

January 2006

**Supporting Statement  
Cut Flowers from Countries  
with Chrysanthemum White Rust  
Docket No. 03-016-3  
OMB No. 0579-0271**

**A. Justification**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), is responsible for preventing plant diseases or insect pests from entering the United States, preventing the spread of pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 – 7772), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, or movement of plants and plant pests to prevent the introduction of plant pests into the United States or their dissemination within the United States.

The regulations in 7 CFR Part 319 prohibit or restrict the importation of plants, plant parts, and related materials to prevent the introduction of foreign plant pests into the United States. Conditions governing the importation of cut flowers into the United States are contained in “Subpart-Cut Flowers” (§§ 319.74-1 through 319.74-4, referred to below as the regulations).

APHIS is amending the cut flowers regulations to establish specific requirements for the importation of cut flowers that are hosts of chrysanthemum white rust (CWR) from countries where the disease is known to occur. APHIS is making these changes in order to consolidate the administrative procedures that are being followed in the field. This final rule is necessary because of numerous recent findings of CWR on cut flowers from Europe that pose a risk of introducing CWR into the United States.

CWR is a serious disease in nurseries where it may cause complete loss of greenhouse chrysanthemum crops. The disease is indigenous to Japan where it was noted in 1895, and it remained confined to China and Japan until 1963.

CWR is not established in the United States and is a disease of quarantine significance. This disease has the potential to be extremely damaging to the commercial horticulture and florist industries if it becomes established in greenhouses within the United States. CWR was detected and eradicated in California in 1991; since then, there have been repeated outbreaks of CWR in several coastal California counties. There were also CWR

outbreaks in commercial nurseries in New Jersey, Oregon, and Washington between 1995 and 1997, and in dooryard or hobbyist plantings in New York and New Jersey in 1997. Whenever CWR has been detected in the United States, it has been eradicated through immediate and cooperative regulatory action by Federal and State officials.

APHIS is asking OMB to approve, for 3 years, its use of this information collection in connection with its program to establish specific requirements for the importation of cut flowers that are hosts of CWR from countries where the disease is known to occur.

**2. Indicate how, by whom, 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.**

**319.74-2(d)(3)(ii) Phytosanitary Certificate and Additional Declaration**

Each shipment of cut flowers must be accompanied by a phytosanitary certificate issued by the national plant protection organization of the country of origin that contains an additional declaration stating that the place of production as well as the consignment have been inspected and found free of *Puccinia horiana*.

**319.74-2(d)(3)(iii) Box Labels and Other Documents**

Box labels and other documents accompanying shipments of cut flowers must be marked with the identity of the registered production site.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, 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.**

APHIS requires some plants or plant products to be accompanied by a phytosanitary inspection certificate that is completed by plant health officials in the originating or transiting country. APHIS uses the information on this certificate to determine the pest condition of the shipment at the time of inspection in the foreign country. This information is used as a guide to the intensity of the inspection that APHIS must conduct when the shipment arrives. Without this information, all shipments would need to be inspected very thoroughly, thereby requiring considerably more time. This would slow the clearance of international shipments. APHIS has no control or influence over when foreign countries will automate these certificates.

**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 exclusive to its mission to prevent the introduction of plant pests and plant diseases into the United States, and to prevent the spread of diseases within the United States. The information is not available from any other source.

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

The information that APHIS collects is the minimum needed to protect the United States from the introduction of CWR and other plant diseases.

**6. Describe the consequences 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.**

This information collection is critical to APHIS' mission of preventing CWR from entering the United States or spreading within the United States. This disease has the potential to be extremely damaging to the commercial horticulture and florist industries if it becomes established in greenhouses within the United States.

**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.**

The following individuals were consulted during 2006:

Ken Rauscher  
Pesticides and Pest Management  
Michigan Dept. of Agriculture  
P.O. Box 30017  
Lansing, MI 48909  
(517) 373-4087

The National Bonsai Foundation  
Flex Laughlin  
1775 Pennsylvania Ave, NW  
Washington, DC 20006  
(202) 862-1040

Craig Regelbrugge  
American Nursery and Land Scape Association  
1250, I street, NW, Suite 500  
Washington, DC 20005  
(202) 789-2900

APHIS' proposed rule (03-016-1) was published in the Federal Register on July 7, 2005, with a 60-day comment period. During this time, eight comments were received on time by interested members of the public; two were favorable responses regarding paperwork. All comments are addressed in the final rule (copy 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 and attitudes, religious beliefs, and others that are 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 asks 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-I.

See APHIS Form 71 for hour burden estimates.

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

\$20.00 (estimated rate) X 81,704 hours = \$16,340.80.

**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, operation and maintenance, and purchase of services in connection with this program.

**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 estimated cost to the Federal Government is \$2,032,880.94. (See APHIS Form 79 attached.)

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

This is a new program resulting in a program change of 81,704 burden hours.

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

APHIS has no plans to tabulate or publish the information being collected.

**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.**

There are no USDA forms associated with this collection of information.

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

APHIS is able to certify compliance with all the provisions in the Act.

**B. Collections of Information Employing Statistical Methods.**

Statistical methods are not used in this information collection.