

2007 SUPPORTING STATEMENT
For
REPORTING AND RECORD KEEPING REQUIREMENTS UNDER
REGULATIONS (OTHER THAN RULES OF PRACTICE) UNDER THE
PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930.

OMB NO. 0581-0031

A. Justification

1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION.

The Perishable Agricultural Commodities Act (PACA) (7 U.S.C. 499a-499s) and PACA Regulations (7 CFR Part 46) require nearly all persons who operate as commission merchants, dealers, and brokers buying or selling fruits and/or vegetables in interstate or foreign commerce to be licensed. The PACA requires that all parties fulfill their contractual obligations, and provides a forum for resolving contract disputes. Those who engage in practices prohibited by the PACA may have their licenses suspended or revoked. The license is effective for three (3) years for retailers and grocery wholesalers, unless withdrawn by USDA for valid reasons [7 CFR 46.9 (a)-(h)], and must be renewed on a triennial basis. The license for all other licensees is effective for up to three (3) years, unless withdrawn by USDA for valid reasons [7 CFR 46.9 (a)-(h)]. These licensees (non-retailers and non-grocery wholesalers) have the option of renewing their licenses on a 1-year, 2-year, or 3-year license term. Those who engage in practices prohibited by the PACA may have their licenses suspended or revoked. Also, licensees must report changes in principals, stockholders, home addresses, and business locations to allow for proper notification in the event of a dispute. Copies of the PACA and Regulations (other than Rules of Practice) issued thereunder are attached. Sections 3 and 4 of the PACA and Sections 46.3 through 46.13 of the Regulations establish the requirement for licensing and the type of

information that must be reported. The Branch also asks that each licensee provide a business email address in the event that the licensee wishes to receive license or other PACA program information electronically. Section 9 of the PACA and Sections 46.14 through 46.32 of the Regulations define the type of business records that licensees must maintain. Businesses also provide federal tax identification numbers per USDA's National Finance Center (NFC) which handles all financial transactions for the PACA Branch. NFC is required by the Internal Revenue Service to report refunds to businesses as taxable income. USDA may also begin requiring that each applicant and licensee provide a D-U-N-S number as part of the International Trade Data System, formally enacted by Congress through the SAFE Port Act (19. U.S.C. 1411, § 411). USDA is a Participating Government Agency within the International Trade Data System project. The D-U-N-S Number is a unique nine digit sequence recognized as the universal standard for identifying over 100 million businesses worldwide. This number enables federal agencies as well as industry contacts to uniquely identify and coordinate legal compliance with a particular company.

2. INDICATE HOW, BY WHOM, HOW FREQUENTLY, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED FOR REVISIONS, EXTENSIONS, AND REINSTATEMENTS OF A CURRENTLY APPROVED COLLECTION. INDICATE THE ACTUAL USE THE AGENCY HAS MADE OF THE INFORMATION RECEIVED FROM THE CURRENT COLLECTION.

Information is collected by the submission of the application for license, FV-211; PACA license renewal application or reinstatement notice, Form FV-231-1 (renewal) or FV231-1A (reinstatement) for non-retailers and non-grocery wholesalers, who pay license fees, Part 2 (Reverse side of FV-231-1 or FV-231-1A); and Form FV-231-2 or FV 231-2A (retailers and grocery wholesalers, who do not pay license fees), Part 2 (Reverse side of FV-231-2 or FV-231-2A); and letter.¹ This information is used by the PACA Branch, Fruit and Vegetable Programs,

¹ Letters from respondents notifying USDA of changes in: address, ownership, trade name, number of branches/affiliates, mergers, volume/type of business, and bankruptcy

AMS, USDA, to administer licensing provisions under the PACA. The business records maintained by licensees are used to adjudicate reparation and administrative complaints filed against licensees to determine the imposition of sanctions on firms and responsibly connected individuals who have engaged in unfair trading practices.² If this information was unavailable, it would be impossible to identify and regulate individuals or firms that are restricted due to sanctions imposed because of reparation or administrative actions.

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.**

Forms FV-211; FV-231-1(-2) and Part 2 [Reverse side of FV-231-1(-2)]; and FV-231-1A(-2A) and Part 2 [Reverse side of FV-231-1A(-2A)] are reviewed and revised periodically. Forms FV-211 through FV-211-5, Application for License, were last revised and approved in October 2004.

In addition to the paper form, the application can be accessed directly from the PACA Branch's website at <http://www.ams.usda.gov/fvpaca/License%20Applications%20PDF/Fillable%203.pdf>. The online application is in "fillable printable" (.pdf) format so applicants may type the required information directly onto the form before printing, signing (an original signature is required), and mailing the form to the branch.

