

## Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) JAMES ALLEN HUBERT KENNEBEC OUTFITTERS 18 LITHGOW ST WINSLOW, ME 04901, KENNEBEC		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 762030-2017-0051-B1B		
		3. PERMIT/LICENSE NUMBER 601011078K01041	4a. TARGET DATE 9/30/2017	4b. TARGET HOURS
		5. REQUESTED BY (SIGNATURE, TITLE AND DATE)		

  

6. ATF OFFICER(S) ASSIGNED (b)(6) - Lead Investigator (b)(6) - Assigned Investigator (b)(6) - Assigned Investigator	
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7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6), Area Supervisor, 10/03/2016	
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8. PURPOSE/SPECIAL INSTRUCTIONS Please conduct an FMI compliance inspection for the Type 07 FFL.	
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9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	6	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	3	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: 02/23/2018  Viols WL ONLY and Recall Inspection	
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12. TIME ACCOUNTING DATA	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)	
MAR 2017	17.00
JUN 2017	9.00
AUG 2017	7.50
NOV 2017	14.00
JAN 2018	14.50
ATF OFFICER'S SUBTOTAL	62.00
ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)	
MAR 2017	9.00
DEC 2017	8.00
ATF OFFICER'S SUBTOTAL	17.00
ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)	
MAR 2017	22.00
APR 2017	3.00
OCT 2017	5.00
ATF OFFICER'S SUBTOTAL	30.00
ATF OFFICER'S SIGNATURE	
TOTAL HOURS	109.00

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### 13. REVIEW AND ROUTING

#### REVIEW COMMENTS AND RECOMMENDATION

Preventative action has been taken and the FFL has been fully educated regarding his responsibilities and it is believed that future compliance can be achieved through a Warning Letter.

NCIC and NLETs checks were conducted of the RPs with negative results.

The licensee provided a new phone number of 207-680-8669 for the business premises and (b)(6) for residence and cell phone number. Responsible person Patrick Jacques also has a new residence telephone number which is (b)(6). The FLS database is not correct and should be updated with the new contact information.

Recommend FLS be updated to reflect that a Warning Letter was issued on 03/05/2018 via Certified Mail #7006 0810 0002 6795 7965. A recall recommendation was also made.

The last inspection date in FLS should now read 03/30/2017.

PII e-mailed to (b)(6), FFLC, on March 16, 2018.

Viols WL ONLY and Recall Inspection

☒ REVIEWED

☒ CONCUR

☒ SEE COMMENTS

☒ FINAL DISPOSITION

SIGNATURE AND TITLE

(b)(6) - Area Supervisor

(b)(6)

REVIEW DATE

03/16/2018

#### ROUTING SEQUENCE AND DATE

- ☐ 1. \_\_\_\_\_
- ☐ 2. \_\_\_\_\_
- ☐ 3. \_\_\_\_\_
- ☐ 4. \_\_\_\_\_

CONTROL FILE POSTED DATE \_\_\_\_\_



U.S. Department of Justice  
Bureau of Alcohol, Tobacco,  
Firearms and Explosives  
10 Causeway Street, #791  
Boston, MA 02222-1079

www.atf.gov

762030 (b)(6)  
5370

March 5, 2018

### WARNING LETTER

James Allen Hubert  
Kennebec Outfitters  
18 Lithgow Street  
Winslow, Maine 04901

REF: FFL# 6-01-011-07-8K-01041

Dear Mr. Hubert:

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 18 Lithgow Street Winslow, ME 04901 on March 24, 2017 through March 30, 2017, 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. James Allen Hubert  
Federal Firearms License Number: 6-01-011-07-8K-01041

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 (b)(6)

Sincerely,

(b)(6)

(b)(6)  
Area Supervisor

cc: Federal Firearms Licensing Center  
Boston V Area Office

Attachment



## Report of Violations

### Instructions

Please complete this form 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	Page 1 of 2 Pages
James Allen Hubert	18 Lithgow Street	Winslow	Maine	04901	Kennebec	
License Permit Registry Number (if any)	Expiration Date	Dates or Period of Inspection				
6-01-011-07-SK-01041	October 1, 2018	March 24 and 30, 2017				

### Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (if not corrected immediately)	Date Corrections to be Made (if not corrected immediately)
1.	27 CFR 92(a)(1)(ii)	Failure to properly identify manufactured firearms with the prescribed marking, including manufacturer, city and state of manufacture, caliber or gauge and model (if applicable).	Licensee immediately disassembled the lower receivers restoring them to unassembled receiver status. Licensee stated that he would not assemble lower receivers in the future unless he inscribed his own manufacturer markings on the firearms.	
2.	27 CFR 478.123(a)	Failure to record manufactured firearms into the A&D record no later than the seventh day following the date such manufacture or acquisition was made. Specifically, in eight instances, firearm acquisition information was not entered into the acquisition and disposition book, following the date of manufacture. Specifically, (b)(3) - 112 Public Law 55 125 Stat 552 (b)(3) - 112 Public Law 55 125 Stat 552	Licensee immediately disassembled the lower receivers into restoring them to unassembled receiver status. Licensee stated that he would not assemble lower receivers in the future unless he inscribed his own manufacturer markings on the firearms.  Licensee stated that he understands if he does manufacture a firearm that he needs to log it in as a receiver and log it back into his A&D book as the type of firearm that was manufactured. Specifically, for installing trigger assemblies into a stripped lower, the firearm must be logged back into the A&D record book as a receiver. Future firearm was corrected in A&D book.	

