

**SUPPORTING STATEMENT FOR AN
INFORMATION COLLECTION REQUEST (ICR)**

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title of the Information Collection

TITLE: Foreign Purchaser Acknowledgment Statement of Unregistered Pesticides

OMB No. 2070-0027

EPA No. 0161.11

1(b) Short Characterization/Abstract

This information collection program is designed to enable the Environmental Protection Agency (EPA) to provide notice to foreign purchasers of unregistered pesticides exported from the United States that the pesticide product cannot be sold in the United States. Section 17(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (Attachment A) requires an exporter of any pesticide not registered under FIFRA section 3 or sold under FIFRA section 6(a) (1) to obtain a signed statement from the foreign purchaser acknowledging that the purchaser is aware that the pesticide is not registered for use in, and cannot be sold in, the United States. A copy of this statement must be transmitted to an appropriate official of the government in the importing country. This information is submitted in the form of annual or per-shipment statements to the EPA, which maintains original records and transmits copies thereof to appropriate government officials of the countries which are importing the pesticide.

The burden for this information collection has been constant since the implementation of the 1993 pesticide export policy governing the export of pesticides, devices, and active ingredients used in producing pesticides. EPA is including in this renewal of the information collection request an estimate of the burden imposed by export labeling requirements, which meet the definition of third-party labeling.

2. NEED FOR AND USE OF THE COLLECTION

2(a) Need/Authority for the Collection

This information is required to be submitted to EPA pursuant to section 17(a)(2) of FIFRA. Regulations pertaining to exporting pesticides are contained in Title 40 of the Code of Federal Regulations, Part 168, Subpart D (Attachment B).

2(b) Practical Utility/Users of the Data

Section 17(a)(2) of FIFRA requires all exporters of unregistered pesticides to obtain signed statements from their customers acknowledging that they are aware that their purchased products are not registered in the United States. Hence, one use of this collection activity is in assuring that foreign purchasers of pesticides produced in the U.S. are aware of the products'

U.S. registration status. When such statements are submitted to EPA, the Agency is provided with a record of foreign destinations of domestically produced unregistered products. This is important to enable the Agency to assure that such products, which are produced in the U.S. but cannot be legally sold for use in the U.S., have been legally distributed.

In addition, such statements are required by statute to be directed onward to the appropriate government officials in importing countries. Officials of foreign governments can use this information to verify how many shipments of a particular pesticide are being sent to their country. This information is extremely useful in countries which do not have the resources to maintain extensive import records or control systems.

3. NON DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) Non duplication

The submission of purchaser acknowledgment statements is a statutory provision which must be met before unregistered pesticides may be exported. This information is in turn required by statute to be sent to the governments of importing countries.

With the current system, EPA recognizes that repeated submissions of purchaser acknowledgment statements involving the same country, purchase, and chemical would be duplicative, except in regards to identifying the number of shipments to which they apply. For this reason, EPA only requires this statement to be submitted once per year and that the exporter provides summary information indicating the number of shipments which apply to each submitted statement. This eliminates the redundancy that would be associated with the submission of identical acknowledgment statements, while still providing EPA and foreign governments with full information regarding the number of shipments in the calendar year.

3(b) Public Notice Required Prior to ICR Submission to OMB

In proposing to renew this ICR, EPA published a Federal Register Notice on July 11, 2008 (73 FR 33081) and provided a 60-day public notice and comment period. The Agency received one public comment (Attachment E) from an entity that requested clarification on the scope of the document retention requirement set forth at 40 C.F.R. § 169.2(h) for Foreign Purchaser Acknowledgment Statements and other documents related to the importation of unregistered pesticides under FIFRA Section 17. However, the recordkeeping requirements mentioned by the commenter are addressed in a separate, currently approved ICR entitled *Recordkeeping Requirements for Producers of Pesticides under Section 8 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)*¹. No changes to this ICR were necessary in order to respond to the public comment.

3(c) Consultations

In addition to the public notice that EPA published in the Federal Register concerning the

¹ See OMB Control No. 2070-0028 (EPA ICR No. 0148)

renewal of this ICR, the Agency consulted, as required under 5 CFR 1320.8(d)(1), with stakeholders who actively interact with the Agency through the use of this collection instrument. EPA staff contacted four relevant stakeholders and asked for their input on various aspects of this ICR. EPA consulted with the following individuals:

BASF	Bedoukian Research, Inc
Wendy Bair-Johnson	Joseph Bania
919-547-2611	203-830-4000
Dow AgroSciences	Monsanto
Kristi Speheger	Clyde Livingston
317-337-5392	314-694-1538

Publicly Available Data

All respondents indicated that the data was not available from any public source, nor collected by another office at EPA or another agency.