²The PACA specifically requires that Licensees maintain records reflecting produce received, lot numbers, waiver of trust rights to trust protection, and written payment agreements.

Since 1995, respondents have had the option of submitting licensing information to the PACA Branch by phone, which we have found can reduce the amount of time needed by a respondent to physically complete an application, and it also limits the amount of incomplete application forms.

The forms in this information collection are part of the AMS Integrated eGovernment Report. AMS is committed to complying with the E-Government Act, which requires Government agencies in general to provide the public the option of submitting information or transacting business electronically to the maximum extent possible.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN ITEM 2 ABOVE.

Since it is unavailable from any other source, license information must be kept up-to-date.

Persons responsibly connected with a firm that violates the PACA are restrained from obtaining new licenses and restricted to certain degrees from employment by other licensees. Also, sanctions for some violations depend upon a firm's prior record of trading under the PACA.

Without the ability to collect and maintain license information, the Branch would have no other effective means of administering the law.

5. IF THE COLLECTION OF INFORMATION HAS A SIGNIFICANT IMPACT ON A SUBSTANTIAL NUMBER OF SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 15 OF THE PAPERWORK REDUCTION ACT SUBMISSION FORM), DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.

The PACA regulates a broad spectrum of business entities, from individuals to multi-layered corporations that operate as dealers, commission merchants, and brokers in the produce industry. The information required, however, is standard for all entities and limited to specific information

needed to administer the law. Thus, the information collection and reporting burden is relatively small. Requiring the same reporting requirements for all dealers, commission merchants, and brokers will not disadvantage any dealer, commission merchant, or broker that is smaller than industry average.

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.

A less frequent collection of information would lead to a breakdown in efficiency. Most licensees are only contacted once on an annual basis in order to confirm their current business information. Given the volatility of the produce industry as a whole, it would nearly be impossible to regulate if this information collection was conducted less frequently.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES THAT WOULD CAUSE AN INFORMATION COLLECTION TO BE CONDUCTED IN A MANNER:

- **REQUIRING RESPONDENTS TO REPORT INFORMATION TO THE AGENCY MORE OFTEN THAN QUARTERLY;**
- **REQUIRING RESPONDENTS TO PREPARE A WRITTEN RESPONSE TO A COLLECTION OF INFORMATION IN FEWER THAN 30 DAYS AFTER RECEIPT OF IT;**
- **REQUIRING RESPONDENTS TO SUBMIT MORE THAN AN ORIGINAL AND TWO COPIES OF ANY DOCUMENT;**
- **REQUIRING RESPONDENTS TO RETAIN RECORDS, OTHER THAN HEALTH, MEDICAL, GOVERNMENT CONTRACT, GRANT-IN-AID, OR TAX RECORDS FOR MORE THAN 3 YEARS;**
- **IN CONNECTION WITH A STATISTICAL SURVEY, THAT IS NOT DESIGNED TO PRODUCE VALID AND RELIABLE RESULTS THAT CAN BE GENERALIZED TO THE UNIVERSE OF STUDY;**
- **REQUIRING THE USE OF A STATISTICAL DATA CLASSIFICATION THAT HAS NOT BEEN REVIEWED AND**

- **APPROVED BY OMB;
THAT INCLUDES A PLEDGE OF CONFIDENTIALITY THAT IS NOT SUPPORTED BY AUTHORITY ESTABLISHED IN STATUE OR REGULATION, THAT IS NOT SUPPORTED BY DISCLOSURE AND DATA SECURITY POLICIES THAT ARE CONSISTENT WITH THE PLEDGE, OR WHICH UNNECESSARILY IMPEDES SHARING OF DATA WITH OTHER AGENCIES FOR COMPATIBLE CONFIDENTIAL USE; OR**
- **REQUIRING RESPONDENTS TO SUBMIT PROPRIETARY TRADE SECRET, OR OTHER CONFIDENTIAL INFORMATION UNLESS THE AGENCY CAN DEMONSTRATE THAT IT HAS INSTITUTED PROCEDURES TO PROTECT THE INFORMATION'S CONFIDENTIALITY TO THE EXTENT PERMITTED BY LAW.**

PACA licensees are required to maintain records for four (4) years, which fully and correctly disclose the true ownership and management of the business. These records are required to identify all persons responsibly connected with a licensee during a period of violation in order to notify them of a USDA disciplinary action filed against the licensee.

