

**SUPPORTING STATEMENT 0579-0305
LOW PATHOGENIC AVIAN INFLUENZA; VOLUNTARY CONTROL
PROGRAM AND PAYMENT OF INDEMNITY**

December 11, 2007

TERMS OF CLEARANCE: In accordance with 5 CFR 1320, the information collection is approved. In the next request, the agency should ensure that the burden estimates are properly attributed to the affected public and provide a crosswalk between the respondent numbers in APHIS 71 and those used for each IC.

The burden estimates have been changed on the APHIS 71 to properly reflect the correct number of respondents for the primary Business and secondary State, Local, or Tribal Government. Also, there is more than one State inspector per State, which affected the high number of State respondents.

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.

The National Poultry Improvement Plan (NPIP) is a voluntary Federal-State industry mechanism for controlling certain poultry diseases and for improving poultry breeding flocks, commercial broilers, table-egg layers, meat turkeys, and products through disease control techniques. The NPIP became operative on July 1, 1935, with the approval of the Secretary of Agriculture and under the authority of an appropriation made by Congress for the U.S. Department of Agriculture (USDA), to be used in cooperation with State authorities in the administration of regulations for the improvement of poultry, poultry products, slaughter plants, and hatcheries.

The National Turkey Improvement Plan was combined with the NPIP in 1970 to create the NPIP as it now exists. Emu, rhea, ostrich, and cassowary breeding flocks are also allowed participation in the Plan.

The Animal and Plant Health Inspection Service (APHIS) is proposing to add commercial meat-type chickens, table-egg layers, and meat turkeys to the Plan in Title 9 of the Code of Federal Regulation Part 146 (9 CFR 146).

Authority for this program is contained in the USDA Organic Act of 1944, as amended (7 U.S.C. 429). The cooperative work is carried out through a Memorandum of Understanding with the participating States. Specific NPIP provisions are contained Parts 145, 146, and 147 of 9 CFR.

The Veterinary Services (VS) Program of the USDA's APHIS is responsible for Federal coordination of these voluntary programs for certifying the disease status of poultry through cooperative work performed by the States and industry and for the administration of other regulations intended to protect the health of the U.S. poultry population.

The effective implementation of the NPIP necessitates the use of several information collection activities, including sentinel bird identification, as well as the creation and submission of flock testing reports, sales reports, breeding flock participation summaries, salmonella investigation reports, salmonella serotyping requests, and small chick order printouts.

APHIS is asking Office of Management and Budget (OMB) to approve for 3 years, its use of these information collections in connection with its efforts to continually improve the health of the U.S. poultry population, as well as the quality of U.S. poultry products.

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.

Memorandum of Understanding (signature only)

The NPIP is administered via a Memorandum of Understanding (MOU) between the USDA and participating States. The MOU explains the role and respective responsibilities of both Federal and State government in the implementation of the program.

Recordkeeping

Records of purchases and sales and the identity of products handled must be maintained by plan participants in a manner satisfactory to State veterinary authorities (in accordance with 9 CFR 145.4(a)). The records of all flocks maintained primarily for the production of hatching eggs must be examined annually by a State Inspector. These records must be maintained for 3 years, and include the VS Form 9-2, 9-4, and 9-5 (described below), (9 CFR 145-12(b) and 146-12(b)).

Appraisal and Indemnity Claim for Animals Destroyed or Materials Destroyed and Continuation Sheet (VS Form 1-23 & 1-23A)

These forms are used to record appraisals made and approved for payment to owners/claimants.

Flock Selecting and Testing Report (VS Form 9-2)

This form is used by authorized agents and State inspectors when breeding flocks are selected and tested and commercial meat-type chicken flocks, table-egg layer flocks, and

meat-type turkey flocks are tested. The form provides space for the number of birds tested and the results of the test. This form also identifies a given flock as to owner, hatchery affiliation, slaughter plant, stock, type, purpose, classification, and most importantly, flock location. (Since most of the flocks are supply flocks for the same hatchery, it is extremely important to know the location of the flock. In addition, the table-egg layer flocks may be contract production flocks for the same processing company, the meat-type chicken and meat type turkey flocks may be supply flocks for the same slaughter plant.) The information on this form is of critical importance when an investigation must be conducted to determine the source of a hatchery disseminated or egg transmitted disease and avian influenza (AI) in breeding flocks and commercial table-egg layers, meat-type chickens, and meat-type turkeys.

