

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)  Warwick Valley Wine Co., Inc. P.O. Box 354 Warwick, NY 10990	OFFER IN COMPROMISE	
	2. ORIGINATING OFFICE TAD	3. AMOUNT OF OFFER \$325,000.00
	4. PERMIT, LICENSE, OR REGISTRY NO. (if applicable) [REDACTED]	
	5. CASE NUMBER	
	6. DOLLAR AMOUNT OF LIABILITY BEING COMPROMISED (if applicable) \$ 506,703.37	
	7. TAXPAYER IDENTIFICATION NUMBER [REDACTED]	
	8. CHARGE  BUSINESS IN WHICH ENGAGED: Warwick Valley Wine Co., Inc., ("Proponent") operates a distilled spirits plant.  VIOLATION(S): Proponent allegedly removed ineligible spirits at a reduced rate in violation of 26 U.S.C. § 5001(c) and failed to timely file and pay in violation of 26 U.S.C. § 5061 and 27 C.F.R. §§ 19.234 and 19.235.  DATE OR PERIOD AND LOCATION OF VIOLATION(S): The alleged violations occurred between February 1, 2021 to May 15, 2024, at Proponent's premises located at 114 Little York Rd, Warwick, NY 10990.  AMOUNT AND TERMS OF OFFER:: Proponent has has submitted an Offer-in-Compromise in the amount of \$325,000.00, and has remitted the entirety of this amount with its offer.  RECOMMENDATIONS: The Deputy Director, Tax Services Division, Office of Permitting and Taxation (Deputy Director), believes Proponent has averred sufficient facts to establish doubt as to liability and believes the amount being offered is commensurate with expected litigation risks. As such, the Deputy Director recommends acceptance of the offer.	
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] Deputy Asst. Administrator Field Operations		11. DATE April 23, 2025

## 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.