

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Johnson, Richard L. Johnson Hardware & Appliance N5602 St Rd 76 Shiocton, WI 54170, Outagamie		2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 778025-2017-0116-B1B		
		3. PERMIT/LICENSE NUMBER 339087017C36934	4a. TARGET DATE 1/21/2018	4b. TARGET HOURS
5. REQUESTED BY (SIGNATURE, TITLE AND DATE)				
6. ATF OFFICER(S) ASSIGNED (b)(6) - Lead Investigator				
7. ASSIGNED BY (SIGNATURE, TITLE AND DATE) (b)(6), Area Supervisor, 10/03/2016				
8. PURPOSE/SPECIAL INSTRUCTIONS Conduct a recall compliance inspection. Do not inspect prior to 1/21/2017.				
9. INSPECTION RESULTS <input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC				
NO. OF VIOLATIONS	5	NO. OF REFERRALS		10. TRAVEL EXPENSES (OPTIONAL)
NO. OF TECS CHECKS	1	NO. OF TECS HITS		2111 - PER DIEM
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2112 - P.O.A.
		\$ VALUE OF TAX DECREASES		2113 - COMM. AIR
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2114 - RENTAL CAR
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2115 - GPV EXPENSES
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		2116 - MISC.
				TOTAL \$ FOR INSP.
11. ATF OFFICER'S RECOMMENDATION Submitted by (b)(6) - Industry Operations Investigator Submitted on: 05/12/2017 Viols WL Only and Recall Inspection is recommended based on significant improvement with compliance over the previous inspection initiated 1/4/2016 under UI No. 778025-2016-0138-B1B. This licensee is a low volume dealer and has not had traces, unreported multiple sales, missing firearms, or any other violations associate with the A&D Records and inventory since the prior inspection. Viols WL ONLY and Recall Inspection				
12. TIME ACCOUNTING DATA				
ATF OFFICER'S NAME (MONTH, YEAR, HOURS) (b)(6)				
MAR 2017		8.00		
APR 2017		8.00		
ATF OFFICER'S SUBTOTAL		16.00		ATF OFFICER'S SIGNATURE
TOTAL HOURS		16.00		
13. REVIEW AND ROUTING				
REVIEW COMMENTS AND RECOMMENDATION Alternate recommendation from Warning Conference; The FFL a low volume dealer as shown improvement from the last inspection and there has been no traces, no unreported multiple sales and no missing firearms. There were no violations found in the A&D Records and inventory. Viols WL ONLY and Recall Inspection				
<input checked="" type="checkbox"/> REVIEWED <input checked="" type="checkbox"/> CONCUR <input checked="" type="checkbox"/> SEE COMMENTS <input checked="" type="checkbox"/> FINAL DISPOSITION				
SIGNATURE AND TITLE (b)(6) - Area Supervisor				REVIEW DATE 05/08/2017

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13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

A Warning Letter and Recall is warranted. There continues to be a high rate of failures on the 4473s, however the FFL has shown some improvement over his previous inspection.

Viols WL ONLY and Recall Inspection

☒ REVIEWED

☒ CONCUR

☒ SEE COMMENTS

☐ FINAL DISPOSITION

SIGNATURE AND TITLE

HCHUMMEL - Director, Industry Operations

REVIEW DATE

05/12/2017

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 Johnson, Richard L. Johnson Hdwe & App	Street Address N5602 St Rd 76	City Shiocton	State WI	Zip Code 54170-	County Outagamie	Page 1 of 3 Pages
License/Permit/Registry Number <i>(If any)</i> 339087017C36934		Expiration Date 3/1/2020		Date(s) or Period of Inspection 02/14/2017 through 03/15/2017		

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 to accurately prepare the Firearm Transaction Record (ATF F 4473) on forms as follows (All ATF F 4473 are 2012 version unless otherwise noted):

- 1) instance question 16 (ATF F 4473 version 2016 - Firearm Type) was blank
- 2) instances question 24 the transferee did not sign re-certification
- 3) instances question 25 the transferee did not date re-certification
- 4) instance in question 30a the total number of firearms transferred was blank
- 5) instance question 31 (Trade/Corporate name and address) was blank.
- 6) instance question 32 (FFL Number) was blank
- 7) instances question 33 (Transferor's/Seller's Name) was blank
- 8) instances question 35 (Transferor's/Seller's Title) was blank

Citation: 27 CFR 478.21(a)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Licensee shall ensure ATF Forms 4473 are properly completed in future transactions. Proper completion of ATF Form 4473 was reviewed with the licensee during the review of Acknowledgment of Regulations.

