

**DEPARTMENT OF THE TREASURY  
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU  
ABSTRACT AND STATEMENT**

NOT IN SUIT

For briefing offers in compromise of liabilities and/or violations incurred under Chapters 32,51,52,53,68, and/or 78 of the Internal Revenue Code, and/or liabilities and/or violations incurred under the Federal Alcohol Administration Act.

1. OFFER SUBMITTED BY (Name and address) Biagi Bros., Inc. 787 Airpark Road Napa, California 94558  and  1200 Green Island Road American Canyon, California 94503	OFFER IN COMPROMISE	
	2. ORIGINATING OFFICE TAD	3. AMOUNT OF OFFER \$10,000.00
	4. PERMIT, LICENSE, OR REGISTRY NO. (if applicable) [REDACTED]	5. SYSTEM CONTROL NUMBER(S) [REDACTED]
	6. DOLLAR AMOUNT OF LIABILITY BEING COMPROMISED (if applicable) \$	
	7. TAXPAYER IDENTIFICATION NUMBER [REDACTED]	

8. CHARGE VIOLATIONS:  
  
 On or between May 1, 2008 and August 31, 2010 the proponent allegedly committed the following violations of Federal laws and regulations: Failure to correctly claim small domestic producer tax credit in violation of 26 U.S.C. § 5041(c) and 27 C.F.R. §§ 24.278 and 24.270; Failure to file correct excise tax returns and failure to pay federal excise tax in violation of 26 U.S.C. § 5061(d)(5) and 27 C.F.R. §§ 24.270 and 24.271; Failure to maintain adequate document proof of export of wines in violation of 26 U.S.C. § 5362 and 27 C.F.R. § 28.250; Failure to timely record wine in bond as required by federal regulations in violation of 26 U.S.C. § 5367 and 27 C.F.R. § 24.300; Failure to maintain complete or accurate records of taxable removals in violation of 26 U.S.C. §§ 5367 and 5555 and 27 C.F.R. § 24.300; Failure to timely file reports of wine premises operations in violation of 26 U.S.C. §§ 5367, 5555 and 27 C.F.R. 24.300 and commencing or allowing other operations on bonded wine cellar operations without prior notification given to and approval received by TTB in violation of 26 U.S.C. §§ 5356, 5361 and 5511 and 27 C.F.R. §§ 24.103, 24.109 and 24.101.

BUSINESS IN WHICH ENGAGED:  
 The proponent is engaged in Bonded Wine Cellar Operations.

DATE OR PERIOD AND LOCATION OF VIOLATIONS:  
 On or about and between May 1, 2008 through August 31, 2010, in the state of California.

AMOUNT AND TERMS OF OFFER:  
 The proponent has submitted an offer of \$10,000.00 in compromise of the alleged violations incurred under the Internal Revenue Code.

RECOMMENDATIONS:  
 The Director, National Revenue Center recommends acceptance of the offer. In view of potential litigation hazards, acceptance of this Offer in Compromise, as submitted, is warranted.

9. I have considered the proposition to compromise the liability as charged herein, and, for the reasons embodied in the above abstract and statement, am of the opinion that it will be for the best interest of the United States to  ACCEPT  REJECT the terms proposed.

10. SIGNATURE AND TITLE [REDACTED]	11. DATE 11/17/11
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