

SUPPORTING STATEMENT
Bees and Related Articles
OMB No. 0579-0207

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.

The United States Department of Agriculture is responsible for preventing plant diseases or insect pests from entering the United States, preventing the spread of pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests when eradication is feasible.

Under the Plant Protection Act (Title IV, Pub. L. 106-224, 114 Stat. 438, 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.

Further, under the Honeybee Act (7.U.S.C. 281-286), the Secretary of Agriculture is authorized to prohibit or restrict the importation of honeybee semen to prevent the introduction into the United States of diseases and parasites harmful to honeybees and of undesirable species and subspecies of honeybees such as Apis mellifera scutellata, commonly known in the United States as the African honeybee. Regulations established under the Honeybee Act are contained in the Code of Federal Regulations (CFR), Title 7, Part 322 (referred to as the “honeybee regulations”).

The Animal and Plant Health Inspection Service (APHIS), Plant Protection and Quarantine (PPQ), is responsible for implementing the intent of these Acts, and does so through the enforcement of its pollinator regulations and honeybee regulations.

Pollination is necessary for the production of many important crops, including forages, fruits, vegetables, and vegetable oils. The pollinator regulations and honeybee regulations govern the importation into the United States of honeybees, honeybee semen, live bees other than honeybees, dead bees of the superfamily Apoidea, certain beekeeping byproducts, and beekeeping equipment.

The establishment of certain bee diseases, parasites, or undesirable species and subspecies of honeybees in the United States could cause substantial reductions in pollination by bees. Reductions in pollination by bees could indirectly cause serious

damage to crops and other plants, and, therefore, could lead to multimillion dollar losses to American agriculture.

This regulation revises the honeybee regulations and the pollinator regulations. Among other things, APHIS now allows honeybees from Australia and honeybees and honeybee germ plasm from New Zealand, to be imported into the United States under certain conditions, to impose certain conditions on the importation into the United States of bees and related articles from Canada, and to prohibit the interstate movement of honeybees into Hawaii.

Implementing this regulation requires APHIS to collect information from a variety of individuals who are involved in breeding, exporting, importing, and containing bees and related articles. The information APHIS collects serves as the supporting documentation needed to issue required PPQ forms and documents that allow importation of bees and related articles or authorize release of bees. This documentation is vital to helping APHIS ensure that exotic bee diseases and parasites, and undesirable species and subspecies of honeybees, do not spread into or within the United States.

APHIS is asking OMB to approve, for an additional 3 years, this information collection activity associated with its efforts to prevent the spread of diseases and parasites harmful to honeybees, and the introduction of genetically undesirable germ plasm of honeybees.

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 Permit (PPQ Form 526) - Anyone wishing to import honeybees, honeybee semen, or any restricted articles (such as beekeeping equipment) that could potentially harbor exotic bee diseases or parasites, must apply to APHIS for an import permit. This application must be submitted at least 30 days before the honeybees, honeybee semen, or restricted article arrive at its port of entry in the United States.

The permit application need not be in any particular format, but it must include the importer's name, address, and telephone number; the quantity and kinds of articles intended for export, the amount of semen to be imported, the species or subspecies of honeybee from which the semen was collected; the country or locality of origin; the intended port of entry in the United States; the means of transportation; and the expected date of arrival.

APHIS needs this information to determine if the honeybees, honeybee semen, or restricted articles are eligible for importation into the United States, and under what conditions (i.e., necessary treatments, appropriate shipping containers, proper port of entry, etc.).

Recordkeeping by Containment Facilities - Containment facilities housing restricted articles will have to maintain records about the condition and behavior of the bees and the amount of time spent in containment. This information will help APHIS determine whether the bees can eventually be safely released from containment. Records are maintained for APHIS to review for a period of 3 years.

Transit Documentation - Each shipment of restricted organisms transiting the United States will have to be accompanied by a document issued by the appropriate regulatory agency of the national government of the exporting region. The document will have to state that the packaging requirements for transit shipments have been met. This requirement will help prevent the introduction of exotic bee disease, parasites, and undesirable species and subspecies of honeybees into the United States.