Number: 2

Nature of Violation:

Licensee failed to accurately prepare the Firearm Transaction Record (ATF F 4473) on forms as follows (All ATF F 4473 are 2012 version unless otherwise noted):

- 1) instances question 17 (certification date) was blank.

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)

Licensee shall ensure ATF Forms 4473 are properly completed in future transactions. Proper completion of ATF Form 4473 was reviewed with the licensee during the review of Acknowledgement of Regulations.

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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:

Licensee failed to accurately prepare the Firearm Transaction Record (ATF F 4473) on forms as follows (All ATF F 4473 are 2012 version unless otherwise noted):

- 1) (b)(3) 1 instance question 19c (ATF F 4473 version 2016 - NICS/State Background Check Response) was blank.
- 2) (b)(3) 1 instance question 19d (ATF F 4473 version 2016 - NICS/State Background Check Response after Delay) was blank.
- 3) (b)(3) 112 instances question 21a (Date of call in to NICS/State for Background Check) was blank
- 4) (b)(3) 11 instance question 21b (NICS/State Transaction Number) was blank.
- 5) (b)(3) 112 instances question 21c (NICS/State Background Check Response) was blank.

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)

Licensee shall ensure ATF Forms 4473 are properly completed in future transactions. Proper completion of ATF Form 4473 was reviewed with the licensee during the review of Acknowledgement of Regulations.

Report of Violations

Instructions

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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 to accurately prepare the Firearm Transaction Record (ATF F 4473) or forms as follows (All ATF F 4473 are 2012 version unless otherwise noted):

- 1) Instance question 26 (Firearm Manufacturer) was blank.
- 2) instance question 27 (Firearm Model) was incorrect.
- 3) instance question 27 (Firearm Model) was blank.
- 4) instance question 28 (Firearm Serial Number) was blank.
- 5) instances question 29 (Firearm Type) was blank.
- 6) instances question 30 (Firearm Caliber/Gauge) was blank.

Citation: 27 CFR 478.124(c)(4)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Licensee shall ensure ATF Forms 4473 are properly completed in future transactions. Proper completion of ATF Form 4473 was reviewed with the licensee during the review of Acknowledgment of Regulations.

Number: 5

Nature of Violation:

Licensee failed to accurately prepare the Firearm Transaction Record (ATF F 4473) or forms as follows (All ATF F 4473 are 2012 version unless otherwise noted):

- 1) instances question 34 (Transferor's/Seller's Signature) was blank.
- 2) instances question 36 (Date Transferred) was blank.

Citation: 27 CFR 478.124(c)(5)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Licensee shall ensure ATF Forms 4473 are properly completed in future transactions. Proper completion of ATF Form 4473 was reviewed with the licensee during the review of Acknowledgment of Regulations.

I Have Received a Copy of This Report of Violations *(Proprietor's signature and title)*

Date

Signature and Title of ATF Officer

Date



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

1000 N. Water Street, Suite 1400
Milwaukee, WI 53202

May 12, 2017

www.atf.gov

778025: (b)(6)
5373

WARNING LETTER

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

**Richard L Johnson
Johnson Hardware & Appliance
N5602 State Road 76
Shiocton, WI 54170**

FFL # 3-39-36934

Dear Mr. Johnson:

During a recent compliance inspection conducted on February 14, 2017 – April 4, 2017, at your firearms business covering the period of February 14, 2016 through February 14, 2017, 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) Investigator (b)(6). 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.

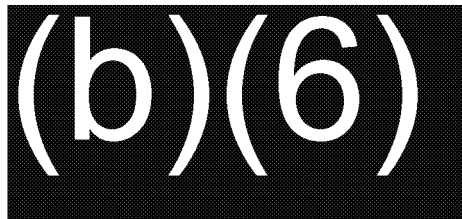
The records you are required to maintain and the business operations you conduct are important to law enforcement in our continuing effort to reduce violent crime and protect the public. It is essential that you comply with all Federal laws and regulations that govern your firearms business. This is 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.

Richard L Johnson
Johnson Hardware & Appliance
FFL # 3-39-36934

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.

Should you have any questions regarding this matter, please contact Industry Operations Investigator (b)(6) at (414)727-6200.

Sincerely yours,

A black rectangular redaction box containing the white text "(b)(6)" in a large, bold, sans-serif font.

Area Supervisor
Milwaukee II Field Office

Enclosure

Cc: Federal Firearms Licensing Center
Milwaukee II Field Office