Summary of Breeding Flock, Table-Egg Layer Flocks, Meat-Type Chicken and Turkey Slaughter Plants Participation (VS Form 9-4)

This report form, which is completed by State animal health authorities, contains a summary of blood testing work and of flock participation by classes and breeding status. It is distributed to official State agencies from APHIS 'offices at the end of the testing year in June and must be returned to APHIS in July. With this information APHIS can publish its Tables on Hatchery and Flock Participation, and commercial meat-type chicken and turkey slaughter plant and flock participation which serves as an important tool in monitoring the health status of participating flocks.

Report of Table-Egg Producers, Meat-Type Chicken and Turkey Slaughter Plants Participating in the NPIP (VS Form 9-5)

This form is completed by the official State Agency to record an NPIP program participant's decision to withdraw from the program, or to record a producer's decision to join the program. This information, recorded on VS Form 9-5, must include the location and size of each flock owned by the producer. It is important for any individual participating in the NPIP to report the existence and location of all his or her flocks, since the disease status of one flock can impact the health of other flocks. Failing to report the existence and location of all flocks could have detrimental effects upon APHIS' ability to effectively monitor the health status of flocks within a given State. In the event of a poultry disease outbreak, this lack of information could prove detrimental to APHIS' efforts to promptly contain and eradicate the disease. This document is also used to record a change in disease program classification. This form allows APHIS to effectively monitor participation in the plan, and to maintain an up-to-date list of program participants, their addresses, and other important information concerning poultry operations.

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.

It has been determined that VS Forms 9-2, 9-4, and 9-5, are not practicable for automation under GPEA due to the low number of transactions involving these forms. All of these forms are internal in nature; they are employed by government personnel under certain circumstances, and not by the general public. APHIS is studying the feasibility of an electronic VS Form 9-2 for the new part 146 due to the number of responses required with that form. The VS Form 9-2 will require substantial security to ensure official reporting of important testing results.

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 incursion of exotic animal and poultry 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 is the minimum needed to protect the U.S poultry population from communicable diseases.

APHIS has determined that this information collection does have an impact on small entities. APHIS estimates that 1159 of the total 2318 respondents are small entities.

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.

If the information were collected less frequently or not collected, APHIS would be unable to effectively monitor the health of the nation's poultry population.

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 2007 APHIS engaged in productive consultations with the following individuals concerning the information collection activities associated with this program:

Mr. James Sumner, President
U.S.A. Poultry & Egg Export Council
2300 W. Park Place Blvd., Suite 100
Stone Mountain, GA 30087
(770) 413-0006
jsumner@usapeec.org

Mr. William Roenick, Senior Vice President
National Chicken Council
1015 15th Street NW, Suite 930
Washington, DC, 20005
(202) 296-2622
wroenigk@chickenusa.org

Dr. Alice Johnson, President
National Turkey Federation
1225 New York Ave. NW, Suite 400
Washington, DC 20005
(202) 898-0100
ajohnson@turkeyfed.org

On Monday, March 19, 2007, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plans to request a 3-year renewal of this collection of information. No comments from the public were received.

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-I.

See APHIS Form 71. Burden estimates were developed from discussions with flock owners, table-egg producers, meat-type chicken and turkey slaughter plants and other program participants; personnel at approved laboratories, and State personnel who assist with the program.

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

APHIS estimates the total annualized cost to respondents to be \$1,098,960. APHIS arrived at this figure by multiplying the hours of estimated response time (54,948 hours) by the estimated average hourly wage of the above respondents (\$20.00).

\$20.00 hourly rate is derived from the U.S. Department of Labor, Bureau of Labor Statistics June 2003 Report - National Compensation Survey: Occupational Wages in the United States, July 2002. See <http://www.bls.gov/ncs/ocs/sp/ncbl0539.pdf>

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 \$503,926.80. (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 an adjusted increase of +2 hours in this information collection due to rounding of numbers.

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

The Summary of Breeding and Table-Egg Layer Flocks and Meat-Type Chicken and Turkey Slaughter Plants Participation (VS Form 9-4), which is completed by State animal health authorities, contains a summary of blood testing work and of flock participation by classes and breeding status. It is distributed to official State agencies from APHIS' offices at the end of the testing year in June and must be returned to APHIS by July.

With this information APHIS can publish its Tables on Hatchery, Slaughter Plant, and Flock Participation, which serves as an important tool in monitoring the health status of participating flocks.

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 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

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