#### U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

# **Assignment and Report**

1. OPERATING NAME AND ADDRESS					2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.)				
(INCLUDE ZIP CODE AND COUNTY)					778025-2016-0129-B1B 3. PERMIT/LICENSE NUMBER				
Midwest Industries, Inc. Midwest Industries					3. PERMIT/LICENS		9/23/2016	E 40. IARGET HOURS	
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6. ATE OFFICER(S) ASSIGNI	FD								
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7. ASSIGNED BY (SIGNATUR	RE, TITLE A	AND DATE)							
(b) (6) Area	Superviso	r, 10/01/2015							
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Bureau of Alcohol, Tobacco, Firearms and Explosives

# **Assignment and Report**

OPERATING NAME AND ADDRESS     (INCLUDE ZIP CODE AND COUNTY)		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 778025-2016-0129-B1B				
Midwest Industries, Inc. Midwest Industries	3. PERMIT/LICENSE NUMBER 4a. TARGET 339133077J04930 9/23/2			T DATE 4b. TARGET HOURS 2016		
W292 S4498 Hillside Road Waukesha,WI 53189, Waukesha	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)					
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## U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives 1000 N Water St. Suite 1400 Milwaukee, WI 53202

www.atf.gov

April 7, 2016

778025<mark>(b) (6)</mark> 5373

Midwest Industries Inc. Midwest Industries Attn: Mr. Troy Storch W292 S4498 Hillside Road Waukesha, WI 53189

FFL# 3-39-133-07-7J-04930

#### Dear Mr. Storch:

During a compliance inspection at your firearms business initiated on 03/02/16 and covering the period of 03/02/2015 to 03/02/2016, you were cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 5030.5, issued at the time of the inspection is enclosed.

All violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) IO Investigator. You indicated that you understood the requirements of the firearms laws and regulations. You further indicated that corrective actions would be taken to eliminate future violations.

The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing effort 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. This is critical to carrying out our mission to protect the public and ensure that criminals do not gain access to firearms. 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 conditioned upon your compliance with Federal laws and regulations. Any future violations, either repeat or otherwise,

Midwest Industries Inc. Midwest Industries Attn: Mr. Troy Storch

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 IO Investigator (b) (6)



#### Enclosure

Cc: Federal Firearms Licensing Center Milwaukee II Field Office

CM/7013 1710 0000 6601 9312/RRR

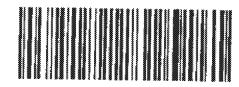
## Report of Violations

Name of	Proprietor	Street Address		City		State	their files. ZIP Code	County	Page	1	οſ
Midwes	t Industries Inc.	W292 S4498 Hilbi	de Road	Waukesha		WI	53189	Waukesha		ı	– Pa
License/	Permit/Registry Number (if an	יייי	Expiration Date		Date(s) or Period of Insp	ection		·····			
3-39-133	J-07-7J-04930		09/01/2017		03/09/2015 to 03/11/201	16					
					Inspection Results	48					
An exam	ination of your premises, reco	erds and operations ha	s disclosed the fol	lowing violation	ons which have been expl	·	<del></del>				
Number	USC or CFR Citation		Nature o	l' Violation			Action to be Taker rected immediately,		te Correction		
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Have R	eccived a Copy of This Report	of Violations (Prop	rictor's signature	and title)					Date		

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U.S. DEPARTMENT OF JUSTICE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

AREA SUPERVISOR
1000 N WATER STREET SUITE 1400
MILWAUKEE WI 53202
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300



7013 1710 0000 6601 9313



Midwest Industries Inc. Midwest Industries Attn: Mr. Troy Storch W292 S4498 Hillside Road Waukesha, W1 53189

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Name: Midwest Industries Inc.

