

DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

Supporting Statement - Information Collection Request

OMB Control Number 1513-0019

TTB F 5100.18 - Application for Amended Basic Permit under the Federal Alcohol Administration Act

A. Justification

1. What are the circumstances that make this collection of information necessary and what legal or administrative requirements necessitate the collection?

27 U.S.C. 203 requires that any person who desires to operate as a wholesaler, producer, rectifier, bottler, or warehouseman of distilled spirits, wine, or malt beverages obtain a basic permit. 27 U.S.C. 204 authorizes the Secretary of the Treasury to prescribe the manner and form of all applications for basic permits. This section also imposes minimum requirements upon persons applying for a basic permit.

The basic permit identifies the person to whom issued, identifies the premises where authorized activities may occur, and sets forth the authorized operations. Amendment of the basic permit becomes necessary when material changes occur in name, ownership, location, or activities of the permittee. The regulations governing these amendments are found in 27 CFR 1.40, 1.41, and 1.42.

2. How, by whom and for what purpose is this information used?

The information furnished on TTB F 5100.18 enables TTB to determine whether applicants for an amended basic permit meet the statutory requirements in 27 U.S.C. 204 for issuance of a basic permit.

TTB F 5100.18 is the method permittees use to notify TTB that material changes have occurred to the operations described on, and authorized by, a basic permit. The information provided on the form is the most efficient means TTB has to determine whether or not the applicant for an amended basic permit is in compliance with the requirements of 27 U.S.C. 204 and remains eligible for a basic permit.

The submission of this information provides TTB with current information regarding the permittee's activities, corporate structure, and physical operations. It also provides TTB with the proper location of the permittee for the purpose of determining if the proposed premises are suitable for business, provide the necessary security, and otherwise meet all statutory and regulatory requirements.

3. To what extent does this collection of information involve the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology? What consideration is given to use information technology to reduce burden?

TTB will approve on a case-by-case basis, the use of improved information technology.

4. What efforts are used to identify duplication? Why can't any similar information already available be used or modified for use for the purposes described in Item 2 above?

The information collected in TTB F 5100.18 is pertinent to each respondent and applicable to the specific issue of qualification for a basic permit. As far as we can determine, similar information is not available anywhere else.

5. If this collection of information impacts small businesses or other small entities, what methods are used to minimize burden?

All entities, regardless of size, are required by statute to obtain a basic permit to engage in any of the stated business. This information collection is required in order to determine if an amended permit should be granted and cannot be waived simply because the respondent's business is small.

6. What consequences to Federal program or policy activities and what, if any, technical or legal obstacles to reducing burden will occur if this collection is not conducted or is conducted less frequently?

If TTB F 5100.18 did not exist, TTB would not be able to determine if the applicant qualified for an amended basic permit. In addition, it would be a violation of 27 U.S.C. 204 to issue a basic permit without first obtaining an application. Respondents complete this information only as often as necessary for TTB to determine if the new circumstances warrant any change in the granting of the basic permit.

7. Are there any special circumstances associated with this information collection?

There are no special circumstances associated with this information collection.

8. What effort was made to notify the general public about this collection of information?

A 60-day Federal Register notice was published for this information collection on Friday, April 25, 2008, 73 FR 22462. The notice solicited comments from the general public. TTB received no comments.

9. What decision was made to provide any payment or gift to respondents, other than reenumeration of contractors or grantees?

No payment or gift is associated with this collection.

10. What assurance of confidentiality was provided to respondents and what was the basis for the assurance in statute, regulations, or agency policy?

No specific assurance of confidentiality is provided for this information collection requirement. The confidentiality of information appearing on this form relating to trade secrets, and to commercial or financial information is protected by 5 U.S.C. 552.

Title 27 CFR 1.59 requires that the appropriate TTB officer provide opportunity for public inspection of certain information appearing on TTB F 5100.18 for a period of one year following final action on the application.

Information open to public inspection includes: name and trade names (if any) of applicant; address of applicant; kind of permit and location of business; whether applicant is an individual, partnership, or corporation; if a partnership, name and address of each partner; if a corporation, name and address of each of the principal officers and of each stockholder owning more than 10 percent of the corporate stock.

11. What justification is there for questions of a sensitive nature?

No questions of a sensitive nature are asked.

12. What is the estimated hour burden of this collection of information?

There are 1,200 respondents that complete this form once. It takes each respondent 30 minutes to complete this form. As a result, the estimated burden hours are 600.

13. What is the estimated total annual cost burden to respondents or recordkeepers resulting from this collection of information?

There is no cost associated with this collection.

14. What is the annualized cost to the Federal Government?

Estimates of annual cost to the Federal Government are as follows:

Printing	280
Distribution	230
Clerical Costs	2,240
Other Salary (review, <u>supervisory, etc.)</u>	<u>5,680</u>
TOTAL	\$ 8,430

15. What is the reason for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I?

There are no program changes or adjustments associated with this collection.

16. Outline plans for tabulation and publication for collections of information whose results will be published.

The results of this collection will not be published.

17. If seeking approval to not display the expiration date for OMB approval of this information collection, what are the reasons that the display would be inappropriate?

We will display the expiration date of OMB approval for this collection.

18. What are the exceptions to the certification statement?

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods.

This collection does not employ statistical methods.