I Have Received a Copy of This Report of Violation. Proprietor's Signature and Title

Signature and Title of ATF Officer

(b)(6)

ATF Investigator

Date 2-7-18

Date 2-6-18

ATF Form 5000  
Revised April 2007

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James Allen Hubert	18 Lithgow Street	Winslow	Maine	04901	Kennebec	
License/Permit/Registry Number (if any)		Expiration Date	Date(s) or Period of Inspection			
6-01-011-07-8K-01041		October 1, 2018	March 24 and 30, 2017			

### Inspection Results

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

Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
3.	27 CFR 478.123(b)	Failure to record a firearm in the A&D record not later than the seventh day following the date of transfer to a licensee. Specifically, (b)(3) - 112 Public Law 55 125 Stat 552 instances, licensee failed to record disposition information for receivers prior to performing manufacturing processes on those receivers.	Licensee immediately disassembled the lower receivers restoring them to unassembled receiver status. Licensee stated that he would not assemble lower receivers in the future unless he inscribed his own manufacturer markings on the firearms.  Licensee stated that he understands if he does manufacture a firearm that he needs to log it out as a receiver and log it back into his A&D book as whatever type of firearm was manufactured. Specifically, for installing trigger assemblies into a stripped lower, the firearm must be logged back into the A&D record book as a receiver.	
4.	27 CFR 478.123(d)	Failure of licensee to maintain separate records of the sales or other dispositions made of firearms to nonlicensees. Specifically, (b)(3) - 112 Public Law 55 125 Stat 552 instances, disposition information was not recorded within seven days after transfer of a firearm to a nonlicensee.  Specifically (b)(3) - 112 Public Law 55 125 Stat 552 (b)(3) - 112 Public Law 55 125 Stat 552, (b)(6)	Licensee entered acquisition and disposition information into the A&D record book. In the future, licensee will ensure acquisition and disposition information is entered in accordance with the regulations.	

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James Allen Hubert	18 Lithgow Street	Winslow	Maine	04901	Kennebec	
License/Permit/Registry Number (if any)		Expiration Date	Date(s) or Period of Inspection			
6-01-011-07-8K-01041		October 1, 2018	March 24 and 30, 2017			

### Inspection Results

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Number	USC or CFR Citation	Nature of Violation	Corrective Action to be Taken (If not corrected immediately)	Date Corrections to be Made (If not corrected immediately)
5.	27 CFR 478.124(c)(1)	Failure to provide all information required on the ATF Form 4473. Specifically, (b)(3) - 112 Publi instance, question 111 (non-immigrant alien) was not answered.	In the future, licensee will review the ATF Form 4473s twice before the firearm purchaser leaves the business premises.	
6.	27 CFR 478.124(c)(3)(iv)	REPEAT OF VIOLATION CITED ON FEBRUARY 15, 2013 and NOVEMBER 18, 2008  Failure to record, or accurately record, information pertaining to NICS on the ATF Form 4473. Specifically, on (b)(3) - 112 ATF Form 4473s (Version 2012) block 21a (NICS transmittal date) was left blank, and on (b)(3) - 112 ATF Form 4473s (Version 2012), block 21c (NICS Initial Response) was left blank and on four ATF Form 4473s (Version 2016), block 19c (NICS initial response) was left blank.	In the future, licensee will review the ATF Form 4473s twice before the firearm purchaser leaves the business premises and after calling NICS to ensure all the required information is entered on the ATF Form 4473. At gun shows, licensee will ensure that he helps one person at a time.	



## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James A Hubert  
Kennebec Outfitters  
18 Lithgow St  
Winslow, ME 04901

2. Article Number  
(Transfer from service label)

7006 0810 0002 6795 7965

PS Form 3811, July 2013

Domestic Return Receipt

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail® ☐ Priority Mail Express™  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ Collect on Delivery
4. Restricted Delivery? (Extra Fee) ☐ Yes

7006 0810 0002 6795 7965

U.S. Postal Service<sup>TM</sup>CERTIFIED MAIL<sup>TM</sup> RECEIPT

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(Endorsement Required)

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or PO Box No.  
City, State, ZIP+4

PS Form 3800, June 2012

James A Hubert  
Kennebec Outfitters  
18 Lithgow St  
Winslow, ME 04901

6-01-21041

Postmark  
Here