



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETTIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
ENVIRONMENTAL PROTECTION BUREAU

[REDACTED]

To Whom It May Concern:

The Office of the New York Attorney General has reason to believe that you are a seller of ammunition, as defined by N.Y. Penal Law § 265.00(24), and are violating various requirements of N.Y. Penal Law § 400.03. Shipping ammunition directly to New York residents in commerce is illegal, as N.Y. Penal Law § 400.03(7) requires that commercial transfers of ammunition occur in person between a licensed dealer in firearms or registered seller of ammunition on the one hand, and the ultimate transferee on the other hand. Furthermore, N.Y. Penal Law § 400.03(2) requires ammunition sellers to create and maintain a record of every ammunition transaction in New York that includes, among other things, the age, occupation, and residence of any person to whom ammunition is delivered. Failure to keep required records is illegal under N.Y. Penal Law § 400.03(8).

You are directed to cease shipping ammunition directly to purchasers within New York State within five (5) days of the receipt of this notice.

Direct shipments of ammunition in commerce and failure to keep required records of ammunition sales also contravene New York's consumer protection statutes, which prohibit "repeated fraudulent or illegal acts" as well as "deceptive acts or practices." N.Y. Exec. L. § 63(12); N.Y. Gen. Bus. L. § 349. Shipping ammunition directly to New York residents constitutes a deceptive trade practice that may subject you to disgorgement of all income resulting from such illegal practice, restitution to consumers, and penalties of up to \$5,000 for each individual violation of Article 22-A of N.Y. General Business Law. N.Y. Gen. Bus. L. § 350-d.

You should take all necessary steps to preserve all physical and electronic records and data pertaining to matters that are the subject of this letter. The information that should be preserved includes active data (readily accessible today), archived data (stored on backup media), and deleted data (still recoverable through the use of computer forensics). You should also take affirmative steps to prevent anyone with access to your data systems and archives from seeking to modify or destroy electronic evidence on network or local hard drives or servers.

Pursuant to N.Y. General Business Law § 349, the recipients of this notice are afforded the opportunity to show orally or in writing to the Office of the New York Attorney General, within five business days of receipt of this notice, why the Attorney General should not initiate an enforcement action. Such correspondence may be sent to [REDACTED].

Sincerely,

[REDACTED]
Assistant Attorney General