

Pseudorabies in Swine; Payment of Indemnity, Docket No. 98-123-2
SUPPORTING STATEMENT - OMB NO. 0579-0137

August 21, 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 and tuberculosis, as well as to take actions to prevent and to manage exotic diseases such as foot-and-mouth disease and rinderpest.

Disease prevention is the most effective method for maintaining a healthy animal population, and enhancing the United States' ability to compete in exporting animals and animal products.

The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture (USDA) is the Agency charged with carrying out this disease prevention mission.

APHIS is currently conducting a pseudorabies eradication program (in cooperation with State governments and swine producers) that involves the systematic identification of pseudorabies-affected swine in the United States, and herd management to eliminate pseudorabies from the United States. From a high of approximately 8,000 affected herds in 1992, the program has reduced the number of affected herds to no affected commercial production herds. However, APHIS continues to periodically find infection in transitional swine herds, defined as those herds in contact with feral swine or other transitional swine herds. When discovered, APHIS uses funding originally provided by the Accelerated Pseudorabies Eradication Program (APEP) to indemnify these herd owners for removal of these affected herds.

Over time, this will benefit U.S. swine producers by enhancing the value of U.S. swine both domestically and internationally.

Once APHIS eliminates this disease, APHIS can divert the resources it currently expends on the pseudorabies program to other disease eradication and prevention efforts.

To launch APEP, APHIS promulgated a regulation to add a new part to title 9, *Code of Federal Regulations* part 52, Animals Destroyed Because of Pseudorabies. This additional regulation has provided APHIS with regulatory authority to make indemnity payments for this voluntary depopulation effort.

Purchasing and depopulating pseudorabies affected swine herds requires information collection activities. Specifically, 1) herd owners seeking indemnity must notify APHIS of their intent to participate in the program; 2) sign a participation agreement; 3) assist APHIS in completing a

worksheet that serves as a written estimate of the total compensation the herd owner will receive for his or her animals; and 4) sign an appraisal form. Some herd owners will opt to bury their swine on site, while others will need to have the swine transported to a slaughter facility. In addition to the previous steps, 5) owners who want their swine transported must contact APHIS to obtain a movement permit; 6) Federal or State veterinarians working under a cooperative agreement will inspect the animals, then move the animals to slaughter in vehicles sealed with an official USDA seal; and 7) the herd owners who want their swine transported to a slaughter facility will submit to APHIS a report of net salvage proceeds.

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.

Application for Indemnity (VS 7-5)

A herd owner, who desires to participate in APEP, and receive indemnity for his /her pseudorabies-affected swine, must notify APHIS of his/her desire to participate. He/she need only contact APHIS once either in writing, or by telephone.

Participation Agreement (VS 7-4)

If a herd owner desires to participate in APEP, he/she must officially acknowledge his/her intent to participate by signing a participation agreement. Before the herd owner signs this document, APHIS thoroughly advises the owner on the nature of the program and its objective.

Pseudorabies Virus Eradication Declaration Payment Worksheet (VS 7-3)

Before a herd owner agrees to relinquish his/her animals to the Federal Government, and before APHIS does an appraisal of these animals, the owner requires some written record concerning the estimated value of those animals. The Pseudorabies Eradication Declaration Payment Worksheet, which the National Pork Producers Council created for APHIS' use, provides this written estimate. Federal personnel or State personnel working through a cooperative agreement with APHIS, complete the worksheet with significant input from the herd owner, and list such information as the number of animals being relinquished, their estimated weight, market price of the animals for that particular week, and the total compensation amount that the herd owner can expect to receive. This form would be completed once. APHIS personnel use this form to prepare the VS 1-23.

Appraisal Form (VS 1-23)

Federal personnel complete this form once and provide to the herd owners the official appraised value of the swine that will be depopulated. The herd owner signs this form.

