

DEPARTMENT OF THE TREASURY

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

Supporting Statement -- Information Collection Request

Voluntary Chemist Certification Program Applications, Notices, and Records

OMB Control Number 1513-NEW

Information Collections Issued under this Request Title:

- Applications, Notices, and Records Related to the Voluntary Chemist Certification Program for the Analysis of Wine, Distilled Spirits, and Beer for Export.

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, 27 U.S.C. chapter 8), pursuant to section 1111(d) of the Homeland Security Act of 2002, as codified at 6 U.S.C. 531(d). In addition, the Secretary of the Treasury has delegated certain FAA Act administrative and enforcement authorities to TTB through Treasury Department Order 120-01.

As explained in TTB's procedure and administration regulations at 27 CFR 70.701(d)(2), the Bureau may issue a "TTB Procedure" to establish a method "for performing operations in compliance with the requirements of law and regulations."

For alcohol beverages, as a condition of importation, some countries require that their own government laboratories, or laboratories certified by their government, perform certain chemical analyses on such beverages, while other countries allow a person certified by the government of the exporting country to perform the required analyses.

Established under the authority of the FAA Act at 27 U.S.C. 205(e) and explained in TTB Procedure 2018-2, the Bureau's Voluntary Chemist Certification Program for the Analysis of Wine, Distilled Spirits, and Beer for Export ("chemist certification program"), provides a method by which private industry chemists may obtain TTB certification in the analysis of alcohol beverages. This certification allows TTB-certified chemists to analyze alcohol beverages and report the results of specific chemical analyses to the governments of importing countries. TTB conducts its chemist certification program as a service to the alcohol beverage industry to facilitate the export of domestic alcohol beverage products. This certification program helps ensure that chemists, enologists, brewers, and technicians (referred to in this document collectively as "chemists") generate quality data and have the required proficiencies to conduct chemical analyses associated with exportation of alcohol beverages from the United States.

The information collected under TTB's chemist certification program includes: Letterhead applications for chemist certification and supporting documentation such as copies of diplomas, transcripts, accreditation certificates, and laboratory verification statements; results of qualifying analyses of TTB-supplied alcohol beverage samples made by applicants; and miscellaneous letterhead applications and notices to TTB such as applications and supporting documents related to requests for certification in additional types of analysis, requests for TTB-affirmed reports of analysis, and notices of changes in employment place or status. Certified chemists also must retain for a period of up to two years, and allow TTB inspection of, records of all analysis results conducted under the authority of a TTB certificate. In addition, the laboratories of certified chemists must retain for a similar period, and allow TTB inspection of, records related to laboratory equipment, laboratory quality control policies, procedures and systems, analyst training and competence, and analysis records pertaining to certified tests.

TTB believes the burden associated with the application and notice portion of this information collection is minimal and is the minimum necessary to ensure that certified chemists are professionally qualified to conduct analyses of alcohol beverages for export purposes. With regard to the records portion of this information collection, TTB also believes that the required records are usual and customary records that chemists and laboratories keep during the normal course of business, regardless of any TTB requirement to do so, and, as such, the keeping of such records imposes no additional burden on respondents.

This information collection is aligned with —

- Line of Business/Sub-function: International Affairs and Commerce / Global Trade.
- IT Investment: Laboratory Information Management System (LIMS).

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

TTB conducts its chemist certification program as a service to the alcohol beverage industry to facilitate the export of domestic alcohol beverage products. TTB's Scientific Services Division uses the collected information to determine if applicants and their employing laboratories meet the qualifications of the chemist certification program and to update contact information for certified chemists. This information collection helps TTB ensure that certified chemists generate quality data and have the required proficiencies to conduct chemical analyses associated with exportation of alcohol beverages from the United States.

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 has approved and will continue to approve, on a case by case basis, the use of improved information technology for the collection and maintenance of required information.

