

DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU (TTB)
APPLICATION TO ESTABLISH AND OPERATE WINE PREMISES

(See Instructions on next page)

1. SERIAL NUMBER
2. DATE
3. REGISTRY NUMBER <i>(Leave blank if new applicant)</i>

4. TO: DIRECTOR, NATIONAL REVENUE CENTER
 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU (TTB)
 550 Main St., Suite 8002, Cincinnati, Ohio 45202-5215

5. APPLICATION IS MADE TO OPERATE (Check one only)

BONDED WINERY BONDED WINE CELLAR TAX PAID WINE BOTTLING HOUSE

6. NAME AND PRINCIPAL BUSINESS ADDRESS OF APPLICANT
 (Name and street, city, county, State, and ZIP Code)

PHONE # _____ EIN# _____

7. ADDRESS (Address where wine operations will occur.)
 (If different from address in Item 6)

PHONE # _____

8. PURPOSE FOR WHICH FILED (Such as original establishment, trade name change, alteration of premises)

Original: New Premises or change in Proprietorship Alternating Proprietorship with: _____

Amended for: Change in Location Change in Control (Date __/__/__) Alternating Premises with: _____

Change in information on application Other: Please Specify _____

Change in Officers Change in Name of Proprietor or Trade Name

9. I am or am not required to furnish a bond under 27 CFR 24.146. I am not required to furnish a bond only if all of the following are true: I will withdraw wine for deferred payment of tax under 27 CFR 24.271, I was liable for not more than \$50,000 in wine taxes in the preceding calendar year, I reasonably expect to be liable for not more than \$50,000 in such taxes during the current calendar year, and I have no operations or withdrawals involving wine for industrial use.

10A. NUMBER OF PAGES ATTACHED TO THIS FORM ().

PAGE NUMBERS _____

10A-1. PAGES FROM CURRENT APPROVED TTB F 5120.25 THAT REMAIN

PAGE NUMBERS _____

10B. ORGANIZATIONAL DOCUMENTS SUBMITTED WITH THIS FORM
 (List each document)

10B-1. ORGANIZATIONAL DOCUMENTS FILED WITH PRIOR APPROVED TTB F 5120.25
 (List each document)

10C. ORGANIZATIONAL DOCUMENTS FILED IN CONNECTION WITH ANOTHER ESTABLISHMENT BUT INCORPORATED IN THIS APPLICATION BY REFERENCE (List each document, and show the name or plant number under which filed)

NO WINE MAY BE PRODUCED OR UNTAXPAID WINE RECEIVED UNTIL THE PREMISES AND OPERATIONS ARE APPROVED BY THE DIRECTOR, NATIONAL REVENUE CENTER.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE EXAMINED THIS APPLICATION AND, TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT IS TRUE, CORRECT, AND COMPLETE.

11. SIGNATURE _____

12. TITLE _____

FOR TTB USE ONLY

APPLICATION IS

APPROVED DISAPPROVED

EFFECTIVE DATE _____

SIGNATURE OF DIRECTOR, NATIONAL REVENUE CENTER _____

DATE _____

GENERAL INSTRUCTIONS

1. Each person desiring to conduct the operations of a bonded wine cellar, a bonded winery, or a taxpaid wine bottling house must file this application, in duplicate, with the Director, National Revenue Center, Alcohol and Tobacco Tax and Trade Bureau (TTB), at the address in Item 4.
2. The application information required will be on letter-sized paper with each attached page identified with the name of the applicant, the serial number of the application and the number of the page.
3. The proprietor is responsible for keeping information of an approved application current and complete. When required by 27 CFR Part 24, the proprietor must submit an amended application with supplemental or replacement pages or other documents necessary to update the previously approved application. Replacement pages must be numbered to correspond to the pages being replaced.
4. If this application is for a taxpaid wine bottling house, you will not conduct spirits operations or need a bond, so paragraphs 6 and 7 of the specific instructions are not applicable.
5. Applications must be submitted in accordance with the instructions on this form and in 27 CFR Part 24. Incomplete applications will be returned to the applicant without action.
3. **DISCLOSURE.** If this application is not for a bonded wine premises in which production operations will be conducted and, thus a Federal Alcohol Administration Act basic permit is not required, would you agree to the listing of your name in a TTB publication which may be distributed to the general public upon request? A "no" response will have no effect on the consideration of this application. Under 26 U.S.C. 6103, you have a legal right not to give this release.
4. **TRADE NAME.** List each trade name to be used in connection with the wine operations. If State or local law requires registration, certify that each trade name is registered. State the operating name if other than the name in Item 6. If a trade name is listed in any basic permit issued, such trade name is not required to be included in this application.
5. **SPIRITS OPERATIONS.** Describe any operation which will involve the use of spirits.
6. **BONDS AND PERMITS.** With respect to this application, list all basic permits and bonds (including those filed with this application) showing the name and the surety for each bond. Information related to bonds need not be provided if no bond is required under 27 CFR 24.146.
7. **VOLATILE FRUIT-FLAVOR CONCENTRATE OPERATIONS.** For volatile fruit-flavor concentrate producers, submit a step-by-step description of the production process, commencing with obtaining the juice through each step of the process to removal of the concentrate from the system. For production of high-proof concentrate (more than 24 percent alcohol), indicate any step in the process at which the spirits are potable. Include the maximum quantity in gallons of fruit must and volatile fruit-flavor concentrate produced in 24 hours; the maximum and minimum fold; and the maximum percent of alcohol in the concentrate for each kind of fruit used.

