

SUPPORTING STATEMENT - OMB NO. 0579-XXXX

Restrictions on importation of table eggs from regions where Exotic Newcastle Disease exists.

August 22, 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 take appropriate measures to prevent the introduction or dissemination of any contagious or communicable disease of animals or live poultry from a foreign country into the United States or from one State to another. Disease prevention is the most effective method for maintaining a healthy animal population and enhancing the ability of the United States to compete in the world market of animal and animal product trade.

Veterinary Services of the U.S. Department of Agriculture'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.

APHIS is proposing to amend the regulations regarding the importation of animal products in order to modify the requirements concerning the importation of eggs (other than hatching eggs) from regions where END exists. This action is necessary in order to provide a more sound testing option for determining the END status of flocks producing eggs (other than hatching eggs) for export to the United States. The conditions for importation require, among other things, certification from a salaried veterinary officer of the national government of the region of origin or a certificate issued by a veterinarian accredited by the national government of Mexico and endorsed by a full-time salaried veterinary officer of the national government of Mexico, thereby indicating that the veterinarian is authorized to issue the certificate. The certificate must also state that egg drop syndrome is notifiable in the region of origin and there have been no reports of egg drop syndrome in the flocks of origin of the eggs, or within a 50 kilometer radius of the flock of origin, for the 90 days prior to the issuance of the certificate.

APHIS is asking the Office of Management and Budget to approve its use of these information collection activities for 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 table eggs from END regions

Imported eggs (other than hatching eggs) from poultry, game birds, or other birds from Mexico must be accompanied by a certificate that is completed and signed by a salaried veterinary officer of the national government of the region of origin or by a certificate issued by a veterinarian accredited by the national government of Mexico and endorsed by a full-time salaried veterinary officer of the national government of Mexico, thereby indicating that the veterinarian was authorized to issue the certificate.

The certificate must identify, among other things, the flock of origin, the region of origin, the port of embarkation, the port of arrival, the name and address of the exporter and importer, the total number of eggs, and cases of eggs, shipped with the certificate, and the date the certificate was signed; the eggs qualify for importation in accordance with this section; no more than 90 days before the certificate was signed, a salaried veterinarian accredited by the national government of Mexico, inspected the flock of origin and found no evidence of communicable diseases of poultry; no END occurred on the premises of origin or on adjoining premises during the 90 days before the certificate was signed; there is no evidence that the flock of origin was exposed to END during the 90 days before the certificate was signed; the eggs are from a flock of origin found free of END; and EDS is notifiable in the region of origin and there have been no reports of egg drop syndrome in the flocks of origin of the eggs, or within a 50 kilometer radius of the flock of origin, for the 90 days prior to the issuance of the certificate.

Government Seals

Before leaving the premises of origin, the cases in which the eggs are packed must be sealed with the seal of the Mexican national government by the veterinarian accredited by the national government of Mexico who signed the certificate.

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 required is the minimum which is necessary to enforce the intent of legislative and regulatory requirements.

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 END 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. Michael Rybolt, Director of Scientific and Regulatory Affairs
National Turkey Federation
1225 New York Ave. NW, Suite 400
Washington, DC 20005
(202) 898-0100

Monday, August 13, 2007, pages 45177 – 45181, APHIS published a Proposed Rule and request for comments in the Federal Register.

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 Mexican Federal animal health authorities 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 Mexican Government. APHIS estimates the total annualized cost to these respondents to be \$150.80. APHIS arrived at this figure by multiplying the hours of estimated response time (13 hours) by the estimated average hourly wage of the above respondents (\$11.60). The hourly wage was provided by USDA's Agricultural Specialist Animal Health Specialist in Mexico via SAGARPA animal health officials.

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 \$269.52. (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 new program. APHIS is proposing to amend the regulations in order to certify that table eggs imported from Mexican regions are free of END.

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 we collect 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 of the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not employed in this information collection activity.