

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Country Armory LLC 10680 State Rt 9W Cocksackie, NY 12051, Greene	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) <div style="text-align: center;">765060-2018-0169-B1B</div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">3. PERMIT/LICENSE NUMBER 614039018C01901</td> <td style="width: 33%;">4a. TARGET DATE 9/28/2018</td> <td style="width: 33%;">4b. TARGET HOURS</td> </tr> </table> 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)	3. PERMIT/LICENSE NUMBER 614039018C01901	4a. TARGET DATE 9/28/2018	4b. TARGET HOURS
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6. ATF OFFICER(S) ASSIGNED
 (b)(6) - Assigned Investigator
 (b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
 (b)(6), Area Supervisor, 02/26/2018

8. PURPOSE/SPECIAL INSTRUCTIONS
 conduct de inspection in conjunction with renewal.

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	7	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	16	NO. OF TECS HITS		2112 - P.O.A.	
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2113 - COMM. AIR	
		\$ VALUE OF TAX DECREASES		2114 - RENTAL CAR	
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2115 - GPV EXPENSES	
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2116 - MISC.	
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		TOTAL \$ FOR INSP.	

11. ATF OFFICER'S RECOMMENDATION
 Submitted by (b)(6) - Industry Operations Investigator

Submitted on: 05/21/2018
 Country Armory LLC was cited seven violations as a result of this inspection:
 - 27 CFR 478.125(e)
 - 27 CFR 478.21(a)
 - 27 CFR 478.124(c)(1)
 - 27 CFR 478.124(c)(4)
 - 27 CFR 478.102(c)
 - 27 CFR 478.126a
 - 27 CFR 478.129(b)

The licensee had 157 firearms in inventory (b)(3) - 112 Public ATF Forms 4473 for the inspection period. In the last 12 months the licensee acquired (b)(4) firearms and disposed (b)(4) firearms.
 (b)(6) updated the licensee's renewal application to reflect an accurate count of firearms acquired and disposed of since 2015 (b)(4) acquired / (b)(4) disposed). Responsible person, (b)(6) is no longer employed by Country Armory and should be taken off as a responsible person on the license. This change should be updated in the Federal Licensing System.
 IOIs (b)(6) and (b)(6) concluded the inspection on May 03, 2018. Ok to renew.
 Viols WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA

ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)	
APR 2018	8.00
MAY 2018	24.00
ATF OFFICER'S SUBTOTAL	32.00
ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)	
MAR 2018	8.00
APR 2018	52.00

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Country Armory LLC 10680 State Rt 9W Coxsackie, NY 12051, Greene	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 765060-2018-0169-B1B		
	3. PERMIT/LICENSE NUMBER 614039018C01901	4a. TARGET DATE 9/28/2018	4b. TARGET HOURS
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

12. TIME ACCOUNTING DATA

ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(6)	
MAY 2018	42.00	
ATF OFFICER'S SUBTOTAL	102.00	ATF OFFICER'S SIGNATURE
TOTAL HOURS	134.00	

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION
Viols WL ONLY and Recall Inspection

REVIEWED CONCUR SEE COMMENTS FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 05/25/2018
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ROUTING SEQUENCE AND DATE

- 1. _____
- 2. _____
- 3. _____
- 4. _____

CONTROL FILE POSTED DATE _____

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor Country Armory LLC	Street Address 10680 State Rt 9W	City Coxsackie	State NY	Zip Code 12051-	County Greene	Page 1 of 5 Pages
License/Permit/Registry Number <i>(If any)</i> 614039018C01901	Expiration Date 3/1/2018	Date(s) or Period of Inspection 04/10/2017 through 04/10/2018				

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 1

Nature of Violation:

Licensee failed in ^{(b)(3)} instances to record the acquisition ^{(b)(3)} and/or disposition ^{(b)(3)} of a firearm in the acquisition and disposition records in a timely manner.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Each licensed dealer shall enter into a record each receipt and disposition of firearms. The purchase or other acquisition of a firearm shall, except as provided in paragraph (g) of this section, be recorded not later than the close of the next business day following the date of such purchase or acquisition. The record shall show the date of receipt, the name and address or the name and license number of the person from whom received, the name of the manufacturer and importer (if any), the model, serial number, type, and the caliber or gauge of the firearm. The sale or other disposition of a firearm shall be recorded by the licensed dealer not later than 7 days following the date of such transaction.