Frequency of Collection

BASF suggested that it may be less burdensome to report twice (first, the annual projection, and second, the actual export information). Additionally, Dow indicated that allowing the exporter to submit the Foreign Purchaser Acknowledgement Statements every 30 days (instead of the required 7 working days after the exporter's receipt of the document) could for a more efficient collection and predictable transmittal of information.

Clarity of Instructions

Monsanto indicated that while instructions are fairly clear, there were several issues related to labeling, annual submission of FPAS during periods of unintentional noncompliance (delays in shipping, etc), and formal definition of a "foreign purchaser". While unrelated to the underlying burden and cost estimates, the Agency plans to discuss these issues with the stakeholder.

Electronic Reporting and Recordkeeping

Monsanto, BASF, and Dow AgroSciences are interested in pursuing electronic reporting, as a more efficient alternative to paper-based reporting. Electronic reporting options could include a secure electronic transmission through the Agency's Internet site or secure email message to an Agency contact point. A separate respondent stated that due to existing internal procedures, a change to electronic reporting could incur additional costs.

Burden and Costs

The respondents indicated that the burden and labor cost estimates, as stated in the ICR, were reasonable and accurate. Several respondent stated that export policy compliance costs (control points to the order and shipping process) and excess labeling requirements per shipping pallet could be more accurately capture in the estimates.

The consultation feedback was utilized during the renewal period for this information collection. A copy of the general questions (Attachment F) and record of consultations (Attachments G-J) are included as attachments to this supporting statement.

3(d) Effects of Less Frequent Collection

By offering the compliance option of annual reporting, EPA is offering a less frequent information collection to reduce the burden of per-shipment reporting. Further reduction, i.e., to a one-time submission for the life of the product or otherwise to a frequency of less than once a year would damage the correlation of statements with the actual regulatory status of pesticide products, which may change from year to year. Unless statements are renewed on an annual basis, it becomes difficult for the purchaser to know whether the regulatory status of the product has changed from the previous year, or for foreign governments to determine whether or not the regulatory status reflected in the most current statement reflects the actual regulatory status of the product.

The annual summaries provide EPA with the ability to monitor compliance with the requirements of section 17(a). Currently, such records need be kept for only two years. Since the summaries are submitted at the end of an applicable year, less frequent submissions would occasionally result in the necessary records not being available to validate submissions.

3(e) General Guidelines

The following do not apply to this information collection request:

- . reports of quarterly or greater frequency.
- . records required to be maintained for more than three years.
- . statistical surveys.
- . written responses to this information collection required less than 30 days after receipt.
- . required specific format.
- . submission of more than an original and two copies of the information collected.
- . remuneration to be received by the respondents for the information submission.

In accordance with 5 CFR 1320.5(a)(iii)(E), federal agencies are required to indicate whether the proposed 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 an explanation of the

decision

At this time, there are no practicable automated information submission techniques (e.g., electronic reporting) available under this information collection activity that can ensure the authenticity and security of an electronically-signed foreign purchaser acknowledgment. Additionally, there is no mechanism currently in place to ensure that foreign governments will accept electronic notifications from the United States demonstrating compliance (including electronic information about the foreign purchaser acknowledgment, such as the electronic signature) with 40 CFR 168, Subpart D.

3(f) Confidentiality

Although the EPA urges submitters to minimize the amount of claimed Confidential Business Information (CBI), all data and/or information brought to the Agency in conjunction with this rule that may be claimed as trade secret, commercial or financial information will be protected from disclosure by EPA under FIFRA section 10 and the associated regulation as contained in 40 CFR Part 2, Subpart B. Confidential business information may be required to be submitted in the case where a business wishes to export an unregistered research pesticide product.

EPA recognizes that the chemical identity of the product may require protection as confidential business information, but believes that it is essential that the Agency nevertheless be able to accurately identify the nature of the product, both for domestic compliance monitoring and to meet possible future requirements under the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. The name of the foreign purchaser is generally afforded CBI treatment in the United States, but, according to statute, must be reported to the government of the importing country. EPA is aware that foreign governments consider the name of the purchaser in their country to be the most useful information transmitted with the export notice.