UI#: 778025-2016-0129-B1B

Trade Name: Midwest Industries

FFL#: 3-39-133-07-7J-04930

Address: W292 S4498 Hillside Road

Waukesha, WI 53189

#### 1 - Introduction

#### **Inspection Profile:**

Industry Operations Investigator (IOI(b)(6) conducted an unannounced Manufacturer of Firearms compliance inspection of Midwest Industries Inc. dba; Midwest Industries on March 02-March 11, 2016. The inspection period ranged from March 2, 2015 through March 2, 2016. Responsible persons and Owners; Troy Storch and Wendy Abts were interviewed and present throughout the inspection. Mr. Storch was identified with a Wisconsin Driver's License #(b)(6)-(b)(6) Ms. Abts was identified with a Wisconsin Driver's License #(b)(6)-(b)(6)

#### **Business Profile:**

Midwest Industries Inc. is licensed as a Type-07 Manufacturer of Firearms. The licensee's business premises is a storefront located at W292 S4498 Hillside Road in Waukesha, Wisconsin. The business premises consists of an upper receiver manufacturing area, firearms display and sales room, gunsmith/armorer workshop, and Midwest Industries Inc. corporate offices. The licensee manufactures lower "AR Type" receivers and fully completed rifles and handguns. Additionally, the licensee sells new handguns, long guns, firearm components, firearm accessories, and ammunition. The licensee also conducts internet based firearm transfers and special order firearm transfers. The licensees' business clientele consists of other Federal Firearms Licensees, law enforcement personnel, and the general public. The licensee had approximately (b) (4) (b)(4) (b)(4) acquisitions and approximately (b)(4) dispositions in the previous 12 month period. The licensee had manufactured (5)(4) ) complete rifles and pistols and (b)(4)) lower receivers in the past 12 month period. Upon inspection, there were (b)(4) firearms in inventory. Mr. Storch stated that the majority of the business sales consist of large, bulk orders of lower receivers to other Federal Firearms Licensees. The licensee holds no other licenses. The storefront business premises is equipped with an alarm system and video cameras. The licensee has no other off-site storage locations. Consignment and pawn services are not offered through the business. Minor gunsmithing and scope mounting services are offered through the business. The licensees' main suppliers of firearms are (b)(4)

The licensee does not attend gun-shows for business purposes.

Name: Midwest Industries Inc.

UI#: 778025-2016-0129-B1B

Trade Name: Midwest Industries

FFL#: 3-39-133-07-7J-04930

#### **Ownership and Control:**

Mr. Storch and Ms. Abts are the sole Owners of Midwest Industries Inc. The business is registered and in good standing with the state of Wisconsin's Department of Financial Institutions. (See Exhibit 1). Mr. Storch and Ms. Abts are the sole responsible persons listed on the Federal Firearms License (FFL). There had been no changes in ownership or control to report.

#### Variance:

(b)(3) - 112 Public Law 55 125 Stat 552

#### 2 - Recommendation

Violations, Warning Letter ONLY, and No Recall Inspection.

### 3 - Inspection History

**Date and Type of Inspection:** 04/21/2011-Qualification Inspection

UI#: 778025-2011-0468-B1B
Inspection Results: Application Approved

**Cited Violations:** No Violations

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

There were two-thousand and fourteen (2,014) firearms in inventory at the time of inspection. A comparison of the physical inventory to the licensee's A&D record was conducted which produced discrepancies (See Worksheets and Attached ROV). The discrepancies all related to open A&D disposition entries that were not accounted for in the physical inventory. All A&D records were in proper format and contained the required information. Mr. Storch expressed interest in consolidating old A&D records into the most current A&D records. IO(b)(6) advised the licensee on the proper procedure of consolidating the records.

Name: Midwest Industries Inc.

UI#: 778025-2016-0129-B1B

Trade Name: Midwest Industries

FFL#: 3-39-133-07-7J-04930

Mr. Storch stated the Midwest Industries conducts its own internal inventory audit of firearms approximately three (3) to four (4) times per year. The last internal inventory audit of firearms took place on 12/31/15.

5 - ATF Forms 4473 - NICS & Other Dispositions

IOI(b)(6) reviewed all of the approximately 4473 that were on file for the inspection period. The licensee maintains ATF Forms 4473 in alphabetical order by transferee's last name. Mr. Storch stated that in the future, ATF Forms 4473 will be filed in chronological order. No discrepancies were noted with the completion of the ATF Forms 4473. IOI(b)(6) compared approximately ninety-four (94) NICS Transaction Numbers (NTN) from the FFL Audit Log report to the ATF Forms 4473 for transactions occurring within the previous 2 months with no discrepancies noted.