Citation: 27 CFR 478.125(e)

Report of Violations

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Name of Proprietor Country Armory LLC	Street Address 10680 State Rt 9W	City Coxsackie	State NY	Zip Code 12051-	County Greene	Page 2 of 5 Pages
License/Permit/Registry Number <i>(If any)</i> 614039018C01901		Expiration Date 3/1/2018	Date(s) or Period of Inspection 04/10/2017 through 04/10/2018			

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 2

Nature of Violation:

Licensee failed in [REDACTED] instance to verify the actual transferee/buyer of a firearm on ATF F 4473 (item 11A was left blank or [REDACTED]) (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

All of the information called for in each form shall be furnished as indicated by the headings on the form and the instructions on or pertaining to the form. In addition, information called for in each form shall be furnished as required by this part.

Number: 3

Nature of Violation:

Licensee failed in [REDACTED] instance to obtain a complete/accurate ATF form 4473 prior to transferring a firearm to a non-licensee. [REDACTED] instance item 15 on ATF form 4473 was blank [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) [REDACTED] instances item 11C on ATF form 4473 was answered "YES" [REDACTED] (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) [REDACTED]. Transferee was found to be non-prohibited.

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Prior to making an over-the-counter transfer of a firearm to a non-licensee the licensed dealer so transferring the firearm shall obtain a Form 4473 from the transferee showing the transferee's name, sex, residence address, date and place of birth; height, weight and race of the transferee; the transferee's country of citizenship; the transferee's INS-issued alien number or admission number; the transferee's State of residence; and certification by the transferee that the transferee is not prohibited by the Act from possessing a firearm in or affecting commerce.

Report of Violations

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Name of Proprietor Country Armory LLC	Street Address 10680 State Rt 9W	City Coxsackie	State NY	Zip Code 12051-	County Greene	Page 3 of 5 Pages
License/Permit/Registry Number (If any) 614039018C01901	Expiration Date 3/1/2018	Date(s) or Period of Inspection 04/10/2017 through 04/10/2018				

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 4

Nature of Violation:

Licensee failed in (b)(3) - 112 P instance to record the firearm serial numbers on item 26 on (b)(3) - 112 P
(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee shall identify the firearm to be transferred by listing on the Form 4473 the name of the manufacturer, the name of the importer (if any), the type, model, caliber or gauge, and the serial number of the firearm.

Citation: 27 CFR 478.124(c)(4)

Number: 5

Nature of Violation:

Licensee failed in (b)(3) - 112 P instances, prior to transferring a firearm, to initiate a new NICS check after the 30 day validity period.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

A NICS check conducted in accordance with paragraph (a) of this section may be relied upon by the licensee only for use in a single transaction, and for a period not to exceed 30 calendar days from the date that NICS was initially contacted. If the transaction is not completed within the 30-day period, the licensee shall initiate a new NICS check prior to completion of the transfer.