Aside from the name and address of the foreign purchaser, no information required to be submitted in purchaser acknowledgment statements is considered to be confidential. EPA has specifically stated that certain information which could be considered confidential is not included in the statements. Specifically, the identity of a product under research and development may be identified by use of identification codes which protect proprietary information². EPA also is not requiring that the acknowledgment statements, the estimates, or the annual summaries indicate the amount of product shipped or to be shipped, since this information may be confidential. The actual fact that shipments occur is not considered to be confidential since the statute clearly requires that such submission be made to EPA, and that such statements be transmitted to foreign governments, where it is not possible for EPA to protect confidentiality.

3(g) Sensitive Questions

No information of a sensitive nature is required to be submitted.

² However, most research and development shipments are exempt from the requirement.

- . Signature of foreign purchaser.
- . Date that purchaser acknowledgment statement is signed by foreign purchaser.
- . Certification that shipment did not occur prior to receipt of Purchaser

Acknowledgment Statement

- . Exporter's signature.

B. Third Party Notification Requirements; Export Labeling

The following information must be included on the labels or labeling of exported pesticides:

- 24984. EPA pesticide producing establishment number.
- 24985. Warning or caution statements.
- 24986. The statement "Not Registered for Use in the United States of America."
The labels of all pesticides, devices, and active ingredients which are not registered for use in the United States under FIFRA section 3 must include this statement.
- 24987. The ingredient statement.
- 24988. Identity of parties.
- 24989. Weight or measure.
- 24990. Additional warning for highly toxic pesticides.
- 24991. Use classification statement.

C. Multilingual labeling requirement

The following labeling information must be multilingual:

- . Warning and caution statements.
- . Where applicable, the statement "Not registered for use in the United States of America."
- . Ingredient statement
- . If the pesticide, device or active ingredient is highly toxic to humans, the skull and crossbones, the word "Poison," and a statement of practical treatment must appear on the label. The word "Poison" and the statement of practical treatment shall be in English and in an acceptable language of the country of import, and in an acceptable language in the country of final destination, if known or reasonably ascertainable.

(ii) Respondent Activities

A. Submission of Foreign Purchaser Acknowledgment Statement

The exporter is required to send a copy of the purchaser acknowledgment statement to EPA within 7 days of having shipped the pesticide, along with a signed statement that the shipment did not occur prior to receipt of the purchaser acknowledgment statement. In addition, if the exporter chooses the annual reporting option, he or she must include a statement that the FPAS is for the first shipment of a pesticide to a particular purchaser in a specific country, and that the exporter will report this information annually. Where an exporter chooses to comply with the annual summary reporting option, a summary must be sent after the end of the calendar year which lists all shipments of a particular pesticide shipped to a particular foreign purchaser.

It is not required for the statement to be shipped in time for EPA to notify the importing country prior to arrival of the pesticide.

Submission of a purchaser acknowledgment statement does not require the maintenance of any records unique to this section. All records needed to ensure and verify compliance with this requirement are required under section 8 of FIFRA. The recordkeeping burden related to this requirement is covered under another ICR.³

B. Exemption of research and development pesticides

Records supporting research and development status must include information regarding research intent of the shipment as well as information indicating knowledge that the quantity being shipped is consistent with research intent. Persons claiming an exemption from the FPAS requirement for the export of research and development products must maintain records which support the R&D claim for each shipment so claimed. In its policy, EPA has limited research claims only to shipments where it is unlikely that the quantity shipped could have a significant commercial use. Thus the records must be sufficient to support the claim that the quantity shipped is only sufficient for use within the limits of the policy. This can be done either in the form of communications received from the purchaser before or on the date of export or in the form of instructions sent to the purchaser before or on the date of export.

Alternatively, the exporter may retain records which indicate that the quantity shipped is compatible with the claim that the amount can only be used as provided in the policy. Such information could include test results, literature citations, or other information which supports the claim.

