

**SUPPORTING STATEMENT - OMB NO. 0579-XXXX
IMPORTATION OF PORK AND PORK PRODUCTS**

December 7, 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, 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 any contagious or communicable disease of animals or live poultry from a foreign country into the United States or from one State to another.

Veterinary Services, a program within USDA'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.

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.

The regulations under which APHIS conducts these disease prevention activities are contained in Title 9, Chapter 1, Subchapter D, Parts 91 through 99 of the Code of Federal Regulations. 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 classical swine fever (CSF) or other exotic swine diseases 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 Chile supplements its 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

Consequently, APHIS' proposed rule contains certain requirements in connection with the importation of 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 Chilean veterinary 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 Chile 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 from Chile (APHIS 7001)

Swine, pork, and pork products from specified regions must be accompanied by a certificate issued by a salaried veterinary officer of the Government of Chile. 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 classical swine fever; (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 identify the exporting region and the region of origin of the pork or pork products as a region designated in Sections 94.9 and 94.10 as free of CSF at the time the pork or pork products were in the region.

The certification must also state that (1) the pork or pork products were derived from swine that were born and raised in a region designated in Section 94.9 and 94.10 as free of CSF 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 Chile, 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 were derived from swine that have not lived in a region that is designated in Sections 94.9 and 94.10 as affected with CSF; (3) 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; (4) the pork or pork products have not transited 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 (5) 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 Chile.

RECORDKEEPING

The APHIS 7001 certificate must be kept at the facility for a period of at least 2 years after export of processed products to the United States.

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. We are 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 Chile, not by individual exporters, shippers, or other entities involved with the exportation of swine, pork, and pork products to the United States.

APHIS has determined that this action would not have a significant economic impact on a substantial number of small entities.

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 Chile 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.

APHIS engaged in productive consultations with the following individuals concerning the information collection requirements associated with this program:

Jeff Schnell
Iowa Pork Producers Association
1636 Northwest 114th Street
Clive, IA 50325
515-225-7675

Beth Lautner
National Pork Board
1776 Northwest 114th Street
Clive, IA 50325
1776 Northwest 114th Street
515-223-2600

Paul Clayton
U.S. Meat Export Federation
1050 17th Street, Suite 2200
Denver, CO 80265
303-623-6328

The proposed rule, Docket Number 2006-0186 was published in the Federal Register on Friday, January 5, 2007, pages 471 - 475, with a 60-day comment period. During this time, comments were received by interested parties. None of these comments dealt with information collection issues. On its plans to request a three year renewal of this collection of information.

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 Chile who will be completing the certificates necessary to export swine, pork, and pork 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 Government of Chile. APHIS estimates the total annualized cost to these respondents to be \$750.00. APHIS arrived at this figure by multiplying the hours of estimated response time (30 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 \$2,383.36. (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 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.

If forms were to be discarded because of an outdated OMB expiration date, but 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 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.