

**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) Modern Distributors, Inc. dba Modern Vending Co, Inc. PO Box 97 Somerset, Kentucky 42501	OFFER IN COMPROMISE	
	2. ORIGINATING OFFICE TAD	3. AMOUNT OF OFFER \$3,760.00
	4. PERMIT, LICENSE, OR REGISTRY NO. (if applicable) N/A	
	5. CASE NUMBER N/A	
	6. DOLLAR AMOUNT OF LIABILITY BEING COMPROMISED (if applicable) \$ \$7,519.27	
	7. TAXPAYER IDENTIFICATION NUMBER [REDACTED]	

8. CHARGE
ALLEGED VIOLATIONS:
 The proponent, allegedly failed to pay Floor Stocks Tax on four shipments that were in transit on April 1, 2009, in violation of 27 CFR Section 46.193 and 46.207; and the Children's Health Insurance Program Reauthorization Act of 2009 (the "Act," Pub. L. 111-3).

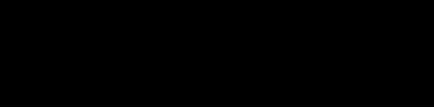
BUSINESS IN WHICH ENGAGED:
 The proponent is engaged in business as a wholesaler of tobacco products.

DATE OR PERIOD AND LOCATION OF ALLEGED VIOLATIONS:
 On July 31, 2009 at the proponents premises in Somerset, Kentucky.

AMOUNT AND TERMS OF OFFER:
 The proponent has submitted an offer of \$3,760.00 in compromise of the above alleged violations incurred under the Internal Revenue Code.

RECOMMENDATIONS:
 The Director, National Revenue Center recommends acceptance of the offer. It is the position of TTB that the proponent possessed title to the tobacco products in question during the relevant time period and therefore owes the Floor Stocks Tax. It is the position of the proponent that it did not possess title to the tobacco products during the time period in question. In view of potential litigation hazards with respect to the facts of this particular case, 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 ACCEPT REJECT the terms proposed.

	11. DATE 10/25/12
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