At the time of shipment, the exporter must produce a record of the identity, amount, and date that the pesticide was shipped, the destination and purchaser, and the intended research use. Most of this information is provided in copies of or original invoice/shipping records normally maintained for such products. Note that records of shipment of pesticides are already required to be maintained under FIFRA section 8. Other documentation supporting research use is generally available as typical business practice and should not impose additional burden to maintain with shipping records. Records of shipment and confirmation of research intent must be maintained and made available for inspection and copying by EPA for two years following the exportation of the pesticide.

C. Export labeling

Every exported pesticide, device, and active ingredient used in producing a pesticide must bear a label or labeling which meets the requirements of FIFRA section 17(a)(1). This requirement applies to all such pesticides, devices, or active ingredients, regardless of whether the export is for commercial or research and development use.

³ OMB Control No. 2070-0028; EPA ICR 0143 Recordkeeping Requirements for Producers of Pesticides under section 8 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

The specific requirements for the labeling of exported pesticides are described above. The required label statements may be met through either immediate container labels, or accompanying supplemental labeling, or through a combination of the two. EPA included supplemental labeling as an option to ease the compliance burden of this requirement. Rather than prepare individual product labels with the necessary information, the exporter can attach a paper to the shipping container, e.g., attaching a paper to the shrink wrap around multiple containers on a shipping pallet.

Exporters are also required to keep records of the product labeling used, including the EPA registered labeling, any foreign labeling on or attached to the product when shipped, and as applicable, any supplemental labeling used. The records shall be maintained in a manner that shows exactly which labels and labeling accompanied each shipment of a pesticide product to a foreign country.

5. THE INFORMATION COLLECTED -- AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) Agency Activities

EPA is required to perform the following activities:

1. Respond to questions submitted by respondents
2. Receive submissions of acknowledgment statements, certification statements, notifications of shipments and summaries of shipments
3. Review submissions for completeness
4. Transmit submissions of acknowledgment statements, notifications and summaries of shipments to appropriate government officials of importing countries
5. Maintain a file of all submissions
6. Respond to requests for the information

5(b) Collection Methodology and Management

EPA maintains a file of all submitted acknowledgment statements. This file includes the following for each submitted statement:

1. Copy of the purchaser acknowledgment statement and certification that shipment did not occur before receipt of statement by exporter;
2. Copy of the delivery receipt and the date that the statement was signed and delivered to EPA;
3. Date that the statement was forwarded to the appropriate government official and agency of the importing country; and
4. Copy of the estimate summary of the number of shipments to be made in association with that statement.

EPA reviews its files annually for completeness, following the submission of annual summaries of shipments, by referencing establishment reporting records for apparent discrepancies. EPA targets inspections based on such apparent discrepancies to determine whether a violation under FIFRA has occurred.

5(c) Small Entity Flexibility

Under this reporting requirement, small entities must follow the same collection procedures as large companies. However, EPA provides flexibility in the formatting of submissions which will reduce the proportionately higher burden which would be placed on occasional submitters by strict requirements. In addition, the Agency allows respondents to determine the method of obtaining the purchaser acknowledgment statement. Finally, respondents are allowed flexibility in choosing between annual estimates and summaries or per-shipment statements.

5(d) Collection Schedule

Not applicable. The activity is conducted only as purchaser acknowledgment statements are received. There is no set schedule for the collection of this information.

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

6(a) Estimating Respondent Burden

The overall respondent burden hours associated with this collection total 24,492 hours per year. This figure shows a decrease of 208 burden hours from the previous ICR. The difference is due to a decrease in average number of respondents per calendar year from 2005-2007.

The requirements to be fulfilled under this ICR consist of two parts: submission of the Foreign Purchaser Acknowledgment Statements (FPAS); and the third party notification export labeling requirement. The third party labeling requirement is further subdivided into labeling requirements for unregistered exported pesticide products and multilingual labeling for registered exported pesticide products.

(i) Estimating the Respondent Burden of the FPAS Requirement

This ICR renewal includes a respondent burden estimate of 2,242 hours for the FPAS requirement. This figure is based on the average of 2,304 notices received annually, pursuant to the export policy, from 2005-2007. Table 1 presents the expected labor mix required and a breakdown of the FPAS collection activities per respondent. The clarifications regarding record keeping ensure compliance will not result in additional burden since all such records are either already required to be kept under FIFRA Section 8 or are maintained in the normal course of business. Exporters who feel that per-shipment submissions represent undue burden may choose to report annually. The per-shipment notification and annual summary requirements of this

option are based on records of production and shipment records already required by regulations under FIFRA Section 8, so such information will be readily available to exporters, who may submit it without reformatting or special preparation. These annual submissions may be included as part of the annual submission of acknowledgment statements and thus would result in minimal burden.

