

**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 sections 4181 and 4182 and Chapters 51 and 52 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)  Heineken USA Incorporated 360 Hamilton Avenue White Plains, NY 10601	OFFER IN COMPROMISE	
	2. ORIGINATING OFFICE TID	3. AMOUNT OF OFFER \$2,500,000.00
	4. PERMIT, LICENSE, OR REGISTRY NO. (if applicable) [REDACTED]	
	5. CASE NUMBER [REDACTED]	
	6. DOLLAR AMOUNT OF LIABILITY BEING COMPROMISED (if applicable) \$ N/A	
	7. TAXPAYER IDENTIFICATION NUMBER [REDACTED]	

8. CHARGE

**VIOLATIONS:**

The Alcohol and Tobacco Tax and Trade Bureau (TTB) alleges that Heineken USA Incorporated (Heineken) provided certain beverage alcohol retailers with BrewLock draft systems at no charge and reimbursed certain other beverage alcohol retailers for the cost of purchasing BrewLock draft systems through credit card swipes. TTB further alleges such BrewLock draft systems both obligated and induced the retailers to purchase imported malt beverages from Heineken, in violation of 27 U.S.C. §§ 205(a) and (b). TTB also alleges that Heineken used third parties (business entities and payment services) to provide money or things of value to retailers for placement of malt beverages. Finally, TTB alleges that Heineken made payments to retailers that purported to reflect permissible activities such as consumer sampling, but no permitted goods or services were purchased or received by Heineken, and such payments were actually "slotting allowance" payments, in violation of 27 U.S.C. §§ 205(b).

**BUSINESS IN WHICH ENGAGED:**

The proponent is an importer and wholesaler of alcohol beverages.

**DATE OR PERIOD AND LOCATION OF VIOLATIONS:**

The alleged violations occurred at various times and dates prior to the submission of the Offer in Compromise, including but not limited to August 1, 2015, through the date of acceptance of this Offer in Compromise. The alleged violations occurred at the proponent's premises located at 360 Hamilton Avenue, White Plains, New York 10601, and other locations throughout the United States.

**AMOUNT AND TERMS OF OFFER:**

The proponent has submitted and paid an offer of \$2,500,000.00 in compromise of the above alleged violations incurred.

**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] Deputy Asst. Administrator Field Operations	11. DATE March 26 2019
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