Currently, there are no TTB forms associated with TTB's chemist certification program. Respondents may electronically send the letterhead applications and notices related to this program to TTB as attachments to an email addressed to the Director, TTB Scientific Services Division (SSD), at ChemistCertification@ttb.gov. Paper letterhead applications

and notices may also be sent to SSD via postal mail or a delivery service. Laboratories may keep the required records in electronic or paper formats at their discretion.

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 information collected under TTB's chemist certification program is pertinent and unique to each applicant and program participant. As far as TTB is able to determine, similar information regarding the qualifications of applicants to participate in TTB's chemist certification program is not available to the Bureau elsewhere.

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

TTB believes the burden associated with the application and notice portion of this information collection is minimal and is the minimum necessary to ensure that certified chemists are professionally qualified to conduct analyses of alcohol beverages for export purposes. TTB also believes that the required records are usual and customary records that chemists and laboratories keep during the normal course of business, regardless of any TTB requirement to do so, and, as such, the keeping of such records imposes no additional burden on respondents.

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?

TTB solicits participation in its Chemist Certification Program twice per year. Participation in the program is voluntary on the part of chemists and their employing laboratories. Once certified, TTB requires chemists to reapply for certification every two years. If TTB did not collect the required information, or collected it less frequently, TTB would not be able to ensure that chemists and their laboratories are professionally qualified to conduct analyses of alcohol beverages for export purposes.

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? (See 5 CFR 1320.5(d)(2).)

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 July 18, 2018, at 83 FR 33975. 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 request.

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

This information collection contains no specific assurance of confidentiality. However, Federal law at 5 U.S.C. 552 protects the confidentiality of personal and proprietary information obtained by the Government from individuals and businesses unless disclosure is specifically authorized by that section. TTB maintains the collected information in secure file rooms and computer systems 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 Laboratory Information Management System (LIMS). A Privacy Act System of Records notice (SORN) has been issued for that system under TTB .001–Regulatory Enforcement Record System, which was published in the Federal Register on January 28, 2015, at 80 FR 4637. TTB's PIAs are available on the TTB website at <http://www.ttb.gov/foia/pia.shtml>.

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

Based on data from TTB's Scientific Services Division, which administers the chemist certification program, for the reporting portion of this information collection, the Bureau estimates that there will be 310 annual respondents, each making an average of one response per year, for a total of 310 annual responses. TTB estimates that each response will take an average of 1 hour and 20 minutes (1.33) hours to complete, for a total estimated annual burden 412 hours of reporting. As for the recordkeeping portion of this information collection, TTB believes that the required records are usual and customary records that chemists and laboratories will keep during the normal course of business, regardless of any TTB requirement to do so, and, as such, the keeping of such records imposes no additional burden on respondents.

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)?*

TTB estimates the annual cost burden to participating chemist and their laboratories for the application and notice portions of this information collection as \$2,100.00 for laboratory

supplies and \$110.00 for salaries. There is no cost to respondents for the recordkeeping portion of this information collection, which consists of usual and customary records kept by chemists and laboratories during the normal course of business.

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

Estimates of annual cost to the Federal Government for this information collection are:

Overhead (supplies, materials, etc.)	\$5,390.00
Salary costs (review, supervisory, etc.)	\$13,500.00
TOTAL COSTS	\$18,890.00

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

This is a new information collection approval request for the reporting and recordkeeping requirements associated with TTB's Voluntary Chemist Certification Program for the Analysis of Wine, Distilled Spirits, and Beer for Export. To assist United States alcohol beverage exporters, TTB is establishing this program as a matter of agency discretion under its FAA Act authority at 27 U.S.C. 205(e). Under this voluntary program, TTB certifies private industry chemists in the analysis of alcohol beverages and the reporting of their chemical analyses to the governments of importing countries that require such information for imported alcohol beverages.

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?*

There are no prescribed TTB forms associated with this information collection, which consists of letterhead applications and notices and records kept by respondents at their premises. As such, there is no medium for TTB to display the relevant OMB approval expiration date for this information collection.

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

- (c) See item 5 above.
- (i) No statistics are involved.
- (j) See item 3 above.

B. Collections of Information Employing Statistical Methods.

This collection does not employ statistical methods.