

**SUPPORTING STATEMENT - OMB NO. 0579-0224
TUBERCULOSIS TESTING FOR IMPORTED CATTLE**

January 12, 2006

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Title 21, U.S.C. authorizes sections 111, 114, 114a, 114-1, 115, 120, 121, 125, 126, 134a, 134c, 134f, and 134g of 21 U.S.C. These authorities permit the Secretary to prevent, control and eliminate domestic diseases such as tuberculosis (TB), as well as to take actions to prevent and to manage exotic diseases such as foot-and-mouth disease, rinderpest, and other foreign animal diseases.

More specifically, 21 U.S.C. 111, 115, and 118 authorize the Secretary of Agriculture to take such measures as he/she may deem proper to prevent the introduction or dissemination of any contagious or communicable disease of animals or live poultry from a foreign country into the United States or from one State to another.

Disease prevention is the most effective method for maintaining a healthy animal population and enhancing the ability of U.S. producers to compete in the global market of animal and animal product trade.

The agency charged with carrying out this disease prevention mission is the Animal and Plant Health Inspection Service (APHIS), United States Department of Agriculture (USDA). APHIS' animal import regulations in Part 93, Title 9, Code of Federal Regulations, require that all cattle imported into the United States (except cattle imported for immediate slaughter, and except cattle from Canada) be tested twice with negative results for TB.

Specifically, APHIS is now requiring: (1) an import permit for the importation of Mexican cattle affected by our interim rule; (2) information regarding premises where cattle intended for export to the United States have resided, and (3) certification regarding the TB history of the herds from which a group of cattle is assembled for export to the United States.

APHIS is asking OMB to approve, for 3 years, its use of these information collection activities in connection with our efforts to prevent tuberculosis-infected cattle from entering the United States.

2. Indicate how, by whom, how frequently, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Application for Import or In Transit Permit (VS 17-129)

Anyone wishing to export Mexican cattle affected by our interim rule must apply for and obtain a VS 17-129 (this available on APHIS' web site at www.aphis.usda.gov) permit to do so from APHIS. On the permit application, the exporter must include information regarding the type, number, and identification of the animals to be exported to the United States, as well as information concerning the origin, intended date and location of arrival, routes of travel, and destination of the animals. This permitting process will allow APHIS to carefully examine each individual request for importation.

Premises Information

Import permit applications must include the address of the premises of the herd of origin, including the State or its equivalent the municipality or nearest city, and the specific location of the premises. This will provide APHIS with further information upon which to evaluate requests to import cattle from Mexico.

TB History Certification

Mexican cattle destined for the United States must be accompanied by certification that the herd in which the cattle were born and raised has tested TB-negative to a whole herd test. (This information can be included on the same import certificate that is already required in our regulations.) This certificate must be issued by a salaried veterinary officer of the national government of the region of origin. This additional information on the certificate will give APHIS a more complete picture of the TB history of cattle intended for importation into the United States.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

Information contained on the import permit application and the import certification statement can be transmitted to APHIS electronically through the internet, www.aphis.usda.gov. This permitting process will allow APHIS to carefully examine each individual request for importation of cattle from Mexico and will give APHIS a more complete picture of the TB history of cattle intended for importation into the U.S.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose described in item 2 above.

The information that APHIS collects is not available from any other source. APHIS is the only Federal Agency responsible for preventing the introduction of contagious animal diseases into the United States.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The information APHIS is collecting in connection with this program is the minimum needed to effectively evaluate the TB risk associated with any given importation of cattle from Mexico. Burden is minimized by the fact that some of the information APHIS is requesting can be included in certain documents that are already required for such importations.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Collecting this information less frequently or failing to collect it would make it impossible for APHIS to effectively evaluate the TB risks associated with cattle importations from Mexico, thereby increasing the likelihood that healthy cattle and bison throughout the United States will be exposed to tuberculosis.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

This information collection is conducted in a manner consistent with the guidelines established in 5 CFR 1320.5.

8. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting form, and on the data elements to be recorded, disclosed, or reported. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, soliciting comments on the information collection prior to submission to OMB.

In 2006, APHIS engaged in productive consultations with the following individuals concerning the information collection activities associated with this program:

John Adams, Director of Animal Health & Farm Services
National Milk Producers Federation
2101 Wilson Blvd., Suite 400
Arlington, VA 22201
703-243-6111

Larry Wing, Manager
Cattleman's Livestock Commission
P.O. Box 58
Daalhart, Texas 79022
806-249-5505

Dr. Max Coats, Deputy Director of Animal Health Programs
Texas Animal Health Commission
2105 Kramer Lane
Austin, TX 78711
512-719-0713

On, Friday, May 26, 2006, page 30368, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plans to request a three year renewal of this collection of information. APHIS received no comments from the public. A copy of the Federal Register notice is attached.

9. Explain any decision to provide any payment or gift to respondents, other than reenumeration of contractors or grantees.

This information collection activity involves no payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

No additional assurance of confidentiality is provided with this information collection. However, the confidentiality of information is protected under 5 U.S.C. 552a.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

This information collection activity will ask no questions of a personal or sensitive nature.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

•Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more

than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-1.

See APHIS Form 71. Burden estimates were developed from discussions with program participants (cattle exporters and brokers) and veterinary authorities in Mexico who issue export documentation for cattle destined for the United States.

•Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

APHIS estimates that the total annualized cost to the above respondents will be \$450,000.00. APHIS arrived at this figure by multiplying the hours of estimated response time (15,000 hours) by the estimated average hourly wage of the above respondents (\$30.00).

13. Provide estimates of the total annual cost burden to respondents or recordkeepers resulting from the collection of information (do not include the cost of any hour burden shown in items 12 and 14). The cost estimates should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component.

There is zero annual cost burden associated with capital and start-up costs, operation and maintenance expenditures, and purchase of services.

14. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

The annualized cost to the Federal Government is estimated at \$673,319.85. (See APHIS Form 79.)

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

There is no change in burden.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

APHIS has no plans to publish information it collects in connection with this program.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

If the form were to be discarded because of an outdated OMB expiration date, but otherwise usable, the Federal Government would incur higher printing costs. Therefore, we are seeking approval to not display the OMB expiration date on our form.

18. Explain each exception to the certification statement identified in "Certification for Paperwork Reduction Act."

APHIS can certify compliance with all provisions under the Act.

B. Collections of Information Employing Statistical Methods

There are no statistical methods associated with the information collection activities used in this program.