

**Supporting Statement for Information Collection Request  
Importation of Nursery Stock  
OMB No. 0579-XXXX**

**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 (USDA) is responsible for preventing the entry of plant diseases or insect pests from entering into the United States, preventing the spread of pests and noxious weeds not widely distributed into the United States, and eradicating those imported pests when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 – 7772), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, exportation, or movement in interstate commerce of plant pests and other articles, to prevent the introduction of plant pests into the United States or their dissemination within the United States.

The regulations in 7 CFR Part 319 prohibit or restrict the importation of certain plants and plant products into the United States to prevent the introduction of plant pests and noxious weeds. The regulations contained in “Subpart-Nursery Stock, Plants, Roots, Bulbs, Seeds, and Other Plant Products,” §§ 319.37 through 319.37-14 (referred to below as the regulations), restrict, among other things, the importation of living plants, plant parts, and seeds for propagation.

APHIS’ final rule will update the regulations on importing nursery stock to eliminate various restrictions on the importation of plants in vitro and kenaf seed; to establish programs for the importation of approved plants from the Canary Islands and from Israel; to require an additional declaration on the phytosanitary certificate accompanying blueberry plants imported from Canada; to change the phytosanitary certificate requirements for several restricted articles; to reduce the postentry quarantine growing period for *Hydrangea* spp. and for certain chrysanthemums; and to update the list of ports of entry and Federal plant inspection stations. APHIS is also updating and clarifying the regulations to improve their effectiveness. This is necessary to relieve restrictions that appear unnecessary, update existing provisions, and make the regulations easier to understand and implement. APHIS is asking asking OMB to approve, for 3 years, its use of this information collection.

**2. Indicate how, by whom, 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.**

**Special Certificate (Foreign sticker)**

The special certificate will accompany small individual shipments of bulbs. Typically, these shipments are brought to the United States from the Netherlands by individuals carrying the bulbs in their luggage. The special certificate would be easier for individuals to obtain than a full phytosanitary certificate while providing the same assurance that the bulbs are free of golden nematode and potato cyst nematode.

**Export Certificate (Document from Canada)**

The export certificate will be required in lieu of a phytosanitary certificate for Canadian exporters participating in Canadian Food Inspection Agency's (CFIA) seed export program. Each shipment of seed exported under this program will be accompanied by an export certificate document. The information in this document would be provided by the seed exporter. This document would show, among other information, the scientific name of the seed, the common name of the seed, the country of origin, and the establishment identification number.

**Phytosanitary Certificate w/ Declaration (Foreign)**

Phytosanitary certificates that accompany Vaccinium corymbosum (blueberry) plants that are imported from Canada must contain an additional declaration stating that the plants are free of blueberry scorch carlavirus. In addition, all bulbs imported from the Netherlands must be accompanied by a phytosanitary certificate with an additional declaration that the bulbs offered for importation were grown on land that has been sampled and microscopically inspected by the plant protection organization of the Netherlands and found to be free from the potato cyst nematodes (Globodera rostochiensis (Woll.) Behrens and G. pallida (Stone) Behrens within the past 12 months.

**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 requires that some plants or plant products be accompanied by either a phytosanitary inspection certificate with a declaration, export certificate, or a special certificate that is completed by plant health officials in the originating or transiting country. APHIS uses the information on these certificates 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 APHIS must conduct when the shipment arrives. Without this information, all shipments would need to be inspected more thoroughly, thereby requiring considerably more

time. This would slow the clearance of international shipments. 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 to prevent the introduction of plant pests into the United States. The information 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 is the minimum required to protect U.S. nursery stock and other plant resources from the potential introduction of plant pests into the United States.

**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 imported nursery stock does not present a significant risk of introducing plant pests into the United States. The establishment of certain plant pests in the United States could cause substantial losses to American agriculture.

**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.**

Persons consulted in 2006-2007 are as follows:

Lin Schmale  
Society of American Florists  
1601 Duke St.,  
Alexandria, VA 22314  
(703) 838-5232

Mr. Craig Regelbrugge  
American Nursery and Landscape  
1000 Vermont Ave., NW. 3<sup>rd</sup> Flr.  
Washington, DC 20005  
(202) 789-2900

Ms. Dorthea Zadiz  
CA Department of Food and Agriculture  
1220 N. St., Rm. A-316  
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APHIS' proposed rule (Docket No. 03-002-1) was published in the Federal Register on Thursday, December 15, 2005, pages 74215-74235. During this time, 25 comments were received by interested parties, but no comments were in regard to paperwork. The proposed rule is being adopted as the final rule with all changes discussed in the final rule.

**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 (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.

**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 83I.**

See APHIS Form 71 for hour burden estimates. These estimates were developed using the calculated average time to fill out the certificates, forms, and other information collection and recordkeeping requirements and through discussions with industry experts.

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

Respondents are importers of nursery stock and foreign governments. APHIS estimates the total annualized cost to these respondents to be \$3,345. APHIS arrived at this figure by multiplying the total number of burden hours times the wage per hour rate.  $\$15.00 \times 223 \text{ hours} = \$3,345$ .

**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 startup cost component annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component.**

There is no annual cost burden associated with capital and startup 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.**

See APHIS Form 79 for annualized cost to the Federal Government. This cost is based on the estimated average time required to process certificates, complete preclearance forms, and fulfill APHIS' other regulatory obligations. These costs are estimated to be \$6,743.72.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 831.**

This is a new program. This collection of information uses phytosanitary certificates for the importation of approved plants from the Canary Islands and Israel.

**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.