

SUPPORTING STATEMENT - OMB NO. 0579-0230
CLASSICAL SWINE FEVER (CSF) IMPORTATION OF PORK AND PORK
PRODUCTS AND LIVE SWINE FROM 4 MEXICAN STATES

September 19, 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 2000, authorizes the Secretary of Agriculture to take such measures as deemed proper 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 APHIS' ability to compete in the world market of animal and animal product trade.

Veterinary Services, a program within U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS), is responsible for carrying out this disease prevention mission. This agency regulates the importation of animals and animal products into the United States to guard against the introduction of exotic animal diseases such as classical swine fever.

The regulations under which APHIS conducts these disease prevention activities are contained in Title 9, of the Code of Federal Regulations (CFR), Chapter 1, Subchapter D, Parts 91 through 99. These regulations 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 swine, pork, and pork products in order to prevent an incursion of CSF or other exotic swine diseases into the United States.

The Mexican States of Baja California, Baja California Sur, Chihuahua, and Sinaloa are on the list of regions in sections 94.9 and 95.10 that are considered free of CSF, and thus these States are allowed to export live swine, pork, and pork products into the United States.

The importation of these commodities into the United States, however, continues to pose an undue risk of introducing CSF. This is because the Mexican States of Baja California, Baja California Sur, Chihuahua, and Sinaloa supplement their pork supplies via the importation of fresh (chilled or frozen) pork from regions that are affected with CSF, share a common land border with such regions, or import swine from such regions under conditions less restrictive than would be acceptable for importation into the United States.

This information collection imposes certain requirements on these commodities in order to mitigate the potential disease threat they represent. One of these requirements entails the use of

a certification statement that must be completed by Mexican veterinarian authorities prior to export. This document is designed to provide APHIS with critical information concerning the origin and history of the items destined for importation into the United States.

APHIS is asking OMB to approve, for 3 years, its use of this information collection activity in connection with APHIS efforts to ensure that swine, pork, and pork products from the Mexican States of Baja California, Baja California Sur, Chihuahua, and Sinaloa pose a negligible risk of introducing CSF into the United States.

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 swine, pork, and pork products (Foreign)

A certificate issued by a salaried veterinary officer of the Government of Mexico must accompany swine, pork, and pork products from specified regions. The certificate must identify both the exporting region and the region of origin as a region designated in Sections 94.9 and 94.10 (Title 9, Code of Federal Regulations) as free of CSF at the time the swine, pork, or pork products were in the region.

In the case of live swine, the certificate must also state that (1) the swine have not lived in a region designated in Sections 94.9 and 94.10 as affected with CSF; (2) the swine have never been commingled with swine that have been in a region that is designated in Sections 94.9 and 94.10 as affected with CSF; (3) the swine have not transited through a region designated in Sections 94.9 and 94.10 as affected with CSF unless moved directly through the region to their destination in a sealed means of conveyance with the seal intact upon arrival at the point of destination; and (4) the equipment or materials used in transporting the swine, if previously used for transporting swine, have been cleaned and disinfected in accordance with the requirements of Part 93.

In the case of pork and pork products, the certificate must state that (1) the pork or pork products were derived from swine that were born and raised in a region designated in Section 94.22 and were slaughtered in such a region 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 the region is eligible to have its products imported into the United States under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.); (2) the pork or pork products have never been commingled with pork or pork products that have been in a region that is designated in Sections 94.9 and 94.10 as affected with CSF; (3) the pork or pork products have not transited through a region designated in Sections 94.9 and 94.10 as affected with CSF unless moved directly through the region to their destination in a sealed means of conveyance with the seal intact upon arrival at the point of destination; and (4) if processed, the pork or pork products were processed in a region designated in Sections 94.9 and 94.10 as free of CSF in a Federally inspected processing plant that is under the direct supervision of a full-time salaried veterinary official 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 swine, pork, and pork products into 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 was collected less frequently or not collected at all, it would significantly cripple APHIS' ability to ensure that swine, pork, and pork products from certain States within Mexico pose a minimal risk of introducing CSF 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. swine 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:

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On Thursday, July 5, 2007, pages 36649 – 36650, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plans to request a 3 year renewal of this collection of information. During that time APHIS received one comment from interested members of the public. This comment did not deal with information collection issues

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 certificates necessary to export swine, pork, and pork products into 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 Mexico. APHIS estimates the total annualized cost to these respondents to be \$1,250. APHIS arrived at this figure by multiplying the hours of estimated response time (50 hours) by the estimated average hourly wage of the above respondents (\$25.00).

\$25.00 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/ncb10539.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 \$2,004. (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.

There is no change in burden for this extension of APHIS' previously approved information collection.

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.

There are no forms associated with this information collection.

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

APHIS can certify compliance with all provisions in the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not employed in this information collection activity.