

DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU
Supporting Statement -- Information Collection Request
OMB Control Number 1513-0111

Information Collection: COLAs Online Access Request (TTB F 5013.2)

A. Justification

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

The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers the Federal Alcohol Administration Act (FAA Act, 26 U.S.C. 201 *et seq.*) and its related regulations pursuant to section 1111(d) of the Homeland Security Act of 2002, codified at 6 U.S.C. 531(d). The Secretary also has delegated various authorities through Treasury Department Order 120-01 to the TTB Administrator to administer and enforce the FAA Act.

In order to provide consumers with adequate information as to the identity and quality of alcohol beverage products and prohibit consumer deception, the FAA Act at 27 U.S.C. 205(e) and TTB's implementing regulations in 27 CFR parts 4, 5, and 7 provide that no wine, distilled spirits, or malt beverage product, or a distinctive liquor bottle, shall be introduced into interstate commerce or released from customs custody unless the bottler or importer first obtains a Certificate of Label Approval (COLA) from TTB. The TTB regulations also require domestic bottlers to apply for COLA exemptions for certain products that will not be introduced into interstate or foreign commerce. The regulations requiring bottlers and importers to obtain a COLA or COLA exemption are found at 27 CFR 4.40(a), 4.50(a) and (b), 5.46(d), 5.51(a), 5.55(a) and (b), 7.31(a), and 7.41.

Bottlers and importers use TTB Form 5100.31 or the COLAs Online system on TTB's website to apply for COLAs, approval of distinctive liquor bottles, and COLA exemptions for products that will not be introduced into interstate or foreign commerce. TTB F 5100.31 and COLAs Online are approved under OMB control number 1513-0020.

To meet Treasury Department and TTB computer security requirements, a person desiring to use the COLAs Online system must first apply for and receive TTB approval to use the system. Such persons obtain this approval by submitting a COLAs Online Access Request to TTB on paper form TTB F 5013.2 or via the COLAs online registration application found on the TTB website. The information submitted by the applicants is used by TTB to associate them with a particular TTB-issued permit and to verify their identity prior to the issuance of a COLAs Online password. TTB F 5013.2 and the electronic COLAs Online Access Request are approved under this OMB control number, 1513-0111.

This information collection is aligned with —

- Line of Business/Sub-function: Law Enforcement/Substance Control.
- IT Investment: Certificate of Label Approval Online (COLAs Online) system.

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

TTB uses the information collected on the paper or electronic versions of the COLAs Online Access Request to authenticate the identity of persons who desire to use the agency's web-based COLAs Online system. TTB verifies the identity of such persons by comparing the information submitted via the COLAs Online Access Request form to records held in multiple, independent databases, such as consumer credit, postal address, and credit card databases. TTB also uses the collected information submitted by applicants to associate them with particular TTB-issued permits.

After verifying an applicant's identity, TTB issues a password to the user to allow the user to access the COLAs Online system. Verification of the identity of COLAs Online users is necessary to meet Treasury Department and TTB computer security requirements, which are intended to protect government computer systems from cyber-threats and mis-use.

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?

Respondents may electronically complete and submit COLAs Online Access Requests using the fillable form posted on TTB's COLAs Online website page at <https://www.ttb.gov/labeling/colas.shtml>. Respondents also may use the fillable-printable paper COLAs Online Access form, TTB F 5013.2, which is posted on the TTB website's forms page at <https://www.ttb.gov/forms/5000.shtml>.

4. What efforts are used to identify duplication? Can similar information already available be used or modified for use for the purposes described in Item 2 above?

The paper or online versions of the COLAs Online Access Request collects information that is pertinent to each user and applicable to their specific request for access to the COLAs Online system. As far as TTB can determine, similar information is not available elsewhere.

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

For reasons of computer security, users associated with any entity, regardless of size, are required to complete the COLAs Online Access Request in order to obtain access to TTB's COLAs Online system. However, TTB has minimized the burden associated with this collection on small businesses by collecting only the information required to verify the identity of the person requesting access to the COLAs Online system. In addition, the use of the COLAs Online system is voluntary.

