

DEPARTMENT OF THE TREASURY

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

Supporting Statement -- Information Collection Request

OMB Control Number 1513-0078

Application for Permit to Manufacture or Import Tobacco Products or Processed Tobacco or to Operate an Export Warehouse, and Applications to Amend Such Permits

Changes Since Last Approval

Changes made to the Supporting Statement since this information collection's last approval:

- In Question 8, TTB is updating the 60-day notice publication information for this information collection requirement.
- In Question 11, TTB describes the sensitive information (criminal history) required under this collection requirement and the authority for its collection.
- In Question 12, TTB is updating the estimated annual respondent burden and labor costs associated with this information collection requirement.
- In Question 13, TTB is updating its estimate of non-labor costs to respondents for this information collection requirement.
- In Question 14, TTB is updating the labor and other costs to the Federal Government for this information collection requirement.

Information Collections and Instruments Issued under this Collection Request

(1) New Manufacturer of Tobacco Products or Processed Tobacco, or Export Warehouse Proprietor (Private Sector).

(2) New Manufacturer of Tobacco Products or Processed Tobacco, or Export Warehouse Proprietor (Public Sector).

- The collection instruments for (1) and (2): Permits Online (PONL), New Manufacturer of Processed Tobacco or Tobacco Products, or New Tobacco Export Warehouse, Permit Application; or paper form TTB F 5200.3, Application for Permit to Manufacture Tobacco Products or Processed Tobacco or to Operate an Export Warehouse.

(3) Amended Manufacturer of Tobacco Products or Processed Tobacco, or Export Warehouse Proprietor (Private Sector).

(4) Amended Manufacturer of Tobacco Products or Processed Tobacco, or Export Warehouse Proprietor (Public Sector).

- The collection instruments for (3) and (4): Permits Online (PONL), Amended Manufacturer of Processed Tobacco or Tobacco Products, or Amended New Tobacco Export Warehouse, Permit Application; or paper form TTB F 5200.16, Application for Amended Permit to Manufacture Tobacco Products or Processed Tobacco or to Operate an Export Warehouse.

(5) New Importer of Tobacco Products or Processed Tobacco (Private Sector).

(6) New Importer of Tobacco Products or Processed Tobacco (Public Sector).

- The collection instruments for (5) and (6): Permits Online (PONL), New Tobacco Importer Permit Application; or paper form TTB F 5230.4, Application for Permit to Import Tobacco Products or Processed Tobacco.

(7) Amended Importer of Tobacco Products or Processed Tobacco (Private Sector).

(8) Amended Importer of Tobacco Products or Processed Tobacco (Public Sector).

- The collection instruments for (7) and (8): Permits Online (PONL), Amended Tobacco Importer Application; or paper form TTB F 5230.5, Application for Amended Permit to Import Tobacco Products or Processed Tobacco.

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 chapter 51 (distilled spirits, wines, and beer), chapter 52 (tobacco products, processed tobacco, and cigarette papers and tubes), and sections 4181–4182 (firearms and ammunition excise taxes) of the Internal Revenue Code of 1986 (IRC, 26 U.S.C.). TTB administers these IRC provisions 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 (the Secretary) has delegated certain IRC administrative and enforcement authorities to TTB through Treasury Order 120–01.

The IRC at 26 U.S.C. 5712 requires every manufacturer or importer of tobacco products or processed tobacco, and every export warehouse proprietor, to obtain the permit provided for in 26 U.S.C. 5713 before commencing business and at such other times as the Secretary prescribes by regulation.¹ Section 5712 also provides that such permit applications must be made in the form the Secretary prescribes by regulation and contain the information called for on the application. In addition, section 5712 sets forth conditions and circumstances under which tobacco industry permit applications may be denied, including when the Secretary finds that: (1) The proposed business premises is not adequate to protect the revenue, (2) the proposed activity does not meet minimum capacity or activity requirements prescribed by the Secretary, or (3) the applicant, including any corporate officer, director, or principle stockholder, is not likely to lawfully operate because of business experience, financial standing, trade connections, certain legal proceedings or criminal convictions, or failure to disclose information or false statements made on an application.

