

**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)  Tumalo Cider LLC DBA Tumalo Cider Co 64654 Cook Ave, Suite 200 Bend, OR 97703	OFFER IN COMPROMISE	
	2. ORIGINATING OFFICE TID	3. AMOUNT OF OFFER \$76,145.85
	4. PERMIT, LICENSE, OR REGISTRY NO. (if applicable) [REDACTED]	
	5. CASE NUMBER N/A	
	6. DOLLAR AMOUNT OF LIABILITY BEING COMPROMISED (if applicable) \$ 402,129.26	
	7. TAXPAYER IDENTIFICATION NUMBER [REDACTED]	

8. CHARGE

**BUSINESS IN WHICH ENGAGED:**  
Tumalo Cider LLC (Proponent) is a bonded winery.

**VIOLATION(S):**  
Proponent failed to determine taxable removals from a bonded wine premises in violation of 26 U.S.C. § 5041 and 27 CFR § 24.270. Proponent subsequently failed to timely file and/or pay excise tax in violation of 26 U.S.C. 5061, incurring penalties under 26 U.S.C. 6651 (a).

**DATE OR PERIOD AND LOCATION OF VIOLATIONS:**  
The violations occurred between January 1st, 2018 and March 31st, 2023 at Proponent's premises located at 64654 Cook Ave, Suite 200, Bend, OR 97703.

**AMOUNT AND TERMS OF OFFER:**  
Proponent has submitted an Offer-in-Compromise (OIC) in the amount of \$76,145.85 paid over the course of 36-monthly payments of \$2,000.00. Proponent has remitted the initial payment of \$4,145.85.

**RECOMMENDATION:**  
The Director of Tax Services Division, Office of Permitting and Taxation (Director), believes that the Proponent has established doubt as to collectibility and the terms of the offer are acceptable given the facts and circumstances of this case. As such, the Director recommends acceptance of the OIC.

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 October 9, 2024
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## 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.