

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 sections 4181 and 4182 and Chapters 51 and 52 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) KrushWerks, LLC 59020 Paris Valley Rd San Lucas, CA 93954	OFFER IN COMPROMISE	
	2. ORIGINATING OFFICE TID	3. AMOUNT OF OFFER \$194,642.61
	4. PERMIT, LICENSE, OR REGISTRY NO. (if applicable) [REDACTED]	
	5. CASE NUMBER AF-100,991-OIC	
	6. DOLLAR AMOUNT OF LIABILITY BEING COMPROMISED (if applicable) \$ 389,285.22	
	7. TAXPAYER IDENTIFICATION NUMBER [REDACTED]	
	8. CHARGE	

VIOLATIONS:
KrushWerks, LLC (Proponent) allegedly failed to report change in control, in violation of 27 U.S.C. § 204(g) and 27 C.F.R. § 1.42, which made them ineligible for the reduced rate of tax that they paid/claimed and resulted in the imposition of federal excise tax at the rate provided for under 26 U.S.C. § 5041(b) pursuant to 26 U.S.C. § 5041(f).

BUSINESS IN WHICH ENGAGED:
The proponent is a permitted bonded winery operator.

DATE OR PERIOD AND LOCATION OF VIOLATIONS:
The alleged violations occurred during the period from January 1, 2020 to June 30, 2023 at the Proponent's premises located at 59020 Paris Valley Rd, San Lucas, CA 93954.

AMOUNT OF OFFER:
The Proponent has offered \$194,642.61 to be paid in 24 monthly installments. The Proponent proposes to pay each installment, in the amount of \$8,110.11, on the 15th day of each month.

RECOMMENDATIONS:
The Director of Tax Services Division, Office of Permitting & Taxation, recommends acceptance of the offer on the basis that doubt as to liability has been established and that the offer falls within an acceptable range based on the facts of this case.

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 [REDACTED] Deputy Asst. Administrator Field Operations	11. DATE June 14, 2024
-----------------------------------------------------------------------------------	---------------------------

INSTRUCTIONS

Item No:

1. Complete name and address along with any name the proponent is doing business as (d/b/a), operating as, or trading as (t/a).
2. Indicate the office originating the offer.
3. State the dollar amount of the offer submitted by the proponent.
4. This block should show the permit, license, or registry number of the proponent, if the proponent has such a number. If there is no license, permit, or registry number, identify the type of business and the state of operation, e.g., RLD-PA or FAET-NJ.
5. This block should indicate the case number assigned by the Office of Assistant Administrator, Field Operations.
6. For those IRC cases where TTB is reviewing an offer to compromise, an outstanding tax liability due to doubt as to collectibility and/or liability, the full amount of the tax liability (including any penalties, interest and/or additional amounts) should be entered in this block. This amount must agree with the amount shown on the offer form, TTB F 5640.1.
7. This block must contain the proponent's employer identification number (EIN) or, if the proponent has no EIN, the proponent's social security number (SSN).
8. Describe, in separate paragraphs:
 - The business in which the proponent is engaged and to which the offer applies;
 - The violation(s) and number of instances, if appropriate, including all law citation(s) and regulation citation(s);
 - The liabilities to be compromised, if any, and the sections of law and regulations applicable to those liabilities;
 - A statement of the facts, to include the date or tax period, as applicable, and place of the violation(s);
 - The reason for submitting the offer (which may include the amount and terms of the offer) and, if applicable, the basis for doubt as to liability and/or collectibility; and
 - Additional comments, conclusions, and the recommendation of the appropriate TTB official.

Additional pages may be attached to TTB F 5640.3 describing the condition(s) of the offer.

9. The appropriate TTB official signing in Item 10 must check either the "ACCEPT" or "REJECT" block.
10. The signature and title of the appropriate TTB official must appear in this block.
11. The date the offer is accepted or rejected must be indicated in this block.