Citation: 27 CFR 478.102(c)

Report of Violations

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Name of Proprietor Country Armory LLC	Street Address 10680 State Rt 9W	City Coxsackie	State NY	Zip Code 12051-	County Greene	Page 4 of 5 Pages
License/Permit/Registry Number <i>(If any)</i> 614039018C01901	Expiration Date 3/1/2018	Date(s) or Period of Inspection 04/10/2017 through 04/10/2018				

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 6

Nature of Violation:

Licensee failed in (b) (5) - 112 Public Law 95 125 instances to submit the required ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolver) form to ATF in the allotted time frame.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Each licensee shall prepare a report of multiple sales or other disposition whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more, to an unlicensed person. Provided, That a report need not be made where pistols or revolvers, or any combination thereof, are returned to the same person from whom they were received. The report shall be prepared on Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers. Not later than the close of business on the day that the multiple sale or other disposition

Citation: 27 CFR 478.126a

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor Country Armory LLC	Street Address 10680 State Rt 9W	City Coxsackie	State NY	Zip Code 12051-	County Greene	Page 5 of 5 Pages
License/Permit/Registry Number <i>(If any)</i> 614039018C01901	Expiration Date 3/1/2018	Date(s) or Period of Inspection 04/10/2017 through 04/10/2018				

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 7

Nature of Violation:

The licensee failed in (b)(3) - 112 Public Law 95 129 instances to maintain ATF Form 4473s on file for a minimum of 20 years for transfers and/or 5 years for denied/cancelled transactions. 130 NICS numbers were reported on the NICS transaction log (b)(3) ATF Forms 4473 were on file for the time period.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Licensee shall retain each Form 4473 for a period of not less than 20 years after the date of sale or disposition. Where a licensee has initiated a NICS check for a proposed firearms transaction, but the sale, delivery, or transfer of the firearm is not made, the licensee shall record any transaction number on the Form 4473, and retain the Form 4473 for a period of not less than 5 years after the date of the NICS inquiry.

Citation: 27 CFR 478.129(b)

I Have Received a Copy of This Report of Violations <i>(Proprietor's signature and title)</i>	Date
Signature and Title of ATF Officer	Date

FIREARMS INSPECTION REPORT

Name: Country Armory LLC
Trade Name:

UI#: 765060-2018-0169 B1B
FFL#: 6-14-039-01-8C-01901

Address: 10680 State Route 9W
Coxsackie, NY 12051

1 - Introduction

Inspection Profile:

On April 10, 2018, Industry Operations Investigator (b)(6) conducted an announced compliance inspection of Country Armory LLC. Advanced notice was given as the business premises is located over 100 miles from the New York Field Division. Country Armory holds an ATF Type 01 Dealer of Firearms Other than Destructive Devices license (6-14-01901). IOI (b)(6) interviewed (b)(6) (member) and Patricia Swart (responsible person). Mr. Pilato and Ms. Swart identified themselves with their New York State driver's licenses. IOI (b)(6) returned on April 30, 2018 with IOI (b)(6) (b)(6) to continue the inspection.

The inspection period was April 10, 2017 through April 10, 2018.

The inspection concluded on May 03, 2018.

Business Profile:

Country Armory deals handguns and long guns to the general public. The business premises is located in a commercial building in a rural area of Coxsackie, NY. (b)(6) stated that the business sells (b)(4) new guns. In the last 12 months the licensee acquired (b)(4) firearms and disposed of (b)(4) firearms.

The licensee sells firearms retail only. The main suppliers of firearms are (b)(4). During the inspection, Ms. Swart updated the licensee's renewal application to reflect an accurate count of firearms acquired and disposed of since obtaining the ATF Type 01 license (**Exhibit 1**).

The licensee's website is www.Countryarmory.com. Along with the firearms business, Shane Pilato runs a landscape and pool business from the same premises. Country Armory is in possession of all necessary state and local licenses. Country Armory has held the ATF type 01 license since February, 2015.

Ownership and Control:

Country Armory LLC is a private corporation, owned and operated by Shane Pilato. Mr. Pilato owns 100% of the company. Shane Pilato, Patricia Swart, and Michael Britton are the three responsible persons on the license. IOI (b)(6) was informed during the inspection that Michael Britton was no longer employed by Country Armory and should be removed from the responsible persons list. Mr.

FIREARMS INSPECTION REPORT

Name: Country Armory LLC
Trade Name:

UI#: 765060-2018-0169 B1B
FFL#: 6-14-039-01-8C-01901

Pilato will be requesting this change in writing to the Federal Firearms Licensing Center. This change should be reflected in the Federal Licensing System (FLS). No responsible persons were added to the license.

