

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Bluestem Farm & Ranch Supply, Inc. 2611 W. Hwy 50 Emporia, KS 66801, LYON	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 779025-2016-0157-B1B 3. PERMIT/LICENSE NUMBER 4a. TARGET DATE 4b. TARGET HOURS 548111018G03892 9/15/2016 5. REQUESTED BY (SIGNATURE, TITLE AND DATE) 10/01/2015
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6. ATF OFFICER(S) ASSIGNED
 (b)(6) - Lead Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)
 (b)(6), Area Supervisor, 10/04/2015

8. PURPOSE/SPECIAL INSTRUCTIONS
 Conduct DE-Compliance inspection in FY 2016. Licensee has never been inspected and averages over 1,000 dispositions annually. Licensee self-reported a possible straw purchase for 8/10/2015 to duty IOI (b)(6) - referral generated.

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	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: 12/02/2015
ALTERNATE RECOMMENDATION: One violation cited met the minimum requirements for a Warning Conference per the current Adverse Action Policy – Item #d (7): Failure to file Multiple Sale Reports when legally required in (b)(7)(E) instances. The licensee has been in business for over 35 years and this was their first compliance inspection. In addition, the licensee has instituted an internal control – Reviewing ATF Forms 4473 prior to filing the form to double check if a Multiple Sale Report is required.

Violts WL ONLY and Recall Inspection

12. TIME ACCOUNTING DATA		
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)	(b)(3) 112 Public Law 55-125 S17	
OCT 2015	30.00	
NOV 2015	46.00	
DEC 2015	8.00	
ATF OFFICER'S SUBTOTAL	84.00	ATF OFFICER'S SIGNATURE
TOTAL HOURS	84.00	

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	5. REQUESTED BY (SIGNATURE, TITLE AND DATE) 10/01/2015			

13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

ALTERNATE RECOMMENATION: WARNING LETTER with Recall.

Inspection meets the standard for Warning Conference under the Adverse Action Policy. The licensee was cited for failing to complete/submit reports of multiple handgun sales in [REDACTED] instances involving [REDACTED] firearms. Section 6.d.7. Additional violations include the failure to timely record disposition information for 5% of entries in the A&D record (WL at 6.c.2); the transfer of a firearm in [REDACTED] instance to a person who appeared to be prohibited at the time of transfer (i.e., "Yes" to Block 11b) (WL at 6.c.4); the failure to contact NICS where the licensee accepted of a non qualifying State permit (FL CCW) (WL at 6.c.9); and general Form 4473 violations not rising to the level of adverse action.

JUSTIFICATION FOR ALTERNATE: This is the licensee's first inspection since obtaining a FFL in 1979. The licensee does not "sell" handguns – rather it transfers handguns as an in-state transfer dealer. The licensee acquires/disposes 500 firearms annually and had 510 forms on file. It successfully completed [REDACTED] firearms traces in the previous 12 months. Firearms sold are primarily sporting rifles and shotguns. The licensee was receptive to the correct ve action and showed a strong interest in staying compliant.

12/3/2015: Sent to DIO for review.
 12/3/2015: DIO concurs with WL
 12/7/2015: WL sent certied mail
 12/7/2015: Recall staged
 12/7/2015: PII sent.

Viols WL ONLY and Recall Inspection

REVIEWED
 CONCUR
 SEE COMMENTS
 FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	REVIEW DATE 12/03/2015
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REVIEW COMMENTS AND RECOMMENDATION

Concur with alternate for warning letter and recall inspection.

Viols WL ONLY and Recall Inspection

REVIEWED
 CONCUR
 SEE COMMENTS
 FINAL DISPOSITION

SIGNATURE AND TITLE WLBOWERS - Director Industry Operations	REVIEW DATE 12/07/2015
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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 Bluestem Farm & Ranch Supply, Inc.	Street Address 2611 W. Hwy 50	City Emporia	State KS	Zip Code 66801-	County LYON	Page 1 of 4 Pages
License/Permit/Registry Number <i>(If any)</i> 548111018G03892		Expiration Date 7/1/2008	Date(s) or Period of Inspection 10/27/2015 through 10/29/2015			

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 maintain an accurate Firearms Acquisition and Disposition Record. The inspection disclosed [REDACTED] firearms in the Record that did not have a disposition entry and were not in inventory and [REDACTED] firearms that were in inventory that did not have an acquisition entry in the Record.

Citation: 27 CFR 478.125(e)

Date Corrections to be Made: 11/20/2015

(If not corrected immediately)

Corrective Action to be Taken: Determine dispositions of missing firearms and make correcting entries in the record. If dispositions cannot be determined, report firearms missing on ATF F 3310.11. Establish internal controls to ensure Record is maintained timely and accurately.

