

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 1513-0140

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.*

For alcohol beverages, as a condition of importation, some foreign countries require that their own government laboratories, or laboratories certified by their government, perform certain chemical analyses on such products, while other countries allow a person certified by the government of the exporting country to perform the required analyses. Under the authority of the Federal Alcohol Administration Act at 27 U.S.C. 205(e), and as described in TTB Procedure 2018-2 (issued under the authority of the TTB regulations at 27 CFR 70.701(d)(2)), TTB has established a Voluntary Chemist Certification Program for the Analysis of Wine, Distilled Spirits, and Beer for Export (hereafter the "chemist certification program"). TTB offers this program as a service to the domestic alcohol beverage industry to facilitate export of alcohol beverages to countries that accept chemical analyses of such products from a United States government certified chemist.

TTB's chemist certification program ensures that chemists, enologists, brewers, and technicians (hereafter collectively referred to as "chemists") have the proficiency to conduct the required chemical analyses and generate quality data. Under the information collection associated with this program, chemists submit letterhead applications for certification, the results of test on TTB-supplied samples, requests for TTB-affirmed reports of analysis, and letterhead notices of changes in employment place or status. This information collection also requires TTB-certified chemists and their laboratories to keep usual and customary records regarding the analytical results conducted under TTB certifications, as well as those related to laboratory equipment, quality control policies, procedures and systems, and analyst training and competence.

TTB chemist certifications issued under this program are valid for 2 years, and TTB may conduct on-site inspections of the certified chemists, their laboratories and equipment, and the required records at any time during that period.

This information collection is aligned with —

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

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 beverages to countries that require certain chemical analysis of such products as a condition of importation. 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. The information required under this collection requirement helps TTB ensure that certified chemists have the required proficiency to conduct chemical analyses of alcohol beverages and generate quality data.

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 send the letterhead applications and notices required under the chemist certification program to TTB as attachments to an email addressed to the Director, TTB Scientific Services Division (SSD), at ChemistCertification@ttb.gov. In addition, chemists may send paper letterhead applications and notices to SSD via postal mail or a delivery service. Certified chemists and laboratories may keep the usual and customary analysis and laboratory records required under this collection in electronic or paper formats at their discretion.

Information regarding TTB's chemist certification program, including links to TTB Procedure 2018–2 and the related SSD email submission address, is available on the TTB website at <https://www.ttb.gov/scientific-services-division/chemist-certification-program>.

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 the 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 elements 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 records required under this information collection are usual and customary records that chemists and laboratories keep during the normal course of business, regardless of any regulatory requirement to do so. As such, TTB believes that keeping the required 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 that would require it to be inconsistent with OMB guidelines.

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 public, TTB published a “60-day” comment request notice for this information collection in the Federal Register on November 16, 2021, at 86 FR 63448. 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 proprietary information obtained by the Government from individuals and businesses unless disclosure is specifically authorized by that section. TTB maintains the information collected under the reporting elements of this collection in secure file rooms and computer systems with controlled access. Chemists and laboratories keep the usual and customary records required under this collection at their business premises.

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. However, this information collection does collect personally identifiable information (PII) in an electronic system—the Laboratory Information Management System (LIMS)/Electronic Information Management System—and TTB has conducted a Privacy Impact Assessment (PIA) for that system. In addition, TTB has issued a Privacy Act System of Records notice (SORN) for

that system under “Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau (TTB) .001–Regulatory Enforcement System of Records,” published in the Federal Register on February 10, 2021, at 86 FR 8988. TTB’s PIAs and the SORN are available on the TTB website at <https://www.ttb.gov/foia/privacy-impact-assessments>.

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

Estimated Respondent Burden: Based on recent data, TTB estimates that there are 310 annual respondents to this information collection, each making one response, resulting in 310 total annual responses. TTB also estimates that each response will take an average of 1 hour and 20 minutes (1.33 hours) to complete, resulting in an estimated total annual burden of 412 hours. TTB notes that this burden is associated entirely with the reporting requirements of this information collection as the recordkeeping elements of this collection consists of usual and customary records that chemists and laboratories keep during the normal course of business, regardless of any regulatory requirement to do so. Per the OMB regulations at 5 CFR 1320.3(b)(2), the keeping of usual and customary records imposes no additional burden on respondents.

