

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, 55, 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) California Wine Transport Inc. 930 McLaughlin Avenue San Jose, California 95122	OFFER IN COMPROMISE	
	2. ORIGINATING OFFICE TAD	3. AMOUNT OF OFFER \$15,000
	4. PERMIT, LICENSE, OR REGISTRY NO. (if applicable) [REDACTED]	5. SYSTEM CONTROL NUMBER(S)
	6. DOLLAR AMOUNT OF LIABILITY BEING COMPROMISED (if applicable) \$ N/A	
	7. TAXPAYER IDENTIFICATION NUMBER [REDACTED]	
	8. CHARGE VIOLATIONS: The proponent allegedly: (1) Failed to maintain or timely document proof of export of wines in violation of 26 U.S.C. § 5362 and 27 C.F.R. §§ 24.292 and 28.250. (2) Failed to prepare and/or maintain Withdrawal of Spirits, Specially Denatured Spirits, or Wines for Exportation (TTB F 5100.11) in violation of 26 U.S.C. § 5362 and 27 C.F.R. §§ 28.122 and 28.125. (3) Failed to conduct annual inventory and failed to report inventory losses and/or shortages in violation of 26 U.S.C. §§ 5367, 5369 and 5370, and 27 C.F.R. §§ 24.266, 24.266(c), and 24.313. (4) Failed to correctly claim small domestic producer tax credit in violation of 26 U.S.C. § 5041(c) and 27 C.F.R. § 24.278. (5) Failed to maintain documentation of proper in bond transactions in violation of 26 U.S.C. § 5367 and 27 C.F.R. § 24.309. (6) Failed to maintain complete or accurate records of taxable removals in violation of 26 U.S.C. §§ 5367 and 5565, and 27 C.F.R. § 24.300. (7) Failed to timely file reports of wine premises operations in violation of 26 U.S.C. § 5367 and 27 C.F.R. § 24.300. (8) Failed to timely file excise tax returns and failed to comply with special rule for tax due in September in violation of 26 U.S.C. § 5061(d)(5) and 27 C.F.R. § 24.271. (9) Failed to maintain application or qualification file on premises in violation of 26 U.S.C. §§ 5356 and 5367, and 27 C.F.R. § 24.117. (10) Failed to submit Special Occupational Tax Renewal Registration form in violation of 26 U.S.C. § 5081 and 27 C.F.R. § 24.50. (11) Failed to segregate tax paid and nontaxpaid wine in violation of 26 U.S.C. §§ 5356, 5357, 5361, and 27 C.F.R. § 24.135(d). (12) Failed to maintain sufficient tax deferral bond coverage in violation of 26 U.S.C. § 5551 and 27 C.F.R. § 24.153. (13) Failed to maintain complete or accurate records of taxable removals in violation of 26 U.S.C. §§ 5367 and 5555, and 27 C.F.R. §§ 24.310 and 24.300. (14) Commenced or allowed other operations on bonded wine cellar operations without prior notification given to and approval received by TTB in violation of 26 U.S.C. §§ 5361 and 5511, and 27 C.F.R. §§ 24.103 and 24.101.	
	BUSINESS IN WHICH ENGAGED: The proponent is a duty qualified bonded wine cellar.	
DATE OR PERIOD AND LOCATION OF VIOLATIONS: On or about and between July 8, 2007 through August 30, 2009 at the proponent's premises at 930 McLaughlin Avenue, San Jose, California; 3918 Seaport Boulevard, West Sacramento, California; and 660 Airpark, Napa, California.		
AMOUNT AND TERMS OF OFFER: The proponent has submitted an offer of \$15,000.00 in compromise of the above alleged violations incurred under the Internal Revenue Code, to be paid in four (4) installment payments of \$3,750.00 each.		
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 <input checked="" type="checkbox"/> ACCEPT <input type="checkbox"/> REJECT the terms proposed.		
10. SIGNATURE AND TITLE [REDACTED]	11. DATE 11/15/2010	