

Joint ATF/RCMP Investigation

By Tami Light (202) 927-3580

Jeffrey James Petkovich, the leader of an international alcohol smuggling operation, was sentenced to four years in a Canadian Federal prison on Friday, January 5, 2001. Mr. Petkovich was responsible for smuggling over 14,000 cases of non-taxpaid distilled spirits into Canada from the U.S. ATF assisted the Royal Canadian Mounted Police (RCMP) in tracing the spirits from a distillery in Baltimore, Maryland, to the Bahamas, back into the U.S, from Florida to California to Buffalo, New York and over the border into Canada. Mr. Petkovich admitted to making a profit of over \$1.3 million. □



Offer-in-Compromise

By Jeannette Compton (202) 927-8130

On November 14, 2000, the Director, Industry Operations, San Francisco Field Division, accepted an Offer-in-Compromise of \$15,000 from Central Coast Wine Company, dba The Henry Wine Group, Benicia, California. Central Coast Wine Company was found to be importing and removing from U. S. Customs custody various brands of Italian wine and distilled spirits without an approved Certificate of Label Approval ("COLA"). One brand of Italian wine was imported and removed from U. S. Customs custody without the mandatory Government Warning Statement on the label. □

Proposed Revision of the COLA Form

By Wanda Williams-Burgraff (202) 927-8140



The COLA form, "Application for Certification/Exemption of Label/Bottle Approval," ATF F 5100.31 is being revised.

We are proposing only minor revisions to the front of the COLA form. The wording of items 7, 16 and 17 is slightly modified for clarification purposes.

Our draft of the back of the COLA form, however, differs dramatically from the current COLA form. The instructions for completing the form and conditions of approval are restructured. The conditions under which approved labels may be modified without submission of a new COLA application are outlined in chart form. The single-most significant proposed revision is the allowance to add, delete or change any nonmandatory label information without submission of a new COLA application.

Notice of our proposed revision was published in the Federal Register on January 22, 2001. To request copies of the notice and draft revised form, contact the Alcohol Labeling and Formulation Division (ALFD) Customer Service Desk at (202) 927-8140 or toll free at 1-866-927-2533. If you would like to comment on the form, please address your comments in writing to Bureau of Alcohol, Tobacco and Firearms, Attention: Linda Barnes, 650 Massachusetts Avenue, NW, Washington, DC 20226. It is our intention to take into account all comments before we make final decisions on the new form. Written comments must be received before March 23, 2001, to assure consideration. □

StarLink™ Genetically Altered Corn



By William Foster and Lisa Gesser (202) 927-8210

Recent news about StarLink™, a genetically altered corn, is of considerable interest and concern to the Bureau of Alcohol, Tobacco and Firearms. We are consulting with the Food and Drug Administration (FDA), the Environmental Protection Agency (EPA), and industry to answer questions about its use in alcohol beverage production.

We had prepared an industry circular, number 2001-1, January 4, 2001, and posted this circular to our website for a brief time. We withdrew this circular from our site in light of recent additional information we received. We have not printed or distributed this circular to distillers or brewers.

We have suspended Industry Circular 2001-1 pending further consultations with FDA and EPA. When we are satisfied that we have all the information that we need to take informed and appropriate actions, we will publish a revised circular to the website and furnish copies to distillers and brewers.

If you have received or reviewed a copy of the draft version of Industry Circular 2001-1, please disregard that advice pending our further deliberations and consultations with FDA and EPA. Once we have clarified the remaining issues, we will publish a revised industry circular. □

Imported Cigarette Compliance Act

By Evelyn Wilson (202) 927-3580

The Imported Cigarette Compliance Act of 2000 takes effect on February 7, 2001. On December 22, 2000, ATF issued Industry Circular 2000-4 warning businesses about selling or holding for sale tobacco products and cigarette papers or tubes manufactured in the United States that are labeled for exportation. The law prohibits the sale, or holding for sale for domestic consumption, of tobacco products and cigarette papers or tubes manufactured in the United States and labeled for exportation. On or after February 7, 2001, if you sell or hold for sale such products for domestic consumption, you may incur civil and criminal penalties. You can access the Industry Circular on ATF's website at http://www.atf.treas.gov/pub/ind_circulars/ic0012-4.htm. □



Closure of San Francisco Technical Services Office

By Shirley Osborne (202) 927-8200



On December 29, 2000, the San Francisco Technical Services Office closed its doors for good. All regulated industry files have been transferred to the National Revenue Center (NRC) in Cincinnati, Ohio. This completes the Revenue Division Consolidation Project that commenced in 1996. The consolidation included Atlanta, Dallas, Philadelphia, and San Francisco Technical Services Offices, and the Cincinnati Tax Processing Center.

The NRC now provides expert technical advice and assistance to the public, the regulated distilled spirits, beer, wine, tobacco industries and other government agencies across the nation. All ATF related permit applications, tax returns, claims, disaster relief, and other matters are handled solely at the NRC.

Inquiries to the NRC should be addressed to: Bureau of ATF, National Revenue Center, 550 Main Street, Cincinnati, Ohio 45202-3263. The telephone numbers are 1-800-398-2282 or (513) 684-3334. The E-mail address is www.natlrevctr@CINCATF.TREAS.GOV.

REMINDER: All Alcohol and Tobacco Excise Tax Returns must be sent to: Bureau of ATF, P. O. Box 360958, Pittsburgh, PA 15251-6958. □