

**DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU
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.

1. OFFER SUBMITTED BY (Name and address)

Gallagher's Where-U-Brew, Inc.
120 5th Avenue, South Suite G
Edmonds, Washington 98020-3499

OFFER IN COMPROMISE

2. ORIGINATING OFFICE TID	3. AMOUNT OF OFFER \$5,000.00
4. PERMIT, LICENSE, OR REGISTRY NO. (if applicable) n/a	5. SYSTEM CONTROL NUMBER(S) n/a
6. DOLLAR AMOUNT OF LIABILITY BEING COMPROMISED (if applicable) \$ 15,620.46	
7. TAXPAYER IDENTIFICATION NUMBER 	

8. CHARGE

VIOLATIONS:

The proponent allegedly commenced bonded winery operations and engaged in the business of producing or blending wine in violation of 27 U.S.C. 203 and 27 C.F.R. 1.21; failed to establish wine premises, file bond, and receive permission to operate wine premises prior to commencing operations as a bonded winery in violation of 26 U.S.C. 5351 and 27 C.F.R. 24.100, 24.101, and 24.106; commenced operations without having a valid and approved application for operations on file with TTB in violation of 26 U.S.C. 5351 and 5356 and 27 C.F.R. 24.105; commenced operations as a bonded winery without first filing and obtaining approval of a bond or consent of surety in violation of 26 U.S.C. 5355 and 5551 and 27 C.F.R. 24.145; failed to immediately pay federal excise tax on wine produced otherwise that is authorized by law in violation of 26 U.S.C. 5043(a) and 27 C.F.R. 24.271; and unlawfully possessed property (unlawfully produced wine) used or intended for use in violation of the Internal Revenue Code in violation of 26 U.S.C. 7302.

BUSINESS IN WHICH ENGAGED:

The proponent operated as a winery.

DATE OR PERIOD AND LOCATION OF VIOLATIONS:

On or between May 1, 2004 through May 16, 2007 at the proponent's premises at 120 5th Avenue, South Suite G, Edmonds, WA 98020-3499.

AMOUNT AND TERMS OF OFFER:


The proponent has submitted an offer of \$5,000.00 in compromise of the above violation incurred under the Federal Alcohol Administration Act and Internal Revenue Code.

RECOMMENDATION:

The Director, National Revenue Center recommends acceptance of the offer. In view of potential litigation hazards, acceptance of this Offer in Compromise, as submitted, is warranted.

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.

10. SIGNATURE AND TITLE

 ASSISTANT ADMINISTRATOR, FIELD OPERATIONS

11. DATE

3/5/2009.