

SUPPORTING STATEMENT - OMB NO. 0579-0116
Exotic Newcastle Disease in Birds and Poultry;
Chlamydiosis in Poultry

November 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 7, U.S.C. 8301, The Animal Health Protection Act, authorizes the Secretary of Agriculture to take such measures as he/she may deem proper to prevent the introduction or dissemination of the contagion of any contagious or communicable disease of animals and/or live poultry from a foreign country into the United States or from one State to another.

Velogenic or exotic Newcastle disease (END) is the most severe form of Newcastle disease and is foreign to the United States. It is one of the most serious diseases of poultry throughout the world. The virus also infects and causes disease in wild birds including parrots and parakeets. Chlamydiosis is a naturally occurring contagious disease that can be highly fatal in young birds. It can be an economically devastating disease to poultry producers and can cause the disease, psittacosis, in humans. Imported song birds and psittacines (parakeets and parrots) are a constant threat as a source of these infectious to U.S. poultry, as are smuggled poultry and poultry products.

Disease prevention is the most effective method for maintaining a healthy animal population and for enhancing Animal and Plant Health Inspection Service's (APHIS) ability to compete in the world market of animals and animal product trade. In connection with this disease prevention mission, APHIS regulates the interstate movement of certain poultry, birds, and other items from premises and areas quarantined because of END and Chlamydiosis. Restricting the movement in this manner enables APHIS to prevent infected or exposed poultry and birds from coming into contact with healthy ones.

The regulations under which APHIS conducts these activities are contained in title 9, *Code of Federal Regulations*, part 82. Regulating the interstate movement of birds, poultry, and other items (such as eggs, carcasses, vehicles, containers, and coops) requires the use of certain information gathering activities, including the completion of documents attesting to the health status of the birds or poultry being moved, the number and types of birds or poultry being moved in a particular shipment, the shipment's point of origin, the shipment's destination, and the reason for the interstate movement.

These documents also provide useful "trace back" information in the event an infected bird or chicken is discovered and an investigation must be launched to determine where the bird or chicken originated. The information provided by these documents is critical to APHIS' ability to prevent the interstate spread of END, which is highly contagious and capable of causing

significant economic harm to the U.S. poultry industry.

APHIS is asking OMB to extend its approval of these information gathering documents 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.

Notification of Bird's Health Status

Once an individual receives a permit from APHIS to move birds or poultry interstate, that individual must notify APHIS by phone, fax, letter, or in person within 24 hours, (or other appropriate animal health authorities) if any of the birds should become sick or die.

Application for Permit

Persons desiring to move eggs, birds, poultry, and other items interstate from a quarantine area must apply to APHIS, in writing, for a permit. The application for permit must include the following information: (1) the applicant's name and mailing address; (2) the name and mailing address of the person who will be receiving the birds, poultry, or other items; (3) the address of both the origin and destination of the shipment; (4) the number and types of birds, poultry, and other items intended for interstate movement; and (5) the reason for the interstate movement.

Copies of the permit must be submitted to the State animal health official and the Veterinarian in Charge for the State of destination within 72 hours of the arrival at the destination listed on the permit.

Declaration or Affidavit

The applicant for a permit must submit to APHIS a declaration or affidavit listing the requirements in the regulations for interstate movement of the items in question, and stating that the applicant will move the items interstate only if all of the listed requirements in APHIS' regulations are met. This declaration or affidavit helps APHIS determine whether to issue a permit, by demonstrating whether the applicant has the knowledge of the regulations necessary to comply with them. Due to the highly infectious nature of END and the high rate of mortality it causes among birds and poultry, APHIS considers such knowledge a critical condition for the issuance of a permit.

Application for Special Permit

APHIS issues special permits in those relatively infrequent occasions when articles can be moved without the risk of disease spread. A special permit is also required for the disposal of items and the cleaning and disinfection of items, vehicles, equipment, and premises.

An applicant desiring a special permit must apply to APHIS, in writing, for the permit. The application for the special permit must list the name and address of the person to whom the special permit is to be issued, and the special conditions under which the interstate movement or cleaning and disinfection may be carried out.

