U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY)	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.)		
Herb's Trading Company, LLC Herb's Trading Company 12334 Highway 27 Summerville,GA 30747, Chattooga	760560-2016-0089-B1B		
	3. PERMIT/LICENSE NUMBER	4a. TARGET DATE	4b. TARGET HOURS
	158055025B07652	9/23/2016	
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

6. ATF OFFICER(S) ASSIGNED
(b)(6) Assigned Investigator
(b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
(b)(6) Area Supervisor, 11/18/2015

8. PURPOSE/SPECIAL INSTRUCTIONS
Conduct Recall Firearms Compliance Inspection. Last inspection resulted in adverse action or a recommended recall. Obtain printout from NTC. Identify and refer potential traffickers.

9. INSPECTION RESULTS	☐ CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC			10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	9	NO. OF REFERRALS	3	2111 - PER DIEM	
NO. OF TECS CHECKS	123	NO. OF TECS HITS	1	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: 10/04/2016
Mr. Chester Herdis Skelton, Jr., title in FLS needs to be changed to Member.

Viols WC with WL and Recall

12. TIME ACCOUNTING DATA

ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)

MAY 2016	8.00	
ATF OFFICER'S SUBTOTAL	8.00	ATF OFFICER'S SIGNATURE

ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)

APR 2016	.50	
MAY 2016	52.00	
JUN 2016	1.00	
JUL 2016	20.00	
AUG 2016	8.00	
SEP 2016	8.00	
ATF OFFICER'S SUBTOTAL	89.50	ATF OFFICER'S SIGNATURE
TOTAL HOURS	97.50	

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY)	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.)		
Herb's Trading Company, LLC Herb's Trading Company 12334 Highway 27 Summerville,GA 30747, Chattooga	760560-2016-0089-B1B		
	3. PERMIT/LICENSE NUMBER	4a. TARGET DATE	4b. TARGET HOURS
	158055025B07652	9/23/2016	
	5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

A total of nine violations were discovered. According to the administrative action policy, violation chart, two (2) violations warrant an administrative action involving the following: 27 CFR 478.125(e) for failure to record the disposition [redacted] rearms as required, and reporting one of [redacted] firearms as missing; and 27 CFR 478.126a for failure to file multiple sales when legally required [redacted] instances. These violations warrant a warning conference (WC) since they are repeat violations, and the licensee has been subject to a warning letter or a WC for similar violations.

Mr. Chester Herdis Skelton, Jr.'s title in FLS needs to be changed to Member.

Viols WC with WL and Recall

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☐ FINAL DISPOSITION

SIGNATURE AND TITLE	REVIEW DATE
(b)(6) [redacted] Acting Area Supervisor	10/06/2016

REVIEW COMMENTS AND RECOMMENDATION

Out of the nine violations, two are repeat violations, one (27 CFR 478.125(e) - [redacted] instances in 2016 and [redacted] instances in 2015) from the 2015 field investigation and the other (27 CFR 478.126a - [redacted] instances in 2016 and [redacted] nstances in 2013) from the 2013 field investigation. Based on the reduction in the number of instances in which the violations occurred, a warning letter and no recall is recommended.

Viols WL ONLY and No Recall Inspection

☒ REVIEWED ☐ CONCUR ☒ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE	REVIEW DATE
DDMITCHEL2 - Director, Industry Operations	11/08/2016

ROUTING SEQUENCE AND DATE

☐ 1. _____
☐ 2. _____
☐ 3. _____
☐ 4. _____

CONTROL FILE POSTED DATE _____

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

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	Street Address	City	State	Zip Code	County	
Herb's Trading Company, LLC Herb's Trading Company	12334 Highway 27	Summerville	GA	30747-	Chattooga	Page 1 of 7 Pages

License/Permit/Registry Number *(If any)*	Expiration Date	Date(s) or Period of Inspection
158055025B07652	2/1/2018	05/09/2015 through 05/09/2016

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:

Failure to obtain all the information required on the form and the instructions on or pertaining to the form [redacted] ATF Forms 4473.

(See ATF Forms 4473 on Attachment 1)

Citation: 27 CFR 478.21(a)

Date Corrections to be Made: *(If not corrected immediately)*

Corrective Action to be Taken: *(If not corrected immediately)* In the future, the licensee will furnish all of the information called for in each form as indicated by the headings on the form and instructions on or pertaining to the form prior to transferring a firearm.