Variance:

The licensee has no variances on file nor were any requested as a result of this inspection.

2 - Recommendation

Violations, Warning Letter Only and Recall Inspection.

Per the Federal Firearms Administrative Action Policy and Procedures ATF O 5370.1C a Warning Letter is recommended due to the nature of the violations.

3 - Inspection History

According to the NSPECT case management system, the licensee has had one qualification inspection for the ATF Type 01 license since 2015.

Date and Type of Inspection: 01/09/2015; Qualification inspection
UI#: 765060-2015-0117 B1B
Inspection Results: Application approved
Cited Violations: None

4 - Acquisition & Disposition (A&D) Record - Inventory

The licensee keeps computerized A&D records. IOI (b)(6) conducted a 100% firearms inventory. Country Armory had 157 firearms in inventory at the time of inspection. Upon comparison of the inventory on hand to the A&D record, there were (b)(6) discrepancies. (b)(6) firearms found in inventory were not recorded in the A&D records. There were (b)(6) open dispositions in the A&D records (b)(6) open entries were reconciled through ATF forms 4473 and/or commercial invoices. **(27 CFR 478.125(e); Violation 1, Exhibit 2A-2B, Worksheet 1).** Shane Pilato and Patricia Swart are responsible for logging acquisitions and dispositions into the A&D records.

5 - ATF Forms 4473 – NICS & Other Dispositions

IOIs (b)(6) and (b)(6) reviewed all disposition records from the inspection period. The licensee keeps ATF Forms 4473 filed in chronological order. The licensee had (b)(6) ATF Forms 4473 on file for the last twelve months. IOIs (b)(6) and (b)(6) reviewed (b)(6) ATF Forms 4473 for discrepancies. The licensee was cited **five** violations;

The licensee failed (b)(6) instance to verify the actual transferee/buyer of a firearm on

FIREARMS INSPECTION REPORT

Name: Country Armory LLC
Trade Name:

UI#: 765060-2018-0169 B1B
FFL#: 6-14-039-01-8C-01901

ATF Form 4473, item 11A was blank **(27 CFR 478.21(a); Violation 2, Exhibit 3 Worksheet 2)**.

The licensee failed in ^{(b)(3) - 112} instances to obtain a complete/accurate ATF Form 4473 prior to transferring a firearm to a non-licensee. In ^{(b)(3) - 112} instance item 15 was blank, in ^{(b)(3) - 112 Public Law 55 12} instance item 11C was answered "YES" ^{(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)} **(27 CFR 478.124 (c)(1); Violation 3, Exhibit 3, 4 Worksheet 2)**.

IOI ^{(b)(6)} ran a computerized criminal history check (CCH) on ^{(b)(6)}, ^{(b)(6)} No prohibiting information was found.

The licensee failed ^{(b)(3) - 112 Public} instance to record the firearm serial number on ATF Form 4473, prior to transferring a firearm to a non-licensee **(27 CFR 478.124 (c)(4); Violation 4, Exhibit 5, Worksheet 2)**.

The licensee failed ^{(b)(3) - 112 Public La} instances to initiate a new NICS background check after the previous check had expired, upon transferring a firearm(s) to a non-licensee **(27 CFR 478.102 (c); Violation 5, Exhibit 6 Worksheet 2)**.

IOI Hacker ran a computerized criminal history check (CCH) on the eight transferees, No prohibiting information was found.

The licensee properly transfers firearms to other federal firearms licensees. IOI ^{(b)(6)} compared National Instant Criminal Background Check System (NICS) numbers from the NICS transaction audit log to the NICS transaction numbers reflected on ATF Forms 4473.