For an interstate movement, the special permit must also include the following: (1) the name and mailing address of the person who will receive the items; (2) the addresses of both the origin and destination of the items; (3) the number and type of items to be moved interstate; and (4) the reason for the interstate movement.

For cleaning and disinfection, the application must also include the following: (1) the address of the place where the items are located; and (2) the number and type of items involved.

As with permits, applicants must provide a copy of the special permit to both the State animal health official and the Veterinarian in Charge for the State of destination within 72 hours of the arrival of the shipment at the destination listed on the special permit.

Appeal and Request for Hearing

If an applicant is denied a permit or special permit or the permit is withdrawn and wishes to contest APHIS' decision, then the applicant must appeal APHIS' decision in writing. The appeal letter or request for hearing (cases where there is a conflict) must state all of the facts and reasons upon which the person relies on to show that the permit or special permit was wrongfully denied or withdrawn.

Application for Permit to Move Vehicles, etc.

Persons desiring to move vehicles, cages, coops, containers, troughs, or other equipment interstate from a quarantine area must apply to APHIS, in writing, for a permit. (The application must contain the same information as described in the above paragraph concerning the permit application procedure for moving eggs, birds, and poultry interstate from a quarantine area.) Copies of the permit must be submitted to the State animal health official and the Veterinarian in Charge for the State of destination within 72 hours of the arrival at the destination listed on the permit.

State Participation in the END Program (Cooperative Agreement SF 424, SF 424A, SF 424B, SF LLL)

Participation of State officials in place of Federal representatives may occur at all levels of APHIS' END Program including inspections, impositions of quarantines, attaching official seals or accompanying shipments, and observance of the cleaning or disinfecting process. All of this collected information is retained in APHIS files showing when, where, and what restricted items are being moved interstate; as well as what items have been destroyed, cleaned, or disinfected and the method used. This information is critical to APHIS' ability to trace disease outbreaks to their source. Without this collection of information, APHIS' ability to quickly and effectively locate and eradicate END and Chlamydiosis outbreaks would be severely compromised.

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.

All applications and permits are in letter format; there are no official forms. The existing burden is kept at a minimum for the control and eradication of an outbreak of END or Chlamydia in the United States. The application of electronic technology to collect, store, and transmit information generated in connection with this program is currently being evaluated, and may be available in the future.

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.

APHIS is the agency charged with the enforcement of the regulations (in cooperation with the States). No other agency is duplicating this effort and no other similar information is available.

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. APHIS has no small entities involved with this information collection.

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.

Failing to collect this information would severely cripple APHIS' ability to detect, as early as possible, an outbreak of END or Chlamydia and prevent it from spreading to other areas of the United States. The frequency of the information collected (on occasion) is determined by the number of producers within quarantined areas applying for permits to move birds or poultry or their products interstate.

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 circumstances are known to be inconsistent with the guidelines of 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 activities associated with this program:

Mr. Stephen Pretanik
Director, Science & Technology National Broiler Council
The Madison Building, 1155 Fifteenth Street NW, Suite 614
Washington, DC 20005
(202) 296-2622

Dr. Mark Lutschaunig
Director, Government Relations Division
American Veterinary Medical Association
1910 Sunderland Place, NW
Washington, DC 20036-1642
(202) 789-0007
(847) 925-8070 (AVMA HQ - Schaumburg, IL)

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

On Thursday, September 27, 2007, pages 54889-54890, 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. No comments from the public were received.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration 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 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 83-I.**

See APHIS Form 71. Burden estimates were developed from discussions with producers and shippers, as well as discussions with State animal health personnel.

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

The estimated cost for the public was determined by multiplying the total number of burden hours times the wage per hour. The written material is prepared and submitted by poultry producers and shippers. The average pay wage is approximately \$20 per hour.

6 hours X \$20. (Average wage) = \$120.

\$20.00 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 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 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.

The annualized cost to the Federal government is estimated at \$270.84. 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 have been no outbreaks of END or Chlamydia since 2004. Consequently, the burden hours have decreased.

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 is able to certify compliance with all the provisions of the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not used in this information collection.