

DEPARTMENT OF THE TREASURY
Alcohol and Tobacco Tax and Trade Bureau
DEFERRAL BOND-TOBACCO PRODUCTS
(Puerto Rico)

(Fill in duplicate. See instructions on page 2)

PRINCIPAL <i>(See instructions 2, 3, and 4)</i>	ADDRESS OF BUSINESS OFFICE <i>(Number, Street, City, State, ZIP Code)</i>	
SURETY <i>(or Sureties)</i>	AMOUNT OF BOND	EFFECTIVE DATE

KIND OF BOND *(Check applicable box)*

ORIGINAL STRENGTHENING SUPERSEDING

KNOW ALL MEN BY THESE PRESENTS. That we, the above named principal and surety, are held and firmly bound unto the United States of America in the above-named amount, lawful money of the United States, for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

This bond will not in any case be effective before the above named date, but if accepted by the United States it will be effective according to its terms on and after that date without notice to the obligors: provided, that if no date is inserted in the space provided there for, the date of execution will be the effective date.

WHEREAS, the principal intends to remove from the above specified factory tobacco products of Puerto Rican manufacture for shipment to the United States; and

WHEREAS, under the provisions of 26 U.S.C. 7652(a)(1), there is imposed on all tobacco products of Puerto Rican manufacture coming into the United States and withdrawn for consumption or sale a tax equal to the Internal Revenue tax imposed in the United States upon like tobacco products of domestic manufacture; and

WHEREAS, under the provisions of 26 U.S.C.7652(a)(2), the tax imposed by 26 U.S.C.7652(a)(1), may be paid before shipment from Puerto Rico; and

WHEREAS, the principal desires the privilege of paying in Puerto Rico, on the basis of semimonthly returns, the tax computed on tobacco products of Puerto Rican manufacture removed for shipment to the United States; and

WHEREAS, under the provisions of applicable regulations pertaining to the deferred payment of taxes in Puerto Rico with respect to tobacco products shipped to the United States, the principal must give bond to secure the deferred payment of taxes computed with respect to such tobacco products; and

WHEREAS, pursuant to such regulations, the principal gives this bond to secure the deferred payment of the taxes imposed by 26 U.S.C. 7652(a)(1) which is equal to the rates of tax set forth in 26 U.S.C. 5701, on tobacco products of domestic manufacture.

NOW THEREFORE, the condition of this bond is such that if the principal must pay, or cause to be paid, to the United States, at the time and in the manner prescribed in the aforesaid regulations, the full amount of taxes with respect to the tobacco products (equal to the tax imposed by 26 U.S.C. 5701, on tobacco products of domestic manufacture) which have been computed pursuant to said regulations, then this obligation must be null and void; but otherwise it must remain in full force and effect.

We, the obligors, for ourselves, our heirs, executors, administrators, successors, and assigns, do further covenant and agree that the total amount of this bond must be available for satisfaction of any liability incurred under the terms and conditions of this bond, and that upon the breach of any of the covenants of this bond, the United States may pursue its remedies against the principal or surety, independently, or against both jointly, and the said surety hereby waives any right or privilege it may have of requiring, upon notice, or otherwise, that the United States must first commence action, intervene in any action of any nature whatsoever already commenced, or otherwise exhaust its remedies against the principal.

Witness our hands and seals this _____ day of _____, 20____
 Signed, sealed, and delivered in the presence of-

	(SEAL)
	(SEAL)
	(SEAL)
	(SEAL)

**APPROVAL OF DISTRICT DIRECTOR (INVESTIGATIONS) PUERTO RICO OPERATIONS
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU**

On behalf of the United States, I approve the foregoing bond, which has been executed in due form and in compliance with the applicable laws, regulations, and instructions.

DISTRICT DIRECTOR (INVESTIGATIONS) PUERTO RICO OPERATIONS	DATE
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1. This bond must be filed in duplicate with the District Director (Investigations) Puerto Rico Operations, Alcohol and Tobacco Tax and Trade Bureau, Ste 310, Torre Chardon, 350 Carlos Chardon Ave., San Juan, Puerto Rico 00918.

2. The name, including the full given name, of each party to the bond must be given in the heading, and each such party must sign the bond with his signature, or the bond may be executed in his name by a duly empowered attorney-in-fact.

3. In the case of a partnership, the trade name of the firm, followed by the names of all the members thereof, must be given in the heading. In executing the bond the firm name must be typed or written followed by the word "by" and the signatures of all partners, or the signature of any partner duly authorized to sign the bond in behalf of the firm, or by a duly empowered attorney-in-fact.

4. If the principal is a corporation, give the corporate name, the name of the political entity under the laws of which it is organized (i.e. Commonwealth of Puerto Rico, Delaware, etc.), and the location of the principal office. The bond must be executed in the corporate name, immediately followed by the signature and title of the person duly authorized to act for the corporation.

5. If the bond is signed by an attorney-in-fact for the principal, or by one of the members for a partnership or association, or by an officer or other person for a corporation, there must be filed with the bond a duly authenticated copy of the power of attorney, resolution of the board of directors, excerpt of the bylaws, or other document, authorizing the person signing the bond to execute it on behalf of the principal.

6. The signature for the surety must be attested under corporate seal. The signature for the principal, if a corporation, must also be so attested if the corporation has a corporate

seal. If the corporation has no seal, that fact should be stated. Each signature must be made in the presence of two witnesses (except where corporate seals are affixed), who must sign their names as such.

7. A bond may be given with corporate surety authorized to act as surety by the Secretary of the Treasury of the United States, or by the deposit of collateral security consisting of bonds or notes of the United States. The Act of July 30, 1947 (section 15, title 6, U.S.C.), provides that "the phrase bonds or notes of the United States shall be deemed ***to mean any public debt obligations of the United States and any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States".

8. If any alteration or erasure is made in the bond before its execution, there must be incorporated in the bond a statement to that effect by the principal and surety or sureties; or if such alteration or erasure was made after the bond was executed, the consent of all parties thereto must be written in the bond.

9. The penal sum required for each of the premises covered by this bond must be computed in accordance with the provisions of the regulations in 27 CFR Part 41, and must be set forth in the space provided there for. The penal sum of this bond must be equal to the total of such penal sums.

10. If the bond is approved, a copy will be returned to the principal.

11. All correspondence about the filing of this bond or any subsequent action affecting this bond should be addressed to the District Director (Investigations) Puerto Rico Operations, Alcohol and Tobacco Tax and Trade Bureau, San Juan, Puerto Rico.

PAPERWORK REDUCTION ACT NOTICE

This form is not subject to OMB review and approval because it requires only that information necessary to identify the parties involved and the amount of the bond.