Under its delegated IRC authorities, the TTB regulations require a person seeking a new permit to operate as a manufacturer of tobacco products or processed tobacco, or as an export warehouse proprietor, to complete and submit form TTB F 5200.3. In lieu of TTB F 5200.3, a person may electronically complete and submit the appropriate new permit

¹ Under chapter 52 of the IRC, "tobacco products" are defined as: Small and large cigars, small and large cigarettes, snuff, chewing tobacco, pipe tobacco, and roll-your-own tobacco, and each of these products are subject to Federal excise tax with certain exceptions. Also under that chapter, processed tobacco, which is used to manufacture tobacco products, is regulated but is not subject to Federal excise tax.

application using TTB's Permits Online (PONL) system. Similarly, a person seeking a new permit to operate as an importer of tobacco products or processed tobacco must complete and submit form TTB F 5230.4 or its PONL equivalent. (All tobacco-related manufacturer, importer, and export warehouse permits are hereafter collectively referred to as "tobacco industry permits.")

The TTB regulations also prescribe situations in which a person holding a tobacco industry permit must inform TTB of certain changes to their business or its control by obtaining an amended permit. A manufacturer of tobacco products or processed tobacco, or an export warehouse proprietor, must complete and submit form TTB F 5200.16 or its PONL equivalent to amend their existing permit. An importer of tobacco products or processed tobacco must complete and submit form TTB F 5230.5 or its PONL equivalent to amend their existing permit.

In addition, under the TTB regulations, an applicant for a new or amended tobacco industry permit may be required to submit additional supporting documentation with the appropriate permit application form. The additional documentation may consist of corporate documents, articles of partnership or association, a trade name certificate and/or a description and diagram of the applicant's premises. All such supporting documentation becomes a part of the application for the new or amended tobacco industry permit.

The collected information is necessary for TTB to determine if an applicant is eligible to hold a new or amended tobacco industry permit under the provisions of section 5712 of the IRC. Once a permit is issued or amended, the permit holder must retain copies of their permit application(s) and any supporting documents for as long as they continue in business, and these records must be made available to any appropriate TTB officer upon request.

The TTB regulations that implement this information collection are found in 27 CFR at:

40.62	40.63	40.64	40.65	40.69	40.73
40.76	40.91	40.92	40.93	40.101	40.102
40.103	40.104	40.111	40.112	40.114	40.492
40.494	40.495	40.496	40.497	40.501	40.502
40.511	40.512	40.513			
41.191	41.193	41.194	41.195	41.197	41.201
41.202	41.203	41.220	41.221	41.222	41.223
41.224	41.225*	41.226	41.227	41.228	41.232
41.233	41.234	41.235	41.236	41.237	41.241
41.242	41.243	41.251	41.252	41.253	
44.82	44.83	44.84	44.85	44.88	44.91
44.93	44.101	44.102	44.103	44.104	44.105
44.106	44.107	44.108	44.109	44.111	44.112.

This information collection is aligned with Line of Business/Sub-function: General Government / Taxation Management.

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

The information collected using new and amended tobacco industry permit applications identifies the applicants and provides information about their business, criminal history, and their partners or, for corporations, their officers, directors, or principal investors. TTB personnel use the collected information to determine if the applicant is qualified under section 5712 of the IRC to hold a tobacco industry permit. In addition, TTB personnel may examine a tobacco industry member's on-site permit file to ensure that their operations are being conducted in conformity with their permit. The information collected on tobacco industry permit applications, and the determinations made by TTB regarding an applicant's qualifications, is necessary to protect the revenue and ensure the lawful operation of tobacco industry members.

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?

Currently, respondents may electronically complete and submit all tobacco industry permit applications via TTB's internet based "Permits Online" (PONL) system and its "Tobacco Permits" application function. See <https://www.ttb.gov/online-services/ponl/customer-support>. Also, the tobacco industry permit application paper forms, TTB F 5200.3, TTB F 5200.16, TTB F 5230.4, and TTB F 5230.5, are available as "fillable-printable" forms on the TTB website at <https://www.ttb.gov/public-information/forms>.

