

DEPARTMENT OF THE TREASURY

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU (TTB)

Supporting Statement – Information Collection Request

OMB Control Number – To Be Assigned

TTB F 5100.4 - CERTIFICATE OF TAXPAID ALCOHOL

A. JUSTIFICATION

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

Under 27 CFR 17.181, medicinal preparations and flavoring extracts, approved for drawback under the provisions of part 17, may be exported subject to 19 U.S.C. 1313(d), which authorizes export drawback equal to the entire amount of internal revenue tax found to have been paid on the domestic alcohol used in the manufacture of such products. (Note: Export drawback is not allowed for imported alcohol under this provision of the U.S. Customs and Border Protection (Customs) law.) Claims for such export drawback must be filed in accordance with the applicable regulations of Customs. Such claims may cover either the full rate of tax which has been paid on the alcohol, if no nonbeverage drawback has been claimed thereon, or else the remainder of the tax if nonbeverage drawback under 26 U.S.C. 5134 has been or will be claimed.

In this information collection, the remainder of the tax claimed for nonbeverage drawback is what is submitted on TTB F 5100.4. The industry member pays taxes of \$13.50 for each proof gallon of alcohol used in the manufacture of nonbeverage products. The industry member submits claims to TTB to receive back \$12.50 for each proof gallon of alcohol used in manufacture of nonbeverage products on TTB F 5630.8 (1513-0030). If the nonbeverage product is exported the industry member submits TTB F 5100.4 to TTB with supporting documents. TTB certifies that the taxes have been paid and not refunded. The certified form and supporting documents are sent to the Director of Customs to be processed and for the refund of the remaining \$1.00 paid in excise taxes.

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

The information collected on TTB F 5100.4 is passed on to the Director of Customs and used to process claims. TTB keeps a copy of the form on file to compare with future submission, to prevent duplication.

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 consider the use of improved technology on a case-by-case basis.

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

Similar information is not available elsewhere for this information collection requirement. Each shipment of exported products is unique and needs to be processed separately. We are not aware of any duplication.

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

All applicants, regardless of size, are required by Customs to submit this form. The minimal information mandated by the form cannot be waived or reduced 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 this collection was not conducted it would mean that claimants would not receive back the \$1.00 paid in taxes.

7. Are there any special circumstances associated with the 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, or than re-enumeration 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; however, the confidentiality of the information collected on this form is protected by 26 U.S.C. 6103.

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

No questions of a sensitive nature are asked.

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

It is estimated that 10 respondents will file 100 TTB F 5100.4 annually. This form is submitted by industry members that export nonbeverage products and wish to receive back \$1.00 for each proof gallon exported. The average time to prepare the form and make any corrections is 1 hour per form. That would be a total of 1,000 responses and 1,000 annual burden hours.

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

No cost is 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	\$ 20.00
Distribution	25.00
Clerical Cost	30.00
Other Salary (review, supervisory, etc)	<u>1,500.00</u>
	\$1,575.00

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

There is a program change of 1,000 burden hours associated with this information collection because this is a collection that has never had OMB approval.

16. Outline plans for tabulation and publication for collection 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.