SPECIFIC INSTRUCTIONS

- Item 1. **SERIAL NUMBER.** Applications on this form must be serially numbered, commencing with serial number 1 for original establishment, and continuing in sequence for each subsequent application. Applications for a taxpaid wine bottling house will be filed separately and likewise begin with serial number 1.
- Items 6 & 7. **NAME AND ADDRESS.** The address must be stated as explicitly as possible with a ZIP Code. If located in a city, the numbered street address and the name of the city will be given. If a rural address, give the name of the county and nearest post office, with the approximate distance and direction there from, including the name or number of the road or highway on which situated.

ATTACHED STATEMENTS AND DOCUMENTS

1. **BUSINESS ORGANIZATION.** If a statement is already on file with TTB for another authorization, only reference that authorization by name, address, and registry number per 27 CFR 24.109(k). Attach a statement, if not already on file, showing the type of business organization (e.g., sole owner, partnership, corporation, limited liability company) and the persons having an interest in the business supported by the following:

For corporations or limited liability companies:

- (a) Charter or certificate of existence, incorporation, or organization,
- (b) Names and addresses of officers, directors, members and managers.
- (c) Certified extracts of minutes authorizing certain individuals to sign.
- (d) Statement showing the number of shares/ownership of each class of stock/ interest authorized and outstanding, and the voting rights of the respective owners or holders.
- (e) Statement of interest: Names and addresses of the 10 persons having the largest ownership or other interest and nature and amount of the stockholding or other interest of each, whether the interest appears in the name of the interested party or in the name of another party. The Director, National Revenue Center may request the names of interested persons if the applicant corporation or LLC is wholly owned or controlled by another corporation or LLC.

For partnerships:

True copies of articles or partnership agreement, if any, and of the certificate of partnership where required to be filed by local authority.

2. **WINE PREMISES.** Describe each tract of land comprising the wine premises. Description must be by directions and distances, in feet and inches, with sufficient particularity to enable ready examination of the boundary of the wine premises. Describe the means employed to afford security of the wine premises. Describe where and how any taxpaid wine will be stored on the premises and the means used to segregate and identify taxpaid wine from untaxpaid wine. Describe any alternating areas. Each wine premises building must be described as to size, construction, and use. Buildings not used for the wine operations must be described only as to size and use. If wine premises consists of a partial building, rooms or floors, each must be described separately. Means of ingress and egress from the wine premises to adjoining portions must be described.
 - (a) If operating a bonded winery or bonded wine cellar in a residential building, describe how the bonded premises are segregated from the residence and what direct access to the bonded premises is available.
 - (b) If in an alternating proprietorship arrangement, provide a copy of the alternation agreement showing that each proprietor will conduct independent operations.

PRIVACY ACT INFORMATION

The following information is provided pursuant to Section 3 of the Privacy Act of 1974 (5 U.S.C. 552a(e)(3)):

1. **AUTHORITY.** Solicitation of this information is made pursuant to 26 U.S.C. 5356. Disclosure of this information by the applicant is mandatory if the applicant wishes to obtain authorization for operating a bonded wine cellar, a bonded winery, or a taxpaid wine bottling house.
2. **PURPOSE.** To identify the applicant, to identify the nature, location, and the extent of the premises, the specific type or types of operations to be conducted on the premises, and to determine the eligibility of the applicant to register the wine premises.
3. **ROUTINE USES.** The information will be used by TTB to make determinations set forth in paragraph 2. In addition, the information may be disclosed to other Federal, State, foreign, and local law enforcement and regulatory agency personnel to verify information on the form where such disclosure is not prohibited by law. The information may further be disclosed to the Justice Department if it appears that the furnishing of false information may constitute a violation of Federal law. Finally, the information may be disclosed to members of the public in order to verify the information on the form where such disclosure is not prohibited by law.
4. **EFFECTS OF NOT SUPPLYING REQUESTED INFORMATION.** Failure to supply complete information will delay processing and may result in the denial of the application.

PAPERWORK REDUCTION ACT NOTICE

This request is in accordance with the Paperwork Reduction Act of 1995. This information collection is used by TTB to determine if the applicant is eligible to receive a wine premises permit. The information is required to obtain a benefit.

The estimated average burden associated with this collection of information is 15 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to Reports Management Officer, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street, NW., Box 12, Washington, DC 20005.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a current, valid OMB control number.