

SUPPORTING STATEMENT - OMB NO. 0579-0278
HEALTH CERTIFICATES FOR THE EXPORT OF LIVE
CRUSTACEANS, FINFISH, MOLLUSKS, OR RELATED PRODUCTS

December 8, 2008

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 Animal Health Protection Act (AHPA) of 2002 is the primary Federal law governing the protection of animal health. The law gives the Secretary of Agriculture broad authority to detect, control, or eradicate pests or diseases of livestock or poultry. The Secretary may also prohibit or restrict import or export of any animal or related material if necessary to prevent the spread of any livestock or poultry pest or disease.

The AHPA is contained in Title X, Subtitle E, Sections 10401-18 of P.L. 107-171, May 13, 2002, the Farm Security and Rural Investment Act of 2002.

Disease prevention is the most effective method for maintaining a healthy animal population and enhancing the ability of U.S. producers to compete in the global market of animal and animal product trade.

The U.S. Department of Commerce, National Marine Fisheries Service (NOAH); the U.S. Department of the Interior, Fish and Wildlife Service (FWS), and USDA-APHIS all have legal authorities and mandates for the management of aquatic animal health in the United States and its territories. All three agencies have therefore entered into a Memorandum of Understanding delineating their respective responsibilities in the issuance of health certificates for the export of live aquatic animals and animal products.

As a result of these shared responsibilities, a health certificate was developed bearing the logos of all three agencies, and which can be used by all three agencies when issuing health certificates for the export of live crustaceans, finfish, mollusks, and their related products from the United States. The health certificate requires the names of the species being exported from the United States, their age and weights, and whether they are cultured stock or wild stock; their place of origin, their country of destination and the date and method of transport. The certificate is completed by an accredited inspector with assistance from the producer (who supplies such information as the species and number of animals in the consignment), and must be signed by both the accredited inspector who inspects the animals or products prior to their departure from the United States, as well as the appropriate Federal official (from either APHIS, NOAH, or FWS) who certifies the health status of the shipment being exported.

APHIS is asking the Office of Management and Budget (OMB) to approve its use of these information collection activities 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.

Export Health Certificate (VS 17-141)

APHIS requires U.S. exporters to complete a health certificate prior to exporting any live crustaceans and products; live finfish and products; or live mollusks and products. The certificate will be completed by an accredited inspector with assistance from the producer, and must be signed by both the accredited inspector and the appropriate Federal official (from APHIS, NOAA, or FWS) who certifies the health status of the shipment being exported. The health certificate identifies the names of the species being exported from the United States, their age and weights, place of origin, country of destination, date and method of transport, and whether they are cultured stock or wild stock.

By endorsing the health certificate, the accredited inspector and the Federal official are certifying that (1) the live aquatic animals or products in the consignment have-as their place of production-a country, zone, or aquaculture establishment that has been subjected to an official health surveillance scheme according to the procedures described in the World Organization for Animal Health Diagnostic Manual for Aquatic Animal Diseases; and (2) the country, zone, or aquaculture establishment is officially recognized as being free from all of the pathogens causing the diseases identified on the specific health certificate being endorsed. (The health certificate lists a variety of different diseases, depending on whether the certificate is for crustaceans, finfish, or mollusks.)

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 health certificate employed in this program is available from APHIS Veterinary Services area offices or by writing USDA APHIS, 4700 River Rd. Unit 39, Riverdale, MD, 20737. It is also available by contacting NOAA, and FWS permit offices. To be valid, the certification requires original signatures from an accredited veterinarian (or other official as designated by NOAA/FWS) and endorsed by the appropriate regulatory agency involved. The form (when used) generally must physically accompany the shipment from the United States to the country of destination; therefore, this form is not a suitable candidate for electronic submission.

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 that APHIS, NOAA, and FWS collect in connection with aquatic animal health activities is not available from any other source. These agencies, working together, are the only Federal Agencies responsible for ensuring the health status of certain aquatic animals and products that are exported from 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 APHIS is collecting in connection with this program is the absolute minimum needed to ensure the health status of certain aquatic animals and products that are exported from the United States. APHIS has no small entities involved with this information collection.

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.

The multi-agency health certificate enhances the efficiency and continuity of the export certification services provided by APHIS, NOAA, and FWS. The use of the certificate provides consistency to a public service delivered by three separate agencies, and makes the aquatic export certification process less confusing for those who require this important service. Failing to use this form could result in less efficient service to the exporting public.

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 1320.5.

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 2008, APHIS has engaged in productive with the following individuals concerning the information collection activities associated with this program:

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The Agency's notice of information collection activity was announced in the Federal Register on Wednesday, July 30, 2008, pages 44215-44216. No comments 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 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 hits burden of the collection of information. Indicate the number of respondents, frequency of response, annual hits burden, and an explanation of how the burden was estimated.

•Indicate the number of respondents, frequency of response, annual hits burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hits burden estimates for each form and aggregate the hits burdens in Item 13 of OMB Form 83-I.

See APHIS Form 71. Burden estimates were developed from discussions with accredited inspectors and producers who will be completing the export health certificate.

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

APHIS estimates the total annualized cost to these respondents to be \$1,532. APHIS arrived at this figure by multiplying the hours of estimated response time (100 hours) by the estimated average hourly wage of the above respondents (\$15.32). Hourly rates were derived from the U.S. Department of Labor, Bureau of Labor Statistics May 2008 Report - National Compensation Survey: Occupational Wages in the United States, May 2008. See <http://www.bls.gov/ncs/ocs/sp/ncbl0539.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 hits 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 \$1,471.31. (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.

Due to a combination of foreign countries not yet accepting these export health certificates and U.S. producers unfamiliar with the availability of the forms, there have been fewer numbers of requests received over the past 2 years compared to the program's estimated numbers from 3 years ago. Consequently, the program has decreased the expectant number of respondents and responses per respondent. As a result of the decrease in respondents and responses, the burden hours decreased from 1500 to 100.

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 the form 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 form.

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

There are no statistical methods associated with the information collection activities used in this program.