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?

This collection provides TTB with information that is pertinent and unique to each applicant for an original or amended tobacco industry permit. As far as TTB can determine, similar information is not available to it elsewhere.

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

All entities, regardless of size, are required by the IRC at 26 U.S.C. 5712 to apply for and obtain a permit before engaging in business as a manufacturer or importer of tobacco products or processed tobacco, or as an export warehouse proprietor, and that statute sets specific disqualifications for such permits. The information requested by TTB in its tobacco industry permit applications is the minimum necessary to determine if a person is statutorily qualified for a new or amended permit. Waiver or reduction of the requirements of this information collection, simply because the respondent's business is small, could cause jeopardy to the revenue by harming TTB's ability to ensure that permits are only issued to entities who are lawfully qualified to hold such permits.

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 TTB did not collect the required information from tobacco industry permit applicants, it could not determine if those applicants are qualified under section 5712 of the IRC to hold the permit required under section 5713 of the IRC. The issuance of such permits to statutorily unqualified persons would jeopardize the revenue and could allow tobacco industry members to unlawfully operate. In addition, respondents submit new or amended tobacco industry permit applications only when commencing business or when certain changes occur to an existing business or its control. As such, this information collection cannot be conducted less frequently.

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).)*

Under the OMB regulations at 5 CFR 1320.5(d)(2)(iv), a requirement to retain records for more than three years is a special circumstance. Under the TTB regulations, tobacco industry permit holders are required to retain, at their place of business, an application file containing their permit(s), permit applications(s), and any related supporting documents for as long as the permitted business remains in operation. Retention of those records is necessary for TTB personnel to verify that tobacco industry permit holders are operating lawfully and in conformity with the conditions of their permits.

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 January 30, 2026, at 91 FR 4180. 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, each PONL application and paper TTB form issued under this information collection request contains a Privacy Act Information Notice explaining TTB’s authority to collect the required information, the purpose of the collection, how TTB routinely uses the information, and the effect if the applicant does not provide the requested information. In addition, Federal law at 5 U.S.C. 552 prohibits disclosure of proprietary business information, and 26 U.S.C. 6103 prohibits disclosure of taxpayer information, unless disclosure is specifically authorized by law. TTB maintains the collected information in secure office space with controlled access and in password-protected computer systems.

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.*

Sensitive Questions: The IRC, at 26 U.S.C. 5712, authorizes the Secretary to deny a tobacco industry permit to a person if they are currently involved in proceedings related to or have been convicted of felony violations of Federal or State tobacco industry-related criminal laws or if, due to certain factors, the Secretary finds that an applicant is not likely to lawfully operate. Under that IRC authority, TTB's tobacco industry permit applications require certain persons (owners, partners, and corporate directors, officers, and major stockholders) to disclose if they have been arrested, charged, or convicted of certain tobacco industry-related offences.

Privacy: TTB has conducted a Privacy and Civil Liberties Impact Assessment (PCLIA) for the information collected under this request as part of the Permits Online (PONL) System. TTB's PCLIA's are available on its website at <https://www.ttb.gov/foia/pclia>. In addition, TTB has issued a Privacy Act System of Records notice (SORN) for the collected information as part of the Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau (TTB) .001—Regulatory Enforcement System of Records. TTB last published its SORN in the Federal Register on October 11, 2022, at 87 FR 61435.

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

Estimated Burden Hours: For this information collection request as a whole, based on recent data, TTB estimates that there are 316 total annual respondents to it, with each making one annual response, at an average of 1.43866 hours per response, for an estimated total annual burden of 454.6 hours (rounded to 455 hours).

TTB also estimates 98 percent of applicants for new or amended tobacco manufacturer and export warehouse proprietor permits are private, for-profit businesses (private sector) and 2 percent are Native American tribal governments (public sector), while all applicants for new or amended tobacco importer permits are private, for-profit businesses.

In addition, TTB estimates that approximately 89 percent of all applicants file electronically via TTB's PONL system, while the remaining 11 percent file paper application forms.