During the inspection period, the licensee had three (3) NICS denials on file. IOI (b)(6) reviewed all denied/voided/ and cancelled ATF Forms 4473 and compared them to the FFL Audit Report with no discrepancies noted. IOI(b)(6) advised the licensee to keep a separate file for all denied/voided/ and cancelled ATF Forms 4473.

#### 6 - Multiple Sales

The licensee had Multiple Sales in the previous 12 months. IOI(b)(6) verified all Multiple Sales Forms 3310.4 with the Firearms Trace History report with no discrepancies noted.

#### 7 - Suspicious/Prohibited Purchasers

No suspicious or prohibited purchasers were identified.

#### 8 – Trace Activity

The licensee was associated with period (See Exhibit 2). However, (b)(3) - 112 Public Law 55 125 Stat 552

Name: Midwest Industries Inc.

UI#: 778025-2016-0129-B1B

Trade Name: Midwest Industries

FFL#: 3-39-133-07-7J-04930

#### 9 - NFA/Importer/Collector/Manufacturer

The inspection indicated that there was a total of one-thousand nine hundred and six (1,906) firearms manufactured during the inspection period. The licensee has been properly submitting the Annual Firearms Manufacturing and Exportation Report (AFMER) in a timely fashion (See Exhibit 3). IOI (b)(6) inspected the licensee's manufactured firearms and found that they were properly marked and identified.

At the time of inspection, there was two-thousand and fourteen (2,014) firearms in inventory. This included twenty-three (23) NFA weapons. IOI (b)(6) compared the NFA weapons to the NFRTR with no discrepancies noted. The licensee is current on its Special Occupational Tax (SOT) (See Exhibit 4) to manufacture and deal in NFA weapons. Mr. Storch stated that the NFA weapons are not for sale and are exclusively used for the research and development of new products. The NFA weapons are not on display and are stored in a locked safe within a secure room at the business premises. The licensee maintains a separate A&D record for the NFA weapons inventory. IOI (b)(6) examined the records and found them to be in proper format and containing all of the required information.

### 10 - Referrals

No referrals were generated as a result of the inspection.

#### 11 - Other

IOI Bohn conducted a criminal history check of Mr. Troy Storch and Ms. Wendy Abts through NCIC/NLETS on March 1, 2016 which produced no prohibiting information.

### 12 - Closing Actions

IOI Bohn conducted a closing conference with Mr. Troy Storch and Ms. Wendy Abts on March 11, 2016. The Acknowledgement of Federal Firearms Regulations was completed and signed (See Exhibit 5). All questions were answered and contact information was provided.

### 13 - Violations

1.

## Records 27 CFR 478.123(b)

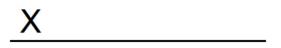
Nature of Violation: On instances, the licensee could not account for firearms that were open disposition entries in the A&D record, but not in inventory (See ROV Attachment).

Name: Midwest Industries Inc.
UI#: 778025-2016-0129-B1B
Trade Name: Midwest Industries
FFL#: 3-39-133-07-7J-04930

See Firearms Inspection Inventory and A&D Review Worksheet.

**Licensee's Response:** Ms. Abts completed and submitted a Theft/Loss report on 03/11/16 (See Exhibit 6). Mr. Storch and Ms. Abts do not believe the firearms to be stolen and will continue to look for the firearms transaction paperwork (ATF Forms 4473).

**Corrective Action:** Licensee submitted ATF Form 3310.11 Theft/Loss report on 03/11/2016.



**Industry Operations Investigator** 

#### **Index of Worksheets and Exhibits**

#### Attachments

Worksheets.

Report of Violations.

#### **Exhibits**

- 1. State of Wisconsin Department of Financial Services document.
- 2. Firearms Trace History Report
- 3. AFMER Report 2014.
- 4. 2016 Special Tax Stamp.
- 5. Acknowledgement of Federal Firearms Regulations.
- 6. Firearms Inventory Theft/Loss Report.