8. **IF APPLICABLE, PROVIDE A COPY AND IDENTIFY THE DATE AND PAGE NUMBER OF PUBLICATION IN THE FEDERAL REGISTER OF THE AGENCY'S NOTICE, REQUIRED BY 5 CFR 1320.8(d), SOLICITING COMMENTS ON THE INFORMATION COLLECTION PRIOR TO SUBMISSION TO OMB. SUMMARIZE PUBLIC COMMENTS RECEIVED IN RESPONSE TO THAT NOTICE AND DESCRIBE ACTIONS TAKEN BY THE AGENCY IN RESPONSE TO THESE COMMENTS. SPECIFICALLY ADDRESS COMMENTS RECEIVED ON COST AND HOUR BURDEN.**

The notice was published in the *Federal Register* on February 5, 2007, Vol. 72, No. 23, pages 5258-5259. No comments were received.

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 RECORD KEEPING, DISCLOSURE, OR REPORTING FORMAT (IF ANY), AND ON THE DATA ELEMENTS TO BE RECORDED, DISCLOSED, OR REPORTED.

CONSULTATION WITH REPRESENTATIVES OF THOSE FROM WHOM INFORMATION IS TO BE OBTAINED OR THOSE WHO MUST COMPILE RECORDS SHOULD OCCUR AT LEAST ONCE EVERY 3 YEARS -- EVEN IF THE COLLECTION OF INFORMATION ACTIVITY IS THE SAME AS IN PRIOR PERIODS. THERE MAY BE CIRCUMSTANCES THAT MAY PRECLUDE CONSULTATION IN A SPECIFIC SITUATION. THESE CIRCUMSTANCES SHOULD BE EXPLAINED.

The agency meets quarterly with the Fruit and Vegetable Industry Advisory Committee, which is appointed by the Secretary, to discuss the administration of the PACA and other USDA fruit and vegetable programs. In addition, PACA administrators continue to hold periodic discussions with industry associations, such as the government relations committee of the United Fresh Fruit and Vegetable Association, Alexandria, Virginia, (703) 836-3410; the Produce Marketing Association, Newark, Delaware, (302) 738-7100; Western Growers Association, Newport Beach, California, (949) 863-1000; and other individuals and firms regulated under the law. The record keeping requirements of the PACA have never excited great controversy in the industry. The law has only been amended after testimony at Congressional committee meetings by industry members or after publication in the *Federal Register* and solicitation of comment from interested parties.

9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEEES.

No payments or gifts are provided to respondents.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.

Each licensee is guaranteed confidentiality in that information will not be released if it is privileged under the Privacy Act of 1974. In accordance with the requirements of the Privacy

Act of 1974, as amended, 5 U.S.C. 552a, AMS published in the November 7, 2007, *Federal Register* (Vol. 71, No. 215, pages 65067-65068), a notice that it had updated a system of records that is maintained for the purpose of enforcing the PACA, which AMS administers.

Records are maintained in the system on a file server and in file folders in secure rooms at USDA. A backup of the entire database system is done nightly and saved as an encrypted Oracle file on the server. A copy of the entire Oracle database file is transferred to a secure offsite location, which is also backed up nightly.

Access to records is limited to those persons who process the records for the specific routine uses stated above. Records in such formats as computer servers are kept in physically secured rooms. Various methods of computer security limit access to records in the database. Paper records are segregated file cabinets that are kept in physically secured rooms.

Records are maintained and destroyed in accordance with retention schedule number NN 165-106 approved by the 89th Congress, first session on April 1, 1965.

- 11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND 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).**

The reporting and record keeping requirements of the PACA and Regulations do not require disclosure of sensitive information.

12. PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION. THE STATEMENT SHOULD:

- **INDICATE THE NUMBER OF RESPONDENTS, FREQUENCY OF RESPONSE, ANNUAL HOUR BURDEN, AND AN EXPLANATION OF HOW THE BURDEN WAS ESTIMATED. UNLESS DIRECTED TO DO SO, AGENCIES SHOULD NOT CONDUCT SPECIAL SURVEYS TO OBTAIN INFORMATION ON WHICH TO BASE HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL RESPONDENTS IS DESIRABLE. IF THE HOUR BURDEN ON RESPONDENTS IS EXPECTED TO VARY WIDELY BECAUSE OF DIFFERENCE IN ACTIVITY, SIZE, OR COMPLEXITY, SHOW THE RANGE OF ESTIMATED HOUR BURDEN AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDEN HOURS FOR CUSTOMARY AND USUAL BUSINESS PRACTICES.**