The licensee failed ^{(b)(3) - 112} instance to maintain the ATF Form 4473 on file. 130 NICS numbers were reported on the NICS transaction log. ^{(b)(3) - 112} ATF forms 4473 were on file for the time period **(27 CFR 478.129(b); Violation 6, Exhibit 7, Worksheet 2)**.

6 – Multiple Sales

The licensee's Violent Crime Analysis Branch master query (VCAB report) reflected zero multiple handgun sale forms were submitted during the inspection period. IOIs ^{(b)(6)} reviewed ATF Forms 4473 for the inspection period to assure all necessary multiple sale forms were submitted.

Review revealed ^{(b)(3)} ATF Form 4473s with multiple handguns listed ^{(b)(3) - 1} handguns total). No Multiple handgun sales form was completed for the ^{(b)(3) - 1} transactions. **(27 CFR 478.126a; Violation 7, Exhibit 8, Worksheet 2)**. IOI ^{(b)(6)} verified the ^{(b)(3)} multiple sales forms were submitted during the inspection via email and confirmed in the ATF e-trace system.

FIREARMS INSPECTION REPORT

Name: Country Armory LLC
Trade Name:

UI#: 765060-2018-0169 B1B
FFL#: 6-14-039-01-8C-01901

7 – Suspicious/Prohibited Purchasers

No suspicious/prohibited purchasers were identified during this inspection.

8 – Trace Activity

The licensee has had (b)(3) traces in the last twelve months. IOIs (b)(6) were able to successfully complete the (b)(3) - 112 Public Law 55 125 Stat 552 IOI (b)(6) forwarded all trace information to the National Tracing Center. IOI (b)(6) randomly chose **five** used firearms in inventory and queried them through the ATF E-Trace database. No hits were found.

9 - NFA/Importer/Collector/Manufacturer

Country Armory does not deal in NFA firearms. The licensee does not import, manufacture, or collect firearms.

10 - Referrals

IOI (b)(6) did not make any referrals.

11 - Other

IO (b)(6) ran a CCH check on responsible persons (2), Shane Pilato and Patricia Swart. 11 total CCH checks were conducted. No prohibiting information was found. **(Refer to 5-ATF Forms 4473-NICS and Other Dispositions for nine other CCH checks)**

12 - Closing Actions

On May 03, 2018, IOIs (b)(6) reviewed the Federal Firearms Regulations with Shane Pilato and Patricia Swart. IOIs (b)(6) explained to Mr. Pilato and Ms. Swart that Country Armory may not operate contrary to state or local law. Mr. Pilato signed the Acknowledgement of Federal Firearms Regulations and a copy was provided **(Exhibit 9)**. IOI Hacker also reviewed the Report of Violations with Mr. Pilato and Ms. Swart.

On May 08, 2018, IOI (b)(6) sent Mr. Pilato an amended report of violations (violation 4; item number amended, violation 5; instances adjusted from nine to eight for accuracy) Mr. Pilato signed the amended Report of Violations and returned it to IOI (b)(6) on May 11, 2018 **(Exhibit 10)**.

FIREARMS INSPECTION REPORT

Name: Country Armory LLC
Trade Name:

UI#: 765060-2018-0169 B1B
FFL#: 6-14-039-01-8C-01901

13 - Violations

1. **27 CFR 478.125(e)**

Nature of Violation:

Licensee failed in (b)(3) - 112 Public Law 55 125 Stat 552 instances to record the acquisition (b)(3) - 112 and/or disposition (b)(3) - 112 of a firearm in the acquisition and disposition records in a timely manner.

Licensee's Response:

Mr. Pilato stated "Yeah, yup, yeah."

Corrective Action:

Each licensed dealer shall enter into a record each receipt and disposition of firearms. The purchase or other acquisition of a firearm shall, except as provided in paragraph (g) of this section, be recorded not later than the close of the next business day following the date of such purchase or acquisition. The record shall show the date of receipt, the name and address or the name and license number of the person from whom received, the name of the manufacturer and importer (if any), the model, serial number, type, and the caliber or gauge of the firearm. The sale or other disposition of a firearm shall be recorded by the licensed dealer not later than 7 days following the date of such transaction.