Obtain Movement Permit

Herd owners who wish to bury their swine on site will not need to provide additional information. However, herd owners who wish to have their swine transported to a slaughter facility must notify APHIS either by phone or in person (when the owner and the APHIS representative are filling out the VS 7-3) and request a movement permit.

Inspection Visit: Cooperative Agreement

An APHIS veterinarian or a State veterinarian working with APHIS under a cooperative agreement will bring the permit form and official seal when the pigs are loaded. The veterinarian observes the loading, signs the permit form, and seals the truck.

Report Net Salvage Proceeds

The herd owner will receive a check in the mail for the swine. He/she then reports that value minus the trucking expense to APHIS. APHIS pays the herd owner the difference between the indemnity price and his/her net salvage proceeds. The herd owner must provide documentation of this amount to APHIS, either by fax, mail, or during a visit from APHIS.

Quarterly Report of Pseudorabies Control/Eradication Activities (VS 7-1)

This is a report that each State receiving Federal pseudorabies funding submits quarterly. This report contains program data such as the number of pseudorabies-infected herds in each State, the number of herds vaccinated for pseudorabies, etc. APHIS obtained approval for this form under OMB No. 0579-0070, Pseudorabies. APHIS personnel use this form to prepare the VS 1-23 Appraisal and Indemnity Claim Form.

APHIS does not require herd owners to keep or maintain any records involving APEP.

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.

There is no improved information technology currently available to replace the hard copy documents APHIS will use for APEP. Using electronic versions of these forms would require equipment that is not readily available to many individuals participating in this accelerated eradication effort.

APHIS keeps these information collection requirements to the absolute minimum necessary to obtain the data APHIS needs to complete this important program successfully.

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 interstate spread of domestic animal diseases.

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 APEP is the minimum needed to purchase swine from herd owners for depopulation. Eradicating pseudorabies from the United States will have long-term, beneficial impacts for U.S. swine herd producers.

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 is not collected, APHIS will be unable to continue the APEP. This could potentially result in the further spread of pseudorabies within the United States, thus delaying the final eradication of the economically damaging disease from 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.

APHIS will conduct this information collection 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 record keeping, 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 APEP:

Dr. Paul Sundberg
National Pork Board

1776 N.W. 114th St.
Clive, IA 50325
(515) 223-2600
Jeff Schnell
Iowa Pork Producers Association
1636 NW 114 Street
Clive, IA 50325
(515) 225-7675

David Preisler
Minnesota Pork Producers Association
360 Pierce Avenue, Suite 106
North Mankato, MN 56003
(507) 345-8814

On Tuesday, April 17, 2007, page 19167, APHIS published in the Federal Register, a 60-day notice seeking public comments on our plans to request a three-year renewal of this collection of information. APHIS received no comments from the public.

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.

APHIS offers no additional assurance of confidentiality with this information collection. However, 5 U.S.C. 552a protects the confidentiality of information.

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 83-1.

See APHIS Form 71 for estimated burden.

•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 the above respondents to be \$1,181.50. APHIS arrived at this figure by multiplying the hours of estimated response time (34) by the estimated average hourly wage of the respondents (\$35.19). [\\$35.19 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/nbl0539.pdf](http://www.bls.gov/ncs/ocs/sp/nbl0539.pdf)

13. Provide estimates 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 estimates should be split into two components: (a) a total capital and startup 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 startup 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.

APHIS estimates the annualized cost to the Federal Government at \$1,523.09 (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.

This is a revision of a previously approved collection resulting in a program decrease of -3,141 hours because of a decrease in the number of respondents. The reason for this decrease is because of the large decrease in the number of pseudorabies-affected herds found in the last 3 years.

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.

If APHIS had to discard forms that were otherwise useable, only because of an outdated OMB expiration date, the Federal Government would incur higher printing costs. Therefore, APHIS is seeking approval not to display the OMB expiration date on its forms.

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

APHIS can certify compliance with all provisions under the Act.

B. Collections of Information Employing Statistical Methods

APHIS does not use statistical methods in this information collection activity.