- **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.**

- **PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE CATEGORIES. THE COST OF CONTRACTING OUT OR PAYING OUTSIDE PARTIES FOR INFORMATION COLLECTION ACTIVITIES SHOULD NOT BE INCLUDED HERE. INSTEAD, THIS COST SHOULD BE INCLUDED IN ITEM 14.**

The cost to responding industry members for license information is estimated at approximately \$26,368 annually, based on 1308 applications at 15 minutes per application at an hourly rate of \$22.96 (\$7,508), and 14,686 renewal notices or changes in license status, at an hourly rate of \$22.96 at 3 minutes per renewal³ (\$16,860). The \$22.96 per hour figure represents an estimated per hour cost for white collar professionals. This hourly wage along with the estimated wages for executive pay (\$34.21) and administrative support (\$14.44), as quoted throughout this question, were obtained from the U.S. Department of Labor Statistic's publication, "National

³ Approximately 600 respondents notify us of changes prior to their license renewal time. The cost is based on 3 minutes per response at \$25 per hour (\$750).

Compensation Survey: Occupational Wages in the United States, June 2005”, published August 2006 (Bulletin 2581). This publication can be found at the following website:

<http://www.bls.gov/ncs/ocs/sp/ncbl0832.pdf>.

All record keeping requirements are for 2 years, except those records which fully and correctly disclose true ownership of the business, and these are to be maintained for 4 years. The record retention requirement is not unique to the program, but is required by numerous other statutes.

Record keeping requirements that are unique to the PACA consist of the following: Section 46.18, record of produce received; Section 46.20, lot numbers; Section 46.4, limited liability company articles of organization and operating agreements; Section 46.46 (d)(2); and Section 46.2(aa)(11) and Section 46.46 (f), maintaining a copy of written agreement reflecting times for payment.

Section 46.18 of the Regulations (record of produce received) involves approximately 18,400 licensees requiring an estimated annual burden of 5 hours per licensee at an estimated cost of \$14.44 per hour, totaling 92,000 hours at a total annual cost of \$1,328,480.

Section 46.4 of the Regulations (limited liability company articles of organization and operating agreement) involves approximately 220 licensees requiring an estimated annual burden of 5 minutes per licensee at an estimated cost of \$22.96 per hour, totaling 18 hours at a total annual cost of \$414.

Section 46.20 of the Regulations (lot numbers) is a requirement attributed to the statute only, applying only to consignment and agency transactions. Approximately 1000 licenses are affected by this provision, requiring approximately 8,250 hours to comply, at 8.25 hours per

record keeper. These data are created and stored by clerical and sales personnel at an estimated cost of \$14.44 per hour, amounting to a total burden of \$119,130.

A minimal number of buyers and sellers, estimated to be less than 100, elect to enter into the waiver of trust protection as set forth in Section 46.46 (d)(2). These principals represent those firms that waive their right to the automatic trust protection provided by the law. We estimate that the waiver of trust protection involves 15 minutes of preparation by professional personnel at a total cost of \$856. This cost estimate is based on total hours of 25 at \$34.21 per hour.

Record keeping requirements pertaining to Section 46.46 (f) in conjunction with Section 46.2 (aa)(11) involve approximately 1,308 licenses. The amount of time estimated to maintain these records is 20 hours annually at \$14.44 per hour. The total cost therefore is estimated at \$377,751.

13. PROVIDE AN ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS OR RECORD KEEPERS 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 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. THE ESTIMATES SHOULD TAKE INTO ACCOUNT COSTS ASSOCIATED WITH GENERATING, MAINTAINING, AND DISCLOSING OR PROVIDING THE INFORMATION. INCLUDE DESCRIPTIONS OF METHODS USED TO ESTIMATE MAJOR COST FACTORS INCLUDING SYSTEM AND TECHNOLOGY ACQUISITION, EXPECTED USEFUL LIFE OF CAPITAL EQUIPMENT, THE DISCOUNT RATE(S), AND THE TIME PERIOD OVER WHICH COSTS WILL BE INCURRED. CAPITAL AND START-UP COSTS INCLUDE, AMONG OTHER ITEMS, PREPARATIONS FOR COLLECTING INFORMATION SUCH AS PURCHASING COMPUTERS AND SOFTWARE; MONITORING,**

SAMPLING, DRILLING AND TESTING EQUIPMENT AND RECORD STORAGE FACILITIES.

