regulations, Sections 24.300, 24.301, 24.308, 24.309, 24.310, 24.313, and 24.270 by(1) failing to accurately report information on ATF F 5120.17, Report of Winery Premises Operations; (2) removing bulk wine from bond for which no tax payment was made; (3) failing to maintain required information on bulk and bottled wine records; (4) failing to prepare and maintain transfer in bond records; (5) failing to maintain the taxpaid removals from bond record; (6) failing to prepare and maintain the required physical inventory record; and failing to determine the correct amount of tax for each tax class.

BUSINESS IN WHICH ENGAGED:

The proponent is a duly qualified bonded winery.

DATE OR PERIOD OF VIOLATIONS:

The alleged violations occurred during the period October 15, 2000 through March 31, 2001

AMOUNT AND TERMS OF OFFER:

The proponent has submitted an offer of \$12,000 in compromise of civil and/or criminal liabilities imposed by the Internal Revenue Code.

RECOMMENDATION CHIEF, NATIONAL REVENUE CENTER:

The Chief, National Revenue Center, recommends acceptance of \$12,000 as this amount is both commensurate with the nature of the violations and is sufficient to deter recurrence.

(Continued on page(s) )

9. I have considered the proposition to compromise the liability as charged herein, and, for the reasons embodied in the above abstract and statement, am of the opinion that it will be for the best interest of the United States to  ACCEPT  REJECT the terms proposed.

SIGNATURE AND TITLE

Deputy Assistant Administrator, Field Operations

11. DATE

12/8/03