Number: 2

Nature of Violation:

Failure to obtain complete and accurate transferee information and certification required as indicated by the headings on the form and instructions on or pertaining to the form on [redacted] ATF Forms 4473.

(See ATF Forms 4473 on Attachment 1)

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)* In the future, the licensee will furnish all of the information called for in each form as indicated by the headings on the form and instructions on or pertaining to the form prior to transferring a firearm.

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

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	Street Address	City	State	Zip Code	County	
Herb's Trading Company, LLC Herb's Trading Company	12334 Highway 27	Summerville	GA	30747-	Chattooga	Page 2 of 7 Pages

License/Permit/Registry Number *(If any)*	Expiration Date	Date(s) or Period of Inspection
158055025B07652	2/1/2018	05/09/2015 through 05/09/2016

Inspection Results

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

Number: 3

Nature of Violation:

Failure to record alternate documentation to verify the current residence address of the transferee in Item 20b [redacted] ATF Forms 4473.

(See ATF Forms 4473 on Attachment 1)

Citation: 27 CFR 478.124(c)(3)(i)

Date Corrections to be Made: *(If not corrected immediately)*

Corrective Action to be Taken: *(If not corrected immediately)* In the future, the licensee will record Alternate Documentation in Item 20b on the ATF Form 4473, if the driver's license or other identification does not show current residence address.

Number: 4

Nature of Violation:

Failure to comply with the requirements of Section 478.102 and record on the ATF Forms 4473, the correct NICS Transaction Number, as well as any response provided by the system [redacted] ATF Forms 4473.

(See ATF Forms 4473 on Attachment 1)

Citation: 27 CFR 478.124(c)(3)(iv)

Date Corrections to be Made: *(If not corrected immediately)*

Corrective Action to be Taken: *(If not corrected immediately)* In the future, the licensee will comply with requirement of 27 CFR 478.102 and record of the ATF Form 4473, the correct NICS transaction number, as well as any response provided by the NICS system.

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

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	Street Address	City	State	Zip Code	County	
Herb's Trading Company, LLC Herb's Trading Company	12334 Highway 27	Summerville	GA	30747-	Chattooga	Page 3 of 7 Pages

License/Permit/Registry Number *(If any)*	Expiration Date	Date(s) or Period of Inspection
158055025B07652	2/1/2018	05/09/2015 through 05/09/2016

Inspection Results

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

Number: 5

Nature of Violation:

Failure to identify the firearm to be transferred by recording on the ATF Form 4473, the Manufacturer and/or Importer, Model, Serial Number, Type and Caliber or Gauge in Items 26, 27, 28, 29, and 30. On [redacted] ATF Form 4473, items 26 - 30 were blank.

[redacted]

Citation: 27 CFR 478.124(c)(4)

Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken: The licensee recorded the missing firearms information in Section D. In the future, the licensee will review Section D to ensure all items have been completed before transferring the firearm.

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

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	Street Address	City	State	Zip Code	County	
Herb's Trading Company, LLC Herb's Trading Company	12334 Highway 27	Summerville	GA	30747-	Chattooga	Page 4 of 7 Pages

License/Permit/Registry Number *(If any)*	Expiration Date	Date(s) or Period of Inspection
158055025B07652	2/1/2018	05/09/2015 through 05/09/2016

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:

Failure to record the correct Date of Transfer in Item 36 on [redacted] ATF Forms 4473. Failure to correct a Date of Transfer in Item 36 on [redacted] ATF Form 4473.

(b) (3) - Public Law 112-55 (125 Stat. 552), (b) (6)

[redacted]

(See ATF Forms 4473 on Attachment 1)

Citation: 27 CFR 478.124(c)(5)

Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken: In the future, the licensee will record the correct Date of Transfer in Item 36 on all ATF Forms 4473, when a firearms is transferred.
(If not corrected immediately)

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

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	Street Address	City	State	Zip Code	County	
Herb's Trading Company, LLC Herb's Trading Company	12334 Highway 27	Summerville	GA	30747-	Chattooga	Page 5 of 7 Pages

License/Permit/Registry Number *(If any)*	Expiration Date	Date(s) or Period of Inspection
158055025B07652	2/1/2018	05/09/2015 through 05/09/2016

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:

Failure to prepare a report of multiple sales or other disposition, when the licensee sold or disposed of, at one time, two or more pistol or revolvers, or any combination of pistols and revolvers totaling, two or more to an unlicensed person involving [redacted] ATF Form 4473.

