

SUPPORTING STATEMENT - OMB NO. 0579-0228
RESTRICTIONS ON IMPORTATION OF LIVE POULTRY, POULTRY MEAT, AND
OTHER POULTRY PRODUCTS FROM SPECIFIED REGIONS

July 20, 2007

A. 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.

Title 21, U.S.C. 117, Animal Industry Act of 1884, authorizes the Secretary to prevent, control and eliminate domestic diseases such as brucellosis, as well as to take actions to prevent and to manage exotic diseases such as classical swine fever and other foreign animal diseases.

Veterinary Services of the USDA's Animal and Plant Health Inspection Service (APHIS) is responsible for administering regulations intended to prevent the introduction of animal diseases into the United States. These regulations in Title 9, Chapter 1, Subchapter D, Parts 91 through 99, of the Code of Federal Regulations (CFR), govern the importation of animals, birds and poultry, certain animal and poultry products, and animal germplasm. To this end, these regulations place certain restrictions on the importation of live poultry, poultry meat, and other poultry products in order to prevent an incursion of END or other exotic poultry diseases into the United States.

The regulations in 9 CFR part 94 allow the importation of poultry meat and products and live poultry from Argentina and the Mexican States of Campeche, Quintana Roo, and Yucatan under certain conditions. The conditions for importation require, among other things, certification from a full-time salaried veterinary officer that poultry and poultry products exported from one of these regions originated in that region (or in another region recognized by APHIS as free of END) and that before export to the United States, these poultry and poultry products were not commingled with poultry and poultry products from regions where END exists.

APHIS is asking OMB to approve its use of these information collection activities for an additional 3 years.

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.

Certificate for live poultry, poultry meat, and poultry products

Live poultry, poultry meat, and other poultry products from Argentina and the Mexican States of Campeche, Quintana Roo, and Yucatan must be accompanied by a certificate issued by a full-time, salaried veterinary officer of the national Governments of Argentina or Mexico.

In the case of live poultry, the certificate must identify the exporting region as a region designated in Section 94.6 as free of END at the time the poultry were in the region. The certificate must also state that (1) the poultry have not been in contact with poultry or poultry products from any region where END is considered to exist; (2) the poultry have not lived in a region where END is considered to exist; and (3) the poultry have not transited through a region where END is considered to exist unless moved directly in a sealed means of conveyance with the seal intact upon arrival at the point of destination.

In the case of poultry meat or other poultry products, the certificate must state that (1) the poultry meat or other poultry products are derived from poultry that meet all requirements of Section 94.25 and have been slaughtered in a region designated in Section 94.6 as free of END at a Federally inspected slaughter plant that is under the direct supervision of a full-time salaried veterinarian of the Government of Mexico and that is approved to export poultry meat and other poultry products to the United States; (2) the poultry meat or other poultry products have not been in contact with poultry meat or other poultry products from any region where END is considered to exist; (3) the poultry meat or other poultry products have not transited through a region where END is considered to exist unless moved directly in a sealed means of conveyance with the seal intact upon arrival at the point of destination; and (4) if processed, the poultry meat or other poultry products were processed in a region designated in Section 94.6 as free of exotic Newcastle disease in a Federally inspected processing plant that is under the direct supervision of a full-time salaried veterinarian of the Government of Mexico.

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.

The certification statement employed in this program must physically accompany the shipment, and requires an original signature from the authorizing veterinarian to be valid. This certification statement is therefore not a candidate for electronic transmission.

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 in connection with this program is not available from any other source. APHIS is the only Agency responsible for preventing the introduction of exotic animal 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 that APHIS is requiring on the certificate must be recorded and certified by Federal animal health authorities in Mexico, not by individual exporters, shippers, or other entities involved with the exportation of live poultry, poultry meat, or other poultry products to the United States.

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 at all, it would significantly cripple APHIS' ability to ensure that poultry, poultry meat, or other poultry products from certain States within Mexico pose a minimal risk of introducing exotic Newcastle disease and other exotic animal diseases into the United States. This would make a disease incursion event much more likely, with potentially devastating affects on the U.S. poultry 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.

The 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 requirements 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

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

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

On Tuesday, May 1, 2007, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plans to request a three 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 Federal animal health authorities in Mexico who will be completing the certificate necessary to export poultry, poultry meat, and other poultry products to the United States.

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

Respondents are full-time, salaried veterinary officers employed by the Government of Argentina and Mexico. APHIS estimates the total annualized cost to these respondents to be \$3,500. APHIS arrived at this figure by multiplying the hours of estimated response time (100 hours) by the estimated average hourly wage of the above respondents (\$35.00).

35.00 hourly rates is derived from the United States 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 \$2,383. (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.

The annual burden hours increased from 50 to 100 and the response for program personnel decreased by half. These changes more accurately estimate the number of certificates expected and the time required for program personnel to process the certificate.

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

APHIS has no plans to publish information it collects in connection with this program.

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.

No such approval is being sought.

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

APHIS can certify compliance with all provisions.

B. Collections of Information Employing Statistical Methods

Statistical methods are not employed in this information collection activity.