

March 2007

SUPPORTING STATEMENT

Citrus Canker; Interstate Movement of Regulated Nursery Stock
from Quarantined Areas

OMB No. 0579-XXXX, Docket No. APHIS-2007-0032

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, 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, either independently or in cooperation with the States, is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests (such as citrus canker) new to or widely distributed throughout the United States. APHIS' Domestic Quarantines (7 CFR Part 301) are issued under this authority.

APHIS has regulations in place to prevent the interstate spread of citrus canker. These regulations, contained in 7 CFR 301.75 through 301.75-14, restrict the interstate movement of regulated articles from and through areas quarantined because of citrus canker.

APHIS is amending the citrus canker quarantine regulations to prohibit the interstate movement of regulated nursery stock from a quarantined area. The interstate movement of nursery stock from an area quarantined for citrus canker poses an extremely high risk of spreading citrus canker outside the quarantined area. APHIS is allowing calamondin and kumquat plants, two types of citrus plants that are highly resistant to citrus canker, to move interstate from a quarantined area under a protocol designed to ensure their freedom from citrus canker. APHIS is also continuing to allow the interstate movement of regulated nursery stock for immediate export, under certain conditions.

This interim rule is necessary to address the risk associated with the interstate movement of citrus nursery stock and other regulated articles from areas quarantined for citrus canker.

APHIS is asking OMB to approve the use of this information collection activity, for 6 months, associated with its program to prevent the interstate movement of citrus canker into noninfested areas of the United States.

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.

Limited Permit (PPQ Form 530) – Limited permits are used to authorize movement of regulated articles that are not certifiable to specified destinations for processing, treatment, or utilization. A limited permit is required in accordance with 7 U.S.C. 7301.75-12 to secure the interstate movement of calamondin and kumquat plants.

Statement “Not for Distribution” The statement “Not for Distribution” in AZ, CA, HI, LA, TX, and American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands of the United States must be displayed on a plastic or metal tag attached to each plant, or on the box of the container if the plant is sealed in plastic. In addition, this language must be displayed on the outside of any shipping containers used to transport these plants, and the limited permit must be attached to the bill of lading or other shipping document that accompanies the plants.

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.

Limited Permit (PPQ 530) is a pressure sensitive form and is not practicable for automation.

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 APHIS collects is exclusive to its mission of preventing the incursion or interstate spread of plant pests and noxious weeds and 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 APHIS collects associated with this program is the minimum needed to prevent the spread of citrus canker into noninfested areas of the United States.

6. Describe the consequences of 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.

Failing to collect this information or if this information was collected less frequently, could cause a severe economic loss to the citrus industry.

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.

No special circumstances exist that would require this collection to be conducted in a manner inconsistent with the general information collection guidelines 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 2006-2007, APHIS held productive consultations with the following citrus producer associations concerning the information collection activities associated with citrus canker:

Reed Brothers Citrus Nursery
2127 Vicks Rd.
Apopka, FL 32712

Peckett's Inc.
Chester Peckett
5643 Round Tree Lake Rd.
Apopka, FL 32712
(407) 886-5901

Jordan's Tropicair Plants, Inc.
P.O. Box 596
Inverness, FL 34451-0596
(352) 726-1287

APHIS is planning to publish in the Federal Register an Interim Rule and Request for Comments. The rule will state its plans to request continuation of a 3-year renewal for this information collection. During this time, interested members of the public will have the opportunity to provide APHIS with their input concerning the usefulness, legitimacy, and merit of the information collection activities APHIS is proposing. A copy of the draft Interim Rule is attached as supplemental information.

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 (other than appropriate, program-related payments) or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in status, 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 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. These estimates were developed from discussions with eligible citrus grove owners in Florida.

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

APHIS arrived at this figure by multiplying the hours of estimated response time (120 hours) by the estimated average hourly wage of the above respondents (20.00) which totals \$2,400.

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 estimate should be split into two component: (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, maintenance costs, 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.

See APHIS Form 79 for annualized cost to the Federal Government. This cost is based on the estimated average time required to process fund request applications. These one-time costs are estimated to be \$1,337.64.

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

This is a new program. It necessitates the use of information collection activities in the form of issuing a limited permit and will prevent the interstate movement of citrus canker into noninfested areas of the US.

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

APHIS has no plans to tabulate or publish the information APHIS collects.

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 forms were to be discarded because of an outdated OMB expiration date, but otherwise usable, higher printing costs would be incurred by the Federal Government. Therefore, APHIS is seeking approval to not display the OMB expiration date on its forms.

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 under the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not used in this information collection.