

DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

Supporting Statement - Information Collection Request

OMB Control Number 1513-0042

TTB F 5110.30 Drawback on Distilled Spirits Exported

A. JUSTIFICATION

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

TTB F 5110.30 is used by proprietors who export distilled spirits, to verify that they have already paid taxes in the U.S. and are therefore entitled to a drawback of those taxes paid. Title 26 U.S.C. 5062 specifies that on the exportation of distilled spirits or wines manufactured, produced, bottled, or packaged in casks or other bulk containers in the U.S. on which an internal revenue tax has been paid or determined, and which are contained in any cask or other bulk container, there shall be allowed, under regulations prescribed by the Secretary of Treasury, a drawback equal in amount to the tax found to have been paid or determined on such distilled spirits or wines.

The regulations that prescribe the collection of this information to verify that taxes have indeed been paid are found in:

27 CFR 28.190	27 CFR 28.195b	27 CFR 28.198
27 CFR 28.192	27 CFR 28.197	27 CFR 28.199.

The regulations also prescribe that a claim that includes spirits returned without being exported must be reduced by the amount of tax on the returned spirits (27 CFR 19.687).

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

The information collected on TTB F 5110.30 provides a uniform format for determining that taxes have already been paid. The form details specific operations and accounts for taxable commodities. Tax liability is established to prevent jeopardy to the revenue derived from distilled spirits. TTB examines and verifies entries so as to identify unusual activities, errors, or omissions.

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?

This form is prescribed pursuant to a statutory requirement and collects information that has specific usage. The information provided is always unique to the respondent. TTB will consider on a case-by-case basis the use of improved 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?

TTB F 5110.30 collects information that is pertinent to each respondent and applicable to his/her specific claim. 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 and by regulations to complete this Form in order to protect the revenue. This information collection 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 were not able to collect this information, fraudulent claims could be made which would jeopardize tax revenue collection. Respondents complete this information only as often as necessary to claim drawback.

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 Thursday, September 4, 2008, 70 FR 51699. 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 on this form. 26 U.S.C. 6103 protects the confidentiality of the information collected.

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

We ask no questions of a sensitive nature.

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

The number of respondents (100) and the number of forms filed annually (50) by each are based on historical data provided by field office personnel who process this form. It takes each respondent 2 hours to complete this form. The total burden is 10,000 hours.

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	\$ 480.00
Distribution	180.00
Clerical Cost	408.00
Other salary (review supervisory, etc.)	<u>805.00</u>
TOTAL	\$1,873.00

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

There isn't actually a change in the burden hours, responses, or respondents; we just created 2 ICs because this ICR is both mandatory and required to obtain or retain a benefit. When we separated them the 1st one showed a decrease and when we added the 2nd one it increased the number to the amount that was reported previously.

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

We will not publish the results of this collection.

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.