

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Black Label Tactical Inc. Black Label Tactical 942 Montclair Drive Coraopolis, PA 15108, Allegheny	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) 766060-2016-0074-B1B		
	3. PERMIT/LICENSE NUMBER 825003078D04202	4a. TARGET DATE 7/1/2016	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, 10/01/2015

8. PURPOSE/SPECIAL INSTRUCTIONS

Please conduct a Type 07 DE Compliance Inspection. As part of this inspection, please conduct the following activities:

- Obtain a business profile to ensure proper licensure. If licensee is not conducting any manufacturing activities, determine if OOB is a possibility with re-application as a Type 01 FFL.
- Explore ownership and control to include Deconfliction Queries
- Conduct a full physical inventory of the firearms on hand in conjunction with an A&D Records Review
- Conduct a comprehensive ATF Form 4473 review for the inspection period which should include a focus on suspicious purchasers
- Determine if all Multiple Handgun Sales Reports were filed accurately and in a timely manner
- Determine if all AFMER Reports were filed in a timely manner
- If manufacturing is being conducted, ensure the proper markings are being applied to the manufactured firearms.
- If NFA weapons are manufactured/sold, please ensure all information is current with the NFRTR
- Conduct a Federal Firearms Regulations Review

9. INSPECTION RESULTS		<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC		10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	2	NO. OF REFERRALS	1	2111 - PER DIEM	
NO. OF TECS CHECKS	10	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: 04/26/2016

Viols WL ONLY and No Recall Inspection

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)		(b)(6)	
APR 2016	20.00		
ATF OFFICER'S SUBTOTAL	20.00	ATF OFFICER'S SIGNATURE	
TOTAL HOURS	20.00		

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13. REVIEW AND ROUTING

REVIEW COMMENTS AND RECOMMENDATION

UI# 766060-2016-0074-B1B
FFL# 8-25-04202
Licensee: Black Label Tactical, Inc.
Date of Inspection: 04/22/2016
Scope of Inspection: DE Full Compliance (Type 07 FFL)
Time Frame of Inspection: 04/22/2015-04/22/2016
Recommendation: Violations; ROV; WL; NO Recall
IOI: (b)(6)

A/S Comments: On 04/22/2016, IOI (b)(6) conducted a Type 07 DE Compliance Inspection at the licensed premises of Black Label Tactical, Inc. RP and President, Bennie Leto, was present for the inspection. During this inspection, IOI (b)(6) conducted the following activities:

- Obtained a business profile. The licensee primarily engages in the retail sales of firearms, including (b)(3) - (20 USC § 6103). The licensee also engages in the assembly of firearms (primarily short barreled rifles and shotguns); however, for the inspection period, the licensee did not conduct any manufacturing activities. For the inspection period, the licensee acquired (b)(4) firearms and disposed of (b)(4) firearms.
- Explored ownership and control. IOI (b)(6) did NOT identify any changes in ownership and/or control. Deconfliction Queries concerning the RPs revealed NO adverse findings. Hidden Ownership is NOT suspected.
- Conducted a full physical inventory of the firearms on hand (49) in conjunction with an A&D Records Review with NO discrepancies identified
- Reviewed all ATF Form 4473s for the inspection period (43) with (b)(3) 112 Public deficient form identified for a 2.3% Deficiency Rating. This violation was cited under 27 CFR 478.124(c)(1).
- Reviewed Multiple Handgun Sales and identified (b)(3) 112 Public instances involving (b)(3) 112 Public handguns where the licensee failed to complete and submit the applicable ATF Form 3310.4s notifying ATF of said purchases. This violation was cited under 27 CFR 478.126a.
- Issued a Referral of Information to the DDTC notifying them of the licensee's failure to register with their agency
- Issued a ROV to RP and President Bennie Leto documenting the two (2) violations
- Completed a Federal Firearms Regulations Review with RP and President, Bennie Leto

A/S Recommendation: Violations; ROV; WL Only; No Recall. According to the Adverse Action Policy, the (b)(3) 112 Public unreported Multiple Handgun Sales Reports warrant a Warning Letter. The Warning Letter will be issued via Certified Mail on 05/02/2016.

A Recall is not warranted at this time for the following reasons:

- 1.) There were NO missing firearms
- 2.) There were NO A&D Record Book errors/omissions
- 3.) Not a threat to public safety. No traces during the inspection period. No suspicious purchasers were identified.
- 4.) Adequate security (gun safe, surveillance cameras monitoring the interior and exterior).
- 5.) The missed multiple sales were the product of a misunderstanding. RP Leto thought only the sale of five of more firearms (handguns or long guns) had to be reported. IOI (b)(6) educated Mr. Leto on the requirements for reporting multiple handgun sales.