Notice of Arrival - The importer will provide a notice of arrival before a shipment of bees or related articles arrives in the United States. This notice will include certain information about the importer, producer, and shipment. This information will allow APHIS to the U.S. port of arrival and State authorities in the State of destination about the impending shipment and will facilitate traceback of shipments if an outbreak of a disease or parasite occurs in the exporting region or in the United States.

Labeling - Packages of bees and related articles imported into the United States will be labeled with the contents of the shipment and the name of the exporting country. This requirement will be used by APHIS to protect the safety of its inspectors, and will help facilitate the importation of these products, by providing its inspectors with ready access to essential information about the shipment.

Risk Assessments - A risk assessment will be performed by APHIS before a country can be approved to import honeybees or honeybee germ plasm into the United States under its proposed subpart B. This requirement will ensure that bees imported under its less stringent requirements do not pose a risk of introducing exotic bee diseases, parasites, or undesirable species or subspecies of honeybees into the United States. This requirement will also make its risk assessment review process more transparent to its trading partners.

Appeal for Withdrawal of Permit - If your permit has been canceled, APHIS will promptly inform you, in writing, of the reasons for the denial or cancellation. You may appeal the decision by writing to the Administrator and providing all of the facts and reasons upon which you are relying to show that your permit application was wrongfully denied or your permit was wrongfully canceled.

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 Application for Permit (PPQ Form 526) is posted and downloadable at:
www.aphis.usda.gov/ppq/forms/ppqform526.pdf

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 of preventing the introduction of exotic honeybee diseases, parasites, and undesirable species and subspecies of honeybees. This 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 needed to protect the U.S. beekeepers and bee populations nationwide from the potential introduction of exotic bee diseases, parasites, and undesirable species and subspecies of honeybees into the United States.

Small entities are considered small if they have annual receipts of \$750,000 or less. Therefore, most of the apiaries that are affected by the original rule qualify under the definition of a “small entity.” PPQ estimates 260 of the 276 total respondents to be small entities.

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 it was collected less frequently, APHIS could not verify that imported bees and related articles do not present a significant risk of introducing exotic bee disease, parasites, and undesirable species and subspecies of honeybees. The establishment of certain bee diseases, parasites, or undesirable species and subspecies of honeybees in the United States could cause substantial reduction of pollination by bees. Reduction in pollination by bees could indirectly cause serious damage to crops and other plants and, therefore, could lead to multimillion dollar 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.

This information collection is conducted in a manner consistent with the guidelines established in 5 CFR 1320.6.

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.

Productive consultations concerning information collection activities were made in 2007 with the following individuals:

Mr. Dewey Caron
Department of Entomology and Wildlife Ecology
University of Delaware
250 Townsend Hall
Newark, DR 19716
(302) 831-8883

Ms. Andrea Abraham
Meeks & Sheppard
1735 Port Rd., Suite 4
Fairfield CT. 06824
(203) 256-1401

Dr. Victor S. Sheppard
Department of Entomology
Washington State University
Pullman, WA 99164
509-335-5180

APHIS' Extension of Approval of an Information Collection; Comment Request was published in the Federal Register on Wednesday, May 23, 2007, pages 28946-28947, with a 60 day comment period. No comments from the public were received.

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 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 for hour burden estimates.

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

86 X \$17.85 estimated hourly wage = \$1,535.10

The 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 start-up, operation, maintenance, 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 estimated cost for the Federal Government is \$ 10,571.41. (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.

After carefully reviewing the information collection requirements associated with this program, APHIS determined that some of the numbers of “responses per respondent” were unrealistic. Therefore, there is a decrease in burden from 285 hours to 86 hours due to a decrease in the number of responses per respondent. APHIS regrets that these hours were not discovered before printing the incorrect figures in the Federal Register.

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 this data.

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 forms were to be discarded because of an outdated OMB expiration date, but were otherwise usable, higher printing costs would be incurred by the Federal Government. Therefore, APHIS is seeking approval to not display the OMB expiration date on its forms.

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 under the Act.

B. Collections of Information Employing Statistical Methods

This collection of information does not use statistical methods.