2. **27 CFR 478.21(a)**

Nature of Violation:

Licensee failed in (b)(3) - 112 Public Law 55 125 Stat 552 instance to verify the actual transferee/buyer of a firearm on ATF F 4473 (item 11A was left blank on ATF F4473; (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee's Response:

Mr. Pilato stated "Yup, right, yeah, software is the answer there."

Corrective Action:

All of the information called for in each form shall be furnished as indicated by the headings on the form and the instructions on or pertaining to the form. In addition, information called for in each form shall be furnished as required by this part.

IOI (b)(6) discussed the importance of reviewing each ATF F4473 by the licensee's employees prior to transferring a firearm.

3. **27 CFR 478.124(c)(1)**

FIREARMS INSPECTION REPORT

Name: Country Armory LLC
Trade Name:

UI#: 765060-2018-0169 B1B
FFL#: 6-14-039-01-8C-01901

Nature of Violation:

Licensee failed (b)(3) - 112 Public Law 55 instance to obtain a complete/accurate ATF form 4473 prior to transferring a firearm to a non-licensee.

- (b)(3) - 112 Public instance item 15 on ATF form 4473 was blank ((b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

(b)(3) - 112 Public Law 55

- (b)(3) - 112 Public instances item 11C on ATF form 4473 was answered "YES" ((b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) :

(b)(3) - 112 Public Law 55 125 Stat 552, (b)(6) Transferee was found to be non-prohibited.

Licensee's Response:

Mr. Pilato stated "Right, yup, yeah, yeah."

Corrective Action:

Prior to making an over-the-counter transfer of a firearm to a non-licensee the licensed dealer so transferring the firearm shall obtain a Form 4473 from the transferee showing the transferee's name, sex, residence address, date and place of birth; height, weight and race of the transferee; the transferee's country of citizenship; the transferee's INS-issued alien number or admission number; the transferee's State of residence; and certification by the transferee that the transferee is not prohibited by the Act from possessing a firearm in or affecting commerce.

IOI (b)(6) discussed the importance of reviewing each ATF F4473 by the licensee's employees prior to transferring a firearm.

4. **27 CFR 478.124(c)(4)**

Nature of Violation:

Licensee failed in (b)(3) - 112 Public instance to record the firearm serial numbers on item 26 on (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)

Licensee's Response:

Mr. Pilato stated "Yes, yup, right."

Corrective Action:

The licensee shall identify the firearm to be transferred by listing on the Form 4473 the name of the manufacturer, the name of the importer (if any), the type, model, caliber or gauge, and the serial number of the firearm.

IOI (b)(6) informed Mr. Pilato and Ms. Swart about the importance of traceability and to follow the directions on ATF F4473 exactly.

5. **27 CFR 478.102(c)**

Nature of Violation:

FIREARMS INSPECTION REPORT

Name: Country Armory LLC
Trade Name:

UI#: 765060-2018-0169 B1B
FFL#: 6-14-039-01-8C-01901

Licensee failed in (b)(3)-(b)(7) instances, prior to transferring a firearm, to initiate a new NICS check after the 30 day validity period.

Licensee's Response:

Mr. Pilato stated "We know most of these, we just didn't know".

Corrective Action:

A NICS check conducted in accordance with paragraph (a) of this section may be relied upon by the licensee only for use in a single transaction, and for a period not to exceed 30 calendar days from the date that NICS was initially contacted. If the transaction is not completed within the 30-day period, the licensee shall initiate a new NICS check prior to completion of the transfer.

IOI (b)(6) stressed that a NICS check must be valid in order for the licensee to transfer a firearm to a non-licensee.