- **IF COST ESTIMATES ARE EXPECTED TO VARY WIDELY, AGENCIES SHOULD PRESENT RANGES OF COST BURDENS AND EXPLAIN THE REASONS FOR THE VARIANCE. THE COST OF PURCHASING OR CONTRACTING OUT INFORMATION COLLECTION SERVICES SHOULD BE A PART OF THIS COST BURDEN ESTIMATE. IN DEVELOPING COST BURDEN ESTIMATES, AGENCIES MAY CONSULT WITH A SAMPLE OF RESPONDENTS (FEWER THAN 10), UTILIZE THE 60-DAY PRE-OMB SUBMISSION PUBLIC COMMENT PROCESS AND USE EXISTING ECONOMIC OR REGULATORY IMPACT ANALYSIS ASSOCIATED WITH THE RULEMAKING CONTAINING THE INFORMATION COLLECTION, AS APPROPRIATE.**

- **GENERALLY, ESTIMATES SHOULD NOT INCLUDE PURCHASES OF EQUIPMENT OR SERVICES, OR PORTIONS THEREOF, MADE: (1) PRIOR TO OCTOBER 1, 1995, (2) TO ACHIEVE REGULATORY COMPLIANCE WITH REQUIREMENTS NOT ASSOCIATED WITH THE INFORMATION COLLECTION, (3) FOR REASONS OTHER THAN TO PROVIDE INFORMATION OR KEEPING RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL BUSINESS OR PRIVATE PRACTICES.**

No capital startup or maintenance costs are associated with this information collection activity.

- 14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT. ALSO, PROVIDE A DESCRIPTION OF THE METHOD USED TO ESTIMATE COST, WHICH SHOULD INCLUDE QUANTIFICATION OF HOURS, OPERATION EXPENSES (SUCH AS EQUIPMENT, OVERHEAD, PRINTING, AND SUPPORT STAFF), AND ANY OTHER EXPENSE THAT WOULD NOT HAVE BEEN INCURRED WITHOUT THIS COLLECTION OF INFORMATION. AGENCIES ALSO MAY AGGREGATE COST ESTIMATES FROM ITEMS 12, 13, AND 14 IN A SINGLE TABLE.**

The PACA is funded through license fees. All expenses, including legal support in reparation and disciplinary proceedings (effective October 1992), are reimbursed through license and complaint filing fees. The annual budget for PACA now stands at approximately \$11,073,000.

Estimated Annual Cost to Federal Government of Operating the PACA Program – FY 2007

Salaries/Benefits	\$ 7,356,000
Benefits for former Personnel	\$ 67,000
Travel	\$ 364,000
Overnight Delivery (Federal Express)	\$ 43,000
Rent	\$ 277,000
Communication	\$ 98,000
Postage	\$ 47,000
Printing/Reproduction Services	\$ 50,000
Office of the General Counsel (Legal Services)	\$ 1,443,000
Supplies/Materials	\$ 92,000
Equipment	\$ 135,000
Agency Overhead	<u>\$ 586,000</u>
Total	\$11,073,000

15. EXPLAIN THE REASON FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14 OF THE OMB FORM 83-1.

REG. NO.	REASON	PREVIOUS BURDEN	NEW BURDEN	DIFFERENCE	TYPE OF CHANGE
7 CFR 46.2	fewer respondents	667	327	(340)	A
7 CFR 46.9	fewer respondents	747	734	(13)	A
			Total	(353)	

PC = Program Change

A = Adjustment

16. FOR COLLECTIONS OF INFORMATION WHOSE RESULTS ARE PLANNED TO BE PUBLISHED, OUTLINE PLANS FOR TABULATION AND PUBLICATION. ADDRESS ANY COMPLEX ANALYTICAL TECHNIQUES THAT WILL BE USED. PROVIDE THE TIME SCHEDULE FOR THE ENTIRE PROJECT, INCLUDING BEGINNING AND ENDING DATES OF THE COLLECTION OF INFORMATION, COMPLETION OF REPORT, PUBLICATION DATES, AND OTHER ACTIONS.

The reporting and record keeping requirements of the PACA and Regulations are not intended for statistical use, but are used solely in administering the law.

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.

FV-PACA orders paper forms well in advance, so forms are mailed to potential licensees in a timely manner. FV-PACA attempts to order forms in quantities large enough to get a price break. If the FV-PACA needs to order more forms prior to an OMB submission for extension of approval, there is no guarantee that a requested expiration date will be used by OMB. Therefore, we are seeking approval to not display the OMB expiration date on these forms.

18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, "CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS," OF OMB FORM 83-1.

There are no exceptions to the certification statement identified in item 19.