Failure to timely complete and submit 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 occurs involving [redacted] ATF Forms 4473.

(See ATF Forms 4473 on Attachment 1)

Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken:
(If not corrected immediately)

In the future, the licensee will complete and submit a Form 3310,4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, when the licensee sells or otherwise dispose of, at one time or during 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.

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 occurs, the licensee shall forward two copies of Form 3310.4 to the ATF office specified there on and one copy to the State police or to the local law enforcement agency in which the sale or other disposition took place. The licensee shall retain one copy of Form 3310.4 and attach it to the firearms transaction record, Form 4473, executed upon delivery of the pistols or revolvers.

The licensee completed and submitted, Report of Multiple

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

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	Street Address	City	State	Zip Code	County	
Herb's Trading Company, LLC Herb's Trading Company	12334 Highway 27	Summerville	GA	30747-	Chattooga	Page 6 of 7 Pages

License/Permit/Registry Number *(If any)*	Expiration Date	Date(s) or Period of Inspection
158055025B07652	2/1/2018	05/09/2015 through 05/09/2016

Inspection Results

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

Citation: 27 CFR 478.126a

Number: 8

Nature of Violation:

Failure to record the disposition [redacted] firearms in the Acquisition and Disposition Record not later than seven (7) days following the date of such transaction.

[redacted] firearm had to be reported missing from inventory to the ATF National Tracing Center (NTC), on June 16, 2016.

Licensee recorded duplicate entries in the A&D Record [redacted]) firearms.

Licensee failed to record the correct serial number on [redacted] firearm.

(See firearms on Attachment 1)

Date Corrections to be Made: *(If not corrected immediately)* 06/19/2016

Corrective Action to be Taken: *(If not corrected immediately)* The licensee corrected all missing and incorrect information in the A&D Record and [redacted]) unaccounted for firearm was reported missing to the National Tracing Center (NTC).

In the future, the licensee will record the sale or disposition of firearm not later than seven days following the date of such transaction.

In the future, the licensee will record the correct serial number in the A&D Record on all firearms transferred.

Citation: 27 CFR 478.125(e)

Sale or Other Disposition of Pistols and Revolvers on purchaser [redacted]

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

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	Street Address	City	State	Zip Code	County	
Herb's Trading Company, LLC Herb's Trading Company	12334 Highway 27	Summerville	GA	30747-	Chattooga	Page 7 of 7 Pages

License/Permit/Registry Number *(If any)*	Expiration Date	Date(s) or Period of Inspection
158055025B07652	2/1/2018	05/09/2015 through 05/09/2016

Inspection Results

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

Number: 9

Nature of Violation:
Failure to retain ATF Form 4473 on a delayed firearms transaction for at least 5 years in his or her firearms records.

Citation: 27 CFR 478.129(b)

Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken: In the future, if the transfer of a firearm is denied/cancelled by NICS, or if for any reason the transfer is not complete after a NICS check is initiated, the licensee will retain the ATF Form 4473 in his or her records for at least 5 years.
(If not corrected immediately)

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

June 10 2019 Document Production 685

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Atlanta Field Division

Atlanta, GA 30345

www.atf.gov

November 9, 2016

760560(b)(6)
5373

Mr. Chester H. Skelton, Jr.
Herb's Trading Company, LLC
12334 Highway 27
Summerville, GA 30747

1-58-055-02-8B-07652

Dear Mr. Skelton, Jr.:

During a recent compliance inspection at your firearms business, covering the period of May 9, 2015 to May 9, 2016, you were cited for violations of 27 Code of Federal Regulations, Part 478. A copy of the Report of Violations, Form 5035.5, 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) 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, could be viewed as willful and may result in the revocation of your license. Please ensure that future compliance is achieved.

Mr. Chester H. Skelton, Jr.

Please contact us if you have any questions concerning your responsibilities as a licensee or if you require further clarification about particular requirements of Federal firearms laws.

Should you have any questions regarding this matter, please contact me at (b)(6) [redacted].

(b)(6) [redacted]
Area Supervisor, Atlanta VIII (IO)

Enclosure

c: DIO, Atlanta Field Division
Federal Firearms Licensing Center