For each information collection included under this request, TTB estimates their annual burden as follows:

Information Collection	Number of Respondents (1 response per year)	Number of Responses	Hours Per Response	Total Burden Hours
		PONL / Paper <i>Total Responses</i>	PONL / Paper <i>(Average)</i>	PONL / Paper <i>Total</i>
New Manufacturer of Tobacco Products or Processed Tobacco, or Export Warehouse Proprietor (Private Sector)	21	20 / 1 21	1.75 / 2.0 (1.7619)	35 / 2 37 hrs
New Manufacturer of Tobacco Products or Processed Tobacco, or Export Warehouse Proprietor (Public Sector)	2	2 / 0 2	1.75 / 2.0 (1.75)	3.5 / 0 3.5 hrs
Amended Manufacturer of Tobacco Products or Processed Tobacco, or Export Warehouse Proprietor (Private Sector)	38	28 / 10 38	0.8 / 1.0 (0.8526)	22.4 / 10 32.4 hrs
Amended Manufacturer of Tobacco Products or Processed Tobacco, or Export Warehouse Proprietor (Public Sector)	5	3 / 2 5	0.8 / 1.0 (0.88)	2.4 / 2 4.4 hrs
New Importer of Tobacco Products or Processed Tobacco (Private Sector)	180	165 / 15 180	1.75 / 2.0 (1.7708)	288.75 / 30 318.75 hrs
New Importer of Tobacco Products or Processed Tobacco (Public Sector)	1	1 / 0 1	1.75 / 2.0 (1.75)	1.75 / 0.0 1.75 hrs
Amended Importer of Tobacco Products or Processed Tobacco (Private Sector)	68	60 / 8 68	0.8 / 1.0 (0.8235)	48 / 8 56 hrs
Amended Importer of Tobacco Products or Processed Tobacco (Public Sector)	1	1 / 0 1	0.8 / 1.0 (0.8)	0.8 / 0.0 0.8 hrs
Totals	316	280 / 36 316	(1.4386)	402.6 / 52.0 454.6 hrs

Estimated Respondent Labor Costs: Based on the average fully-loaded labor rate of \$61.06 per hour for Compliance Officers in the private sector Tobacco Manufacturing Industry (NAICS 312200) and \$57.46 for Compliance Officers employed in local (including tribal) governments, TTB estimates the per-respondent and total respondent labor costs for this information collection as follows:

Annual Respondent Labor Costs for OMB No. 1513-0078 (Compliance Officers in the Tobacco Manufacturing Industry and Tribal Government) ²						
<i>Information Collection</i>	<i>Avg. Time / Response</i>	<i>Fully-loaded Labor Rate / Response*</i>	<i>Responses / Respondent</i>	<i>Labor Costs / Respondent</i>	<i>Total Respondents</i>	<i>Total Labor Costs</i>
New Tobacco Industry Permits	1.7696 hrs	\$108.05 (private sector)	1	\$108.05	201	\$21,718.05
		\$101.68 (tribal govt)		\$101.68	3	\$305.04
Amended Tobacco Industry Permits	0.836 hour	\$51.05 (private sector)	1	\$51.05	106	\$5,411.30
		\$48.04 (tribal govt)		\$48.04	6	\$288.30
TOTALS			1	(\$87.730031)	316	\$27,722.69(

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

Recordkeeping: Under the TTB regulations, respondents who are granted new or amended tobacco industry permits by TTB are required to permanently retain, at their place of business, their permit and copies of the related applications and supporting documents. Permittees must make these documents available for inspection by any appropriate TTB officer upon request. See 27 CFR 40.76, 40.501, 41.203, 41.243, and 44.93.

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 believes that respondents do not bear any annualized capital or start-up costs or any increased operation or maintenance costs as a result of this occasional information collection requirement. As for mailing supply and postage costs, TTB estimates that 36 of 314 total respondents (11.5 percent) file paper tobacco industry permit applications by mail, with each response costing \$10.00, for a total of \$360.00 in such costs for this information collection. The remaining 278 respondents (88.5 percent) file their applications electronically via TTB’s PONL system, which results in no mailing supply and postage costs to respondents.

