

May 2007

Supporting Statement
Importation of Clementines,
Mandarins, and Tangerines from Chile
OMB No. 0579-0242

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 is responsible for preventing plant pests and noxious weeds from entering the United States, preventing the spread of plant diseases not widely distributed in the United States, and eradicating those imported pests and noxious weeds when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 - 7772), the Secretary of Agriculture is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests new to the United States or not known to be widely distributed throughout the United States.

The regulations in "Subpart-Fruits and Vegetables" (7 CFR 319.56 through 319.56-8, referred to as the regulations), prohibit or restrict the importation of fruits and vegetables into the United States from certain parts of the world, to prevent the introduction and dissemination of plant pests, including fruit flies that are new to or not widely distributed within the United States.

Under the current regulations, the importation of clementines, mandarins, and tangerines from all provinces of Chile is not authorized.

On December 10, 2004, APHIS published a final rule (Docket No. 02-081-3) to amend the fruits and vegetables regulations to allow the importation, under certain conditions, of clementines, mandarins, and tangerines from Chile into the United States. Based on the evidence in a recent pest risk assessment and an accompanying risk management document, APHIS believes these articles can be safely imported from all provinces of Chile provided certain conditions are met. This final rule provides for the importation of clementines, mandarins, and tangerines

from Chile into the United States while continuing to protect the United States against the introduction of plant pests.

APHIS is asking the Office of Management and Budget (OMB) to approve, for 3 additional years, its use of this information collection associated with this program to relieve restrictions on the importation of clementines, mandarins, and tangerines from citrus canker-free areas of Chile.

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

APHIS requires that some plants or plant products 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 we 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.

A phytosanitary certificate will be issued by the NPP0 of Chile to accompany each consignment with an additional declaration stating that all the provisions of 7 CFR § 319.56-2kk(a) have been met. Clementines, mandarins, or tangerines inspected in Chile will be subject to a random reinspection at the port of arrival as provided in 7 CFR § 319.56-6.

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 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 APHIS collects is exclusive to its mission of preventing the entry of injurious plant pests, diseases, 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 in connection with this program is the minimum needed to protect the United States from the incursion of citrus canker, fruit flies, and other plant diseases and pests from Chile.

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.

If APHIS did not collect this information or if this information was collected less frequently, APHIS could not verify that fruit was treated, verify that citrus canker, fruit flies and other pests were destroyed by treatment, or that the treatment was adequate to prevent the risk of plant pests entering 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.

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 individuals concerning the information collection activities associated with our program to import clementines, mandarins, and tangerines from Chile:

Miguel Canala-Echeverria
General Manager
Association De Exportadores De Chile (ASOEX)
Cruz del Sur 133, Piso 2
Las Condes, Santiago, Chile
Tel. 56 2 206-6604

Orlando Morales Valencia
Chief, Plant Protection Department
Servicio Agricolay Ganadero (SAG)
Av. Bulness 140
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Luis Fuentes
Preclearance Program Coordinator
USDA, APHIS, IS
US Embassy Santiago
Andres Bello 2800
Las Condes, Santiago, Chile
Tel. 56 2 330-3725

On Wednesday, November 8, 2006, page 65452, 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 were received regarding this collection.

9. Explain any decisions to provide any payment or gift to respondents, other than remuneration 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 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. APHIS arrived at these estimates through discussions with regulated entities, including growers of clementines, mandarins, and tangerines in Chile, as well as Chilean plant health officials.

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

Respondents are growers in Chile, full-time plant health officials employed by the Chilean Government, and shippers. APHIS estimates the total annualized cost to these respondents to be \$1,764. APHIS arrives at this figure by multiplying the hours of estimated response time (147 hours) by the estimated average hourly wage of the above respondents (\$12.00).

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, 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.

The estimated cost for the Federal Government is \$4,790.26.
(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 adjustment of 137 hours. Previously, the hours were inadvertently calculated too low in 2004. Also, the hours per response were previously reported as 0.83 and are now being revised to 0.25 hours per response.

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 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 information collection.

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.