Violts WL ONLY and No Recall Inspection

☒ REVIEWED ☒ CONCUR ☒ SEE COMMENTS ☒ FINAL DISPOSITION

SIGNATURE AND TITLE (b)(6) - Area Supervisor	(b)(6)	REVIEW DATE 04/29/2016
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ROUTING SEQUENCE AND DATE

- ☐ 1. _____
☐ 2. _____
☐ 3. _____
☐ 4. _____

CONTROL FILE POSTED DATE _____



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives
1000 Liberty Avenue, Suite 1515
Pittsburgh, Pennsylvania 15222

www.atf.gov

May 2, 2016

766060: (b)(6)
5300

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
WARNING LETTER

Black Label Tactical, Inc.
942 Montclair Dr.
Corapolis, PA 15108
FFL# 8-25-003-07-8D-04202
ATTN: Bennie Leto, President & Responsible Person

Dear Mr. Leto:

During a recent Compliance Inspection at your firearms business covering the period of April 22, 2015 through April 22, 2016, 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.

As a result of this Compliance Inspection, you were cited for the following violations:

1.) 27 CFR 478.124(c)(1): Completion of ATF Form 4473

Nature of Violation: The licensee failed to obtain a properly completed ATF Form 4473 prior to transferring firearms to non-licensees in 1 out of 43 forms. Specifically, in (b)(3) 112 F instance Item 16 was blank and in (b)(3) 112 F instance Item 17 was blank. This form was completed on 2/10/16.

2.) 27 CFR 478.126a: Records and Reports (Multiple Handgun Sales Reports)

Nature of Violation: In (b)(3) 112 F instances the licensee transferred two or more handguns to the same unlicensed person at one time or within five consecutive business days, but failed to prepare and submit ATF Forms 3310.4, Report of Multiple Sale or Other

Disposition of Pistols and Revolvers.

The violations were fully explained to you by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Industry Operations 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.

Regarding the ATF Form 4473 violation (Violation #1), you attributed this violation to lack of attention to detail and, in general, human error. In order to capture and correct ATF Form 4473 errors and omissions, IOI (b)(6) advised you to perform "double checks" on each ATF Form 4473 at the time of sale (prior to transferring the firearm to the buyer) and again prior to placing each form to file. IOI (b)(6) reminded you that frequent audits of the ATF Form 4473s are instrumental to identifying and correcting ATF Form 4473 errors.

Regarding the violation concerning unreported Multiple Handgun Sales (Violation #2), you attributed this violation to a misunderstanding of the Federal Firearms Regulations. You advised that you thought only sales of five (5) or more firearms (handguns or long guns) were to be reported on the ATF Form 3310.4. IOI (b)(6) advised you of the proper multiple handgun reporting requirements at the conclusion of the inspection and issuance of the Report of Violations. IOI (b)(6) informed you that the ATF Form 3310.4 is completed when you transfer two or more handguns to the same unlicensed person at one time or within five consecutive business days. You acknowledged that you now understand the multiple handgun sales reporting requirements.

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.

You are reminded that retention of your Federal Firearms License is conditioned upon your compliance with Federal Laws and Regulations. Any future violations, 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 the Pittsburgh Area Office at 412-395-0600.

Sincerely yours,

(b)(6)

Area Supervisor, Industry Operations
Pittsburgh III, Philadelphia Field Division

Enclosure

cc: National Licensing Center
Pittsburgh III Area Office

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 Black Label Tactical Inc. Black Label Tactical	Street Address 942 Montclair Drive	City Coraopolis	State PA	Zip Code 15108-	County Allegheny	Page 1 of 2 Pages
License/Permit/Registry Number (If any) 825003078D04202		Expiration Date 4/1/2018		Date(s) or Period of Inspection 04/22/2015 through 04/22/2016		

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:

The licensee failed to obtain a properly completed ATF Form 4473 prior to transferring firearms to non-licensees in 10 out of 43 forms. Specifically, in 10 instance Item 16 was blank and in 10 instance Item 17 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)

The licensee was instructed that these items must be completed on the ATF Form 4473.

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 Black Label Tactical Inc. Black Label Tactical	Street Address 942 Montclair Drive	City Coraopolis	State PA	Zip Code 15108-	County Allegheny	Page 2 of 2 Pages
License/Permit/Registry Number (If any) 825003078D04202		Expiration Date 4/1/2018	Date(s) or Period of Inspection 04/22/2015 through 04/22/2016			

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 2

Nature of Violation:

In ^{(b)(3) 112 PLR} instances the licensee transferred two or more handguns to the same unlicensed person at one time or within five consecutive business days, but failed to prepare and submit ATF Forms 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers. Specifically:

(b) (3) - Public Law 112-55 (125 Stat. 552), (b) (6)

Date Corrections to be Made:
(If not corrected immediately)

Corrective Action to be Taken:
(If not corrected immediately)

During the inspection, the licensee prepared and submitted ATF Forms 3310.4 for the previously unreported multiple sales/transfers.

The licensee was advised of the proper multiple handgun reporting requirements.

Citation: 27 CFR 478.126a

I Have Received a Copy of This Report of Violations (Proprietor's signature and title)	Date
Signature and Title of ATF Officer	Date