Estimated Respondent Labor Costs: TTB estimates the respondent labor costs for this information collection as follows:

NAICS 312100 - Beverage Manufacturing – Food Scientists and Technologists, Fully-loaded Labor Rate/Hour¹ = \$50.13*					
Avg. Time / Response	Labor Cost / Response	Responses / Respondent	Labor Costs / Respondent	Total Responses	Total Labor Costs
1.33 hours	\$66.67	1	\$66.67	310	\$20,667.70

* Fully-loaded labor costs rounded to the nearest whole cent.

Recordkeeping Burden: Certified chemists and their laboratories must maintain the records required under this information collection during the 2-year period that a certificate is effective. If TTB has certified a chemist for two or more consecutive periods, the chemist and their laboratory must maintain at least 2 years’ worth of records. The retained records are subject to on-site TTB inspection.

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 chemists and their laboratories for the reporting elements of this information collection as follows: (1) \$10.00 in laboratory supplies per respondent (for testing TTB-supplied samples of alcohol beverages), which totals

¹ Private Sector Fully-loaded Labor Rate = Hourly wage rate x a factor of 1.44 to account for benefit costs. Based on the most recent U.S. Department of Labor, Bureau of Labor Statistics (BLS), hourly wage data for National Industry-Specific Occupational Employment and Wage Estimates for NAICS 312100—Beverage Manufacturing, the average fully-loaded labor rate per hour for Food Scientists and Technologists (19–1012) is \$50.13 (\$34.81 mean hourly wage plus \$15.32 in benefit costs). See the BLS website at https://www.bls.gov/oes/current/naics4_312100.htm.

\$3,100.00 for the 310 annual respondents, and (2) \$2.00 in mailing costs for each of the 31 respondents who respond by postal mail (rather than electronically via email), which totals \$62.00. Therefore, in total, TTB estimates the annual cost burden to respondents for this information collection is \$3,162.00, or an average of \$10.20 per respondent. There is no cost to respondents for the recordkeeping elements 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?*

Labor Costs: TTB estimates labor costs to the Federal government for this information collection as follows:

Labor Costs for TTB Personnel for OMB No. 1513-0140 (Washington, DC)*			
Position	Fully-loaded Labor Rate/Hour ²	Total Chemist Certification Program Processing Time	Total TTB Labor Costs
GS-7, Step 5, TTB Lab Assistant	\$44.83	8 hours	\$358.64
GS-12, Step 5, Chemist	\$79.51	15 hours	\$1,192.65
GS-13, Step 5, Chemist (Program Manager) p	\$94.56	160 hours	\$15,129.60
GS-14, Step 5 Chemist (Supervisor)	\$111.74	6 hours	\$670.44
Totals	(\$91.806)	189 hours	\$17,351.33

* Labor costs rounded to the nearest whole cent unless otherwise noted.

Other costs: TTB also estimates that it has \$3,360.00 in alcohol beverage sample costs, and \$3,740.00 in shipping costs for those samples, which are sent to certification applicants. These costs total \$7,100.

Total Costs: Given its labor and other costs, TTB estimates the total cost to the Federal government for this information collection to be \$24,451.33.

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

² Federal Government Fully-loaded Labor Rate = Hourly wage rate x 1.63 to account for benefit costs. Per the most recent Office of Personnel Management (OPM) hourly wage data, the fully-loaded labor rates for the Washington, DC wage area are: GS-7, step 5 = \$44.83; GS-12, step 5 = \$79.51; GS-13, step 5 = \$94.56; and GS-14, step 5 = \$111.74. See the OPM website at https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2022/DCB_h.pdf.

There are no program changes or adjustments associated with this information collection at this time.

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

While TTB does not publish the raw reporting or the recordkeeping elements of this information collection. However, as noted in TTB Procedure 2018–2, TTB does publish on its website lists of TTB-certified chemists by alcohol beverage type—wine, distilled spirits, and beer. Each list includes the name of the certified chemist, their employing laboratory, and the laboratory’s address and phone number. See <https://www.ttb.gov/scientific-services-division/chemist-certification-program>.

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 submitted to TTB by respondents, as well as records kept by respondents at their premises. As such, there is no medium for TTB to display the 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 information collection does not employ statistical methods.