Number: 2

Nature of Violation:

Transfer of a firearm to an individual while having reasonable cause to believe the individual was prohibited from receiving the firearm. On [REDACTED], the licensee transferred [REDACTED] firearm to an individual who answered "YES" to question #11b on ATF Form 4473.

Citation: 27 CFR 478.99(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Establish internal controls to ensure firearms are not transferred to individuals who appear to be prohibited from receiving firearms.

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License/Permit/Registry Number <i>(If any)</i> 548111018G03892		Expiration Date 7/1/2008	Date(s) or Period of Inspection 10/27/2015 through 10/29/2015			

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 contact NICS prior to the transfer of a firearm. On 10/3/15, the licensee accepted a Concealed Carry License issued by the State of Florida as an exempted alternative to NICS. Only valid permits issued from the state where the transfer is to take place are qualified exemptions to NICS.

Citation: 27 CFR 478.102(a)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Accept only valid Conceal Carry Permits issued by Kansas as exempted alternatives to contacting NICS.

(If not corrected immediately)

Number: 4

Nature of Violation:

Transfer of a firearm to an individual who did not properly complete ATF Form 4473. On XXXX occasions during the inspection period the licensee transferred a firearm(s) to an individual who did not answer all the qualifying questions in Item #11 of ATF Form 4473.

Citation: 27 CFR 478.124(c)(1)

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken: Ensure ATF Form 4473 is properly executed and all questions in Item #11 are correctly answered prior to transferring a firearm to an individual.

(If not corrected immediately)

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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: 5

Nature of Violation:

Failure to properly identify an individual on ATF Form 4473 prior to transferring them a firearm. On ^{(b)(7)(F)} ATF Forms 4473 examined, the licensee failed to record any identification information in Item #20a of the Form and on ^{(b)(7)(F)} forms examined the licensee failed to record proper alternate documentation in Item #20b of the Form when the transferee's driver's license did not show their current residence address.

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)

Ensure the identity of the firearm transferee is verified and the type of identification used is noted in Item #20a of ATF Form 4473. If the identification document does not show the transferee's current residence address, examine and document in Item #20b of the Form the alternative government identification (as defined in 27 CFR 478.11) provided to confirm their current residence address.

Number: 6

Nature of Violation:

Failure to record the multiple sale of handguns on ATF Form 3310.4 and submit the form when required. On ^{(b)(3)(12)} occasions examined, the licensee transferred ^{(b)(3)(12)} handguns to an individual in a single transaction and did not complete and submit ATF Form 3310.4.

Citation: 27 CFR 478.126a

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

Establish internal controls to ensure ATF Form 3310.4 is completed and submitted when required. All missing forms were completed and submitted before the closing conference was held with the licensee.

Report of Violations

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License/Permit/Registry Number <i>(If any)</i> 548111018G03892	Expiration Date 7/1/2008	Date(s) or Period of Inspection 10/27/2015 through 10/29/2015				

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 follow the instructions pertaining to ATF Form 4473. Questions #31 and #32 were not properly completed on [redacted] of the [redacted] forms examined during the inspection.

Citation: 27 CFR 478.21(a)

Date Corrections to be Made: 11/27/2015

(If not corrected immediately)

Corrective Action to be Taken: Establish internal controls to ensure Questions #31 and #32 are properly completed on each ATF Form 4473. Complete Items #31 and #32 on the [redacted] forms examined.

(If not corrected immediately)

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



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Kansas City Field Division – KC III (Regulatory)

1251 NW Briarcliff Pkwy, Ste 600
Kansas City, MO 64116
www.atf.gov

December 7, 2015

779025: (b)(6)
5373

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Bluestem Farm & Ranch Supply, Inc.
Attn: Ms. Ann Bruner, Vice President
2611 W. Hwy 50
Emporia, KS 66801

RE: 5-48-11-01-8G-03892

Dear Ms. Bruner:

This letter summarizes the issues discussed with you and store manager Bruce Burenheide during the recent compliance inspection conducted on October 27-29, 2015, related to your company's Federal firearms license. The inspection covered the period of October 28, 2014 through October 27, 2015. During the inspection, your company was cited for violations of Title 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. Additionally, you ensured IOI (b)(6) that your company would take action to prevent future violations.

The records your company is required to maintain 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 company's firearms activities as a licensed firearms dealer. This is critical to ATF 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.

Bluestem Farm & Ranch Supply, Inc.
Attn: Ms. Ann Bruner,
Vice President
Page 2

You are reminded that retention of your company's Federal firearms license is conditioned upon its 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 the license. Please contact Investigator (b) (6) or the ATF Kansas City Group III Office if you have any questions regarding this matter at (816) 410-6000.

Sincerely,

A black rectangular redaction box containing the white text "(b)(6)".

Area Supervisor
Industry Operations (Kansas)
Kansas City Group III (Regulatory)
Kansas City Field Division

cc: National Licensing Center
Director of Industry Operations