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 the information collected by the COLAs Online Access Request was not provided to TTB, the agency could not verify the identity of applicants seeking access to the COLAs Online system. As such, TTB could not grant applicants access to that system and applicants would not be able to electronically file COLA applications.

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 information 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.*

To solicit comments from the general public, TTB published a "60-day" comment request notice for this information collection in the Federal Register on May 13, 2016, at 81 FR 29950. TTB received no comments on this information collection in response.

9. *Was any payment or gift given to respondents, other than remuneration of contractors or grantees? If so, why?*

No payment or gift is associated with this information 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. However, Federal law at 5 U.S.C. 552 protects the confidentiality of proprietary information obtained by the Government from regulated businesses and individuals, and 26 U.S.C. 6103 prohibits disclosure of tax returns and related information unless disclosure is specifically authorized by that section. TTB maintains these applications in password-protected computer systems or in secure file rooms with controlled access.

11. *What is the justification for questions of a sensitive nature? If personally identifiable information (PII) is being collected in an electronic system, identify the Privacy Impact Assessment (PIA) that has been conducted for the information collected under this request and/or the Privacy Act System of Records notice (SORN) issued for the electronic system in which the PII is being stored.*

This information collection contains no questions of a sensitive nature.

A Privacy Impact Assessment (PIA) has been conducted for information collected under this request as part of the Certificate of Label Approval Online system. TTB's PIAs are available on the TTB website at <http://www.ttb.gov/foia/pia.shtml>. A Privacy Act System of Records

notice (SORN) has been issued for this system under TTB .001–Regulatory Enforcement Records System and published in the Federal Register on January 28, 2015, at 80 FR 4637.

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

Respondent will only need to complete the COLA Online Access Request information collection once to receive a password to access the COLAs Online system. Based on recent experience, TTB estimates that 3,000 respondents will apply for access to the COLAs Online system each year, and that each application will take an average of 18 minutes to complete. Therefore, TTB estimates the total annual burden hours associated with this information collection is 900 hours.

(3,000 annual respondents X 1 response = 3,000 responses X 18 minutes per response = 54,000 minutes/60 minutes per hour = 900 hours.)

13. *What is the estimated annual cost burden to respondents or record keepers resulting from this information collection request (excluding the value of the hour burden in Question 12 above)?*

Respondents do not bear any capital or start-up costs or any increased operation or maintenance costs as a result of this information collection requirement.

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

Estimates of annual cost to the Federal Government are:

Data entry and processing costs	\$ 115,500
Clerical costs	\$ 13,000

Total Cost: \$ 128,500

Printing and distribution costs to the Federal government have decreased to \$0.00 in TTB's cost estimate due to the availability of TTB forms to the public on the TTB Web site at <http://www.ttb.gov/forms/index.shtml>.

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

There are no program changes associated with this information collection.

As for adjustments, based on recent experience, TTB is increasing the number of annual respondents who submit COLAs Online Access Requests to 3,000, up from the 1,366 previously reported. This increase results in an increase of the estimated total annual burden hours for this collection, from 410 hours to 900 hours.

On the TTB F 5013.2 form, in the Privacy Act Information statement, TTB is updating the reference to "ATF's Regulatory Enforcement Records System (Treasury/ATF .008)" to "the TTB Regulatory Enforcement Records System (Treasury/TTB .001)." In the form's

Paperwork Reduction Act notice, TTB is correcting the estimated completion time for the form to read 18 minutes, and is correcting the mailing address of TTB headquarters.

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

TTB will not publish the results of this information 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?

As a cost saving measure for both TTB and the general public, TTB is seeking approval not to display the expiration date for OMB approval of this information collection on form TTB F 5013.2 or the online COLAs Online Access Request. By not displaying the expiration date of this collection on the related form, TTB will not have to update these expiration dates in its electronic systems and website pages or on the form's paper version each time the information collection is approved. More importantly, this avoids confusion among users of the form when the OMB approval date may have passed but the form is approved under interim short-term approvals while the form is under OMB review but before OMB has taken action. In addition, TTB-regulated businesses will not have to update their stocks of paper forms or alter electronic copies of the form, including any versions of the form produced by some businesses, at their own expense, for use with their electronic systems or for sale.

18. *What are the exceptions to the certification statement?*

- (c) See item 5 above.
- (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.