

DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

Supporting Statement - Information Collection Request

OMB Control Number 1513-0083

TTB F 5000.24 Excise Tax Return

A. JUSTIFICATION

1. What are the circumstances that make this collection of information necessary and what legal or administrative requirements necessitate the collection? Also include the following: Align the information collection to Treasury's Strategic Goals, Line of Business/Sub-function, and IT Investment, if one is used.

TTB is responsible for the collection of the excise taxes on distilled spirits, wine, beer, tobacco products, and cigarette papers and tubes imposed by 26 U.S.C., Chapters 51 and 52. TTB is required to collect these taxes on the basis of a return under 26 U.S.C. 5061(a) and 26 U.S.C. 5703(b). TTB uses TTB F 5000.24, Excise Tax Return, to collect the taxes.

The following sections of 27 CFR prescribe the use of TTB F 5000.24, Excise Tax Return:

19.230, 19.233, 19.234, 19.236 through 19.240, 19.242, 19.436, 19.465, 24.271, 24.273, 24.275, 24.277, 24.278, 24.279, 25.160, 25.163, 25.164, 25.175, 25.224, 25.284, 40.162, 40.165, 40.165a, 40.167, 40.355, 40.357, 44.67, and 45.36.

TTB F 5000.24 is used to document the collection of taxes. Each excise taxpayer must complete the form for each tax return period and submit it with their payment. Or in the case of electronic funds transfer, they must transfer their payment and complete the form and submit it separately to TTB.

This supporting statement reflects a change to section numbers as recodified in the final rule for the revision of part 19 of the TTB regulations. (See TTB Notice No. 83 and T.D. TTB-92)

This information collection is aligned with:

Treasury Strategic Goal: Effectively Manage U.S. Government Finances.

Line of Business/Sub-function: General Government/Taxation Management.

IT Investment: Tax Major Application Systems.

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

The information requested on the return is necessary to establish the taxpayer's identity, the amount and type of taxes due, and the amount of payments made. TTB has used and will continue to use this information to determine whether the taxpayer has paid the correct amount of tax and to take additional action, such as collection or refund, where the amount paid does not equal the amount that should be or is shown on the return. TTB examines each return at least once. Additional examination is often performed by TTB during on-site examinations of the taxpayer.

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 F 5000.24 is available on the TTB website at www.ttb.gov and may be filled out online and sent into TTB. Also, this form may be filled out and submitted electronically using Pay.gov.

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 required on TTB F 5000.24 is minimal and is unique to a particular period of time for each taxpayer. The Federal excise tax on alcohol and tobacco is collected only by TTB, and this information is not available from other sources.

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

This information collection does not have a significant impact on a substantial number of small businesses or other small entities. However, TTB allows small wineries with tax payments of less than \$1,000 annually to file one return each year, instead of semimonthly returns.

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?

The return is essential to TTB's collection responsibilities. The absence of this information would seriously jeopardize TTB's excise tax collection on alcohol and tobacco which amount to over \$13 billion each year. Furthermore, if this form were not used or used less frequent, TTB would not have the ability to identify tax payments or TTB would identify them too late which would result in an increase in cost for both the taxpayer and TTB to resolve discrepancies. This form eliminates the substantial costs which would be incurred by both the taxpayer and TTB to resolve unidentified payments of tax.

7. Are there any special circumstances associated with this information collection that would require it to be conducted in a manner inconsistent with OMB guidelines?

There are no special circumstances associated with this collection.

8. What effort was made to notify the general public about this collection of information? Summarize the public comments that were received and describe the action taken by the agency in response to those comments.

A NPRM for the revision to part 19 was published on May 8, 2008 (73 FR 26200). In response to Notice No. 83, TTB received 7 comments. No comments were opposed to changes that are affected by this information collection. A final rule (T.D. TTB-92, 76 FR 9080) was published to reflect the changes that were proposed in Notice No. 83, including changes to section numbers relevant to this collection.

A 60-day notice was published in the Federal Register (77 FR 10805) on Thursday, February 23, 2012. The notice solicited comments from the general public. TTB received no comments in response to this notice.

9. What decision was made to provide any payment or gift to respondents, other than remuneration 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 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?

There are 12,544 respondents and 177,937 responses (4,751 file annually, 17 file monthly, 263 file occasionally, 24 file by pre-payment, 1,983 file quarterly, and 5,506 file semi-monthly):

# Respondents	# Responses Per Respondent	Annual Responses	Hours Per Response	Total Burden
4,751	1	4,751	0.75	3,563.25
17	12	204	0.75	153.00
263	104	27,352	0.75	20,514.00
24	2	48	0.75	36.00
1,983	4	7,932	0.75	5,949.00
5,506	25	137,650	0.75	103,237.50
12,544	14.185	177,937	0.75	133,452.75

13. What is the estimated total annual cost burden to respondents or recordkeepers resulting from this collection of information (excluding the value of the burden hours in Question 12 above?)

Clerical costs (filing, mailing, etc.)	\$ 107,599
Other Salary (assembling and gathering Information and completing the form)	1,929,072
Overhead	<u>192,907</u>
Total	\$2,229,578

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

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

Printing	\$	1,000
Distribution		1,000
Clerical Cost (filing)		7,001
Other Salary (examination, Supervisory, etc.)		1,381,312
Overhead		<u>125,500</u>
Total		\$1,515,813

15. What is the reason for any program changes or adjustments?

The frequency of reporting was previously contained in separate ICs. This has now been corrected and the multiple frequencies required of this form have been aggregated into one IC. A breakdown is shown under Question 12. Due to constrains in ROCIS, this adjustment, a decrease of 45,044 hours, is shown as a program change due to agency discretion.

An updated account of the number of respondents has increased the number of responses by 113,717; for an additional 85,287 burden hours.

This submission incorporates final rule 27 CFR Parts 1, 17, 19, et al., *Revision of Distilled Spirits Plant Regulations* (February 16, 2011, at 75 FR 9080) with this information collection. The rule modernized requirement for operating distilled spirits plants and included a number of operational changes (renumbering) to improve the layout of the regulatory text.

The total burden requested this submission is 133,453 hours.

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?

- (f) This is not a recordkeeping requirement
- (i) No statistics are involved

B. Collections of Information Employing Statistical Methods.

This collection does not employ statistical methods.