² Fully-loaded Labor Rate per Hour = Hourly wage rate multiplied by a factor of 1.44 for the private sector and 1.6 for local governments (excluding schools and hospitals) to account for employee benefit costs. Per the most recent U.S. Department of Labor, Bureau of Labor Statistics, data for National Industry-Specific Occupational Employment and Wage Estimates for NAICS 312200—Tobacco Product Manufacturing, the average fully-loaded labor rate per hour for Compliance Officers (13–1041) is \$61.06 based on a mean hourly wage of \$42.40. For Compliance Officers in local government (excluding schools and hospitals), the average fully-loaded labor rate per hour for Compliance Officers (13–1041) is \$57.46, based on a mean hourly wage of \$35.91. See the Bureau of Labor Statistics website at <https://data.bls.gov/oes/#/industry/312200> and <https://data.bls.gov/oe?#999300>.

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

Based on recent data, TTB estimates that the annual costs to the Federal Government for this information collection request are as follows:

Overhead costs: TTB estimates \$2.00 in overhead costs for each tobacco industry permit application submitted, resulting in a total of \$632.00 in such costs for the 316 applications submitted under this collection request. However, 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 website at <https://www.ttb.gov/public-information/forms> and the use of the PONL system.

Labor costs: TTB technicians initially process tobacco industry permit applications received by mail or via PONL, while specialists review the applications for completeness, errors, and other factors, and directors approve the finalized applications. As such, TTB estimates its annual labor costs for this information collection request as follows:

Labor Costs for Personnel at TTB’s National Revenue Center in Cincinnati, Ohio, for OMB No. 1513–0078*					
<i>Position</i>	<i>Fully-loaded Labor Rate per Hour³</i>	<i>Processing Time per Response</i>	<i>Labor Costs per Response</i>	<i>Total Respondents</i>	<i>Total TTB Labor Costs</i>
GS–7, Step 5, Technician	\$46.52	1.0 hour	\$46.52	316	\$14,700.32
GS–12, Step 5, Specialist	\$82.53	6.0 hours	\$495.18		\$156,476.88
GS–14, Step 5, Director	\$115.96	1.0 hour	\$115.96		\$36,643.36
TOTALS	(\$82.2075)	8.0 hours	\$657.66	316	\$207,820.56

* Fully-loaded labor rate and labor costs rounded to the nearest whole cent unless otherwise noted.

Total costs: Given the above cost data, TTB estimates its total annual labor and non-labor costs for this information collection request to be **\$208,452.56**.

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

Program Changes and Adjustments: There are no program changes associated with this information collection request at this time, and TTB is submitting it for extension purposes only. As for adjustments, based on recent data, TTB is decreasing the estimated number of annual respondents, total annual responses, and total annual burden hours associated with this information collection request, from 470 respondents and total responses to 316 each, and from 630 hours to 455 hours. The per-response burden for each information collection contained in this request is adjusted due to changes in agency estimates based on the

³ 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 Federal employees in the Cincinnati, Ohio, wage area are: (1) For GS–7, step 5, \$46.52, based on an hourly wage of \$28.54; (2) For GS–12, step 5, \$82.53, based on an hourly wage of 73.12; and (3) For GS–14, step 5, \$115.96, based on an hourly wage of \$71.14. See the OPM wage table at https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2026/CIN_h.pdf.

number of electronic (PONL) and paper form submissions of each collection. The estimated number of annual responses per respondent, one, remains as previously reported.

Form Revisions: On form TTB F 5230.5, Application for Amended Permit to Import Tobacco Products and Processed Tobacco, while the collected information remains the same as previously reported, TTB is updating the mailing address in the form's instructions for submission of the form, and, in the Paperwork Reduction Act Notice, TTB is updating the address for submission of comments on the form and its burden estimate.

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

TTB does not publish the results of this information collection request.

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?

TTB will display the expiration date for OMB approval of this information collection request on its related forms and PONL applications.

18. What are the exceptions to the certification statement?

(c) See item 5 above.

(i) No statistics are involved.

B. Collections of Information Employing Statistical Methods.

This information collection request does not employ statistical methods.