6. **27 CFR 478.129(b)**

Nature of Violation:

The licensee failed in (b)(3)-(b)(7) instances to maintain ATF Form 4473s on file for a minimum of 20 years for transfers and/or 5 years for denied/cancelled transactions. 130 NICS numbers were reported on the NICS transaction log. (b)(3)-(b)(7) ATF Forms 4473 were on file for the time period.

IOI (b)(6) reviewed the ATF F4473 filing procedures with Mr. Pilato and Ms. Swart

Licensee's Response:

Mr. Pilato "We're going to sit down and review the regulations."

Corrective Action:

Licensee shall retain each Form 4473 for a period of not less than 20 years after the date of sale or disposition. Where a licensee has initiated a NICS check for a proposed firearms transaction, but the sale, delivery, or transfer of the firearm is not made, the licensee shall record any transaction number on the Form 4473, and retain the Form 4473 for a period of not less than 5 years after the date of the NICS inquiry.

7. **27 CFR 478.126a**

Nature of Violation:

Licensee failed in (b)(3)-(b)(7) instances to submit the required ATF Form 3310.4 (Report of Multiple Sale or Other Disposition of Pistols and Revolver) form to ATF in the allotted time frame.

Licensee's Response:

FIREARMS INSPECTION REPORT

Name: Country Armory LLC
Trade Name:

UI#: 765060-2018-0169 B1B
FFL#: 6-14-039-01-8C-01901

Mr. Pilato stated "Yup, right, yeah, okay."

Corrective Action:

Each licensee shall prepare a report of multiple sales or other disposition whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols, or revolvers, or any combination of pistols and revolvers totaling two or more, to an unlicensed person: Provided, That a report need not be made where pistols or revolvers, or any combination thereof, are returned to the same person from whom they were received. The report shall be prepared on Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers. Not later than the close of business on the day that the multiple sale or other disposition.

 Expired certificate

X (b)(6)

(b)(6)

Industry Operations Investigator

Signed by: (b)(6)

Index of Worksheets and Exhibits

Exhibits:

1. Updated renewal application
- 2a. A&D violations
- 2b. A&D violations
3. ATF Form 4473 (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)
4. ATF Form 4473
5. ATF Form 4473
6. ATF Form 4473s (8 NICS expired)
7. NICS audit log
8. ATF Form 4473s (Multiple sales)
9. Acknowledgement of regulations
10. Report of Violations

Worksheets:

1. Inventory A&D
2. 4473 (2016 edition)



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
32 Old Slip, Suite 3500, New York, NY 10005

www.atf.gov

765060(b)(6)
5370

May 25, 2018

WARNING LETTER

Country Armory LLC
Attn: Shane Pilato
10680 State Route 9W
Coxsackie, NY 12051

Re: Federal Firearms License Number: 6-14-039-01-8C-01901

Dear Mr. Pilato,

As a result of a recent compliance inspection conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) at your firearms business located at 10680 State Route 9W Coxsackie, NY 12051 on April, 2017 through April, 2018, you were cited for violations of 27 Code of Federal Regulations, Part 478. The violations were discussed with you during the inspection. A copy of the Report of Violations, ATF Form 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you by ATF Industry Operations Investigator, (b)(6) (b)(6). You indicated that you understood the requirements of the firearms laws and regulations as a licensee. You further indicated that corrective actions would be taken to eliminate future violations.

Mr. Pilato
6-14-039-01-8C-01901

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing efforts to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. ATF appreciates the efforts you and other industry members make in this area, and we look forward to continuing to work with you in that regard.

You are reminded that retention of your Federal firearms license is conditional upon compliance with Federal laws and regulations. Because the violations cited in this most recent inspection were fully explained to you and you stated you understood your compliance responsibilities as a licensee, any future violations, either repeat or otherwise, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Should you have any questions regarding this matter, please contact Industry Operations Investigator, (b)(6) at (646) 335-9060.

Sincerely,

(b)(6)

cc: Federal Firearms Licensing Center
New York VI (IO) Field Office

Attachment

Mr. Pilato
6-14-039-01-8C-01901