



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

NOT IN SUIT

ABSTRACT AND STATEMENT

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) Orvino Imports & Distributing, Inc. 1371 Southwest 8th Street Pompano Beach, FL 33069	OFFER IN COMPROMISE	
	2. ORIGINATING OFFICE Miami Field Division	3. AMOUNT OF OFFER \$7,500.00
	4. PERMIT, LICENSE, OR REGISTRY NO. (if applicable) 	5. SYSTEM CONTROL NUMBER(S)
	6. DOLLAR AMOUNT OF LIABILITY BEING COMPROMISED (if applicable) \$ 	

7. TAXPAYER IDENTIFICATION NUMBER


8. CHARGE VIOLATIONS:

The proponent allegedly violated Title 27, United States Code, Sections 205(e) and 215(a), and Title 27, Code of Federal Regulations, Sections 16.20(b), 4.30(a), 4.40(a), 4.35a(b)(1)(i), 4.36(b)(1), 4.32(e), and 4.38(c) by (1) importing wine with labels that did not bear the Government Warning Statement on 1,302 bottles; (2) importing wine without approved certificates of label approval on seven entries totaling 52,299 bottles; (3) importing wine with labels that omitted the name and address of the importer on 2,292 bottles; (4) importing wine in which the alcoholic content was improperly stated on the labels of 2,172 bottles; (5) importing wine with labels that failed to provide sulfites declaration on 1,302 bottles; and (6) importing wine with labels which failed to state all mandatory label information in the English language on 1,182 bottles, respectively.

BUSINESS IN WHICH ENGAGED:

The proponent is a duly qualified importer of wine.

DATE OR PERIOD OF VIOLATION:

June 15, 2001 through October 29, 2001.

AMOUNT AND TERMS OF OFFER:

The proponent has submitted an offer of \$7,500.00 in compromise of the above violations.

RECOMMENDATION OF CHIEF, NATIONAL REVENUE CENTER:

The Chief, National Revenue Center, recommends acceptance of \$7,500 as this amount is both commensurate with the nature of the violations, and is sufficient to deter recurrence. The proprietor has been cooperative, and has taken action to correct the situation. In view of future compliance, acceptance of this Offer in Compromise as submitted is warranted.

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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

Deputy Assistant Administrator

11. DATE
Nov 5, 2003