Table 1. Respondent Burden/Cost: Submission of FPAS

Collection Activity	Burden Hours (per year)			Total	
	Mgmt \$103.62/hr	Technical \$67.05/hr	Clerical \$33.85/hr	Hours	Cost (\$)
Read Regulations	0.08	0.00	0.00	0.08	8.29
Plan Activities	0.00	0.08	0.00	0.08	5.36
Gather Information	0.00	0.08	0.00	0.08	5.36
Process, compile and reveal information	0.00	0.16	0.00	0.16	10.73
Complete paperwork	0.00	0.25	0.25	0.50	25.23
Record, disclose & display information	0.00	0.00	0.08	0.08	2.71
Store, maintain and file information	0.00	0.00	0.08	0.08	2.71
TOTAL	0.08	0.57	0.41	1.06	60.39

ANNUAL BURDEN: 1.06 hrs (64 minutes) X 2,304 statements = 2442 hours per year

ANNUAL COSTS: \$60.39 X 2,304 respondents = \$139,139 per year

(ii) Estimating the Respondent Burden of the Third Party Notification Export Labeling Requirement

It is estimated that one-quarter of the pesticides exported from the U.S. are not registered for use in the United States. Approximately 900 unregistered pesticide products are exported annually. To estimate the total number of registered pesticides exported from the U.S. annually, EPA multiplied by four the number of unregistered pesticide products. Multiplying this by four gives an estimated total of 3,600 pesticide products (registered and unregistered) exported annually.

As discussed above, certain information must be included on the labels or labeling of exported pesticides. The labeling requirements may be met by supplemental labeling attached to either the product container or the shipping container.

Table 2. Respondent Burden/Cost: Unregistered Exported Pesticide Product Labeling

Collection Activity	Burden Hours (per year)			Total	
	Mgmt \$103.62/hr	Technical \$67.05/hr	Clerical \$33.85/hr	Hours	Cost (\$)
Read Regulations	0.50	0.00	0.00	0.50	51.81
Design Labels	0.00	2.00	0.00	2.00	134.10
Translate Labels	0.00	5.00	0.00	5.00	335.25
Complete Paperwork and Store Information	0.00	0.00	0.50	0.50	16.93
TOTAL	0.50	7.00	0.50	8.00	538.09

ANNUAL BURDEN: 8 hours x 900 unregistered products = 7,200 hours

ANNUAL COSTS: \$538.09 x 900 unregistered products = \$484,281

Certain information must be provided in the languages of the country or countries of final destination. EPA estimates that it will take respondents approximately 5.5 hours to meet the multilingual labeling requirement for each product. EPA estimates that to prepare one label in one language would take approximately one hour. In reviewing the major destinations of export shipments, EPA estimates that most labels would be in one or more of the following languages: French, Spanish, German, Taiwanese, and Portuguese.

Table 3. Respondent Burden/Cost: Multilingual Product Labeling, Registered Pesticide Product Exports

Collection Activity	Burden Hours (per year)			Total	
	Mgmt \$103.62/hr	Technical \$67.05/hr	Clerical \$33.85/hr	Hours	Cost (\$)
Translate Labels	0.00	5.00	0.00	5.00	335.25
Complete Paperwork and Store Information	0.00	0.00	0.50	0.50	16.93
TOTAL	0.00	5.00	0.50	5.50	352.18

ANNUAL BURDEN: 5.5 hours x 2700 exported registered products = 14,850 hours

ANNUAL COSTS: \$352.18 x 2700 exported registered products = \$950,886

6(b) Estimating Respondent Cost

Agency economists revised the estimated wages, benefits and overhead for all labor categories for affected industries, state government, and EPA employees based on publicly available data from the US Bureau of Labor Statistics. The formulas used to estimate the labor rates and formulas used to derive the fully loaded rates and overhead costs for this ICR renewal are listed in **Attachment D**

Methodology	The methodology uses data on each sector and labor type for an <i>Unloaded wage rate</i> (hourly wage rate), and calculates the <i>Loaded wage rate</i> (unloaded wage rate + benefits), and the <i>Fully loaded wage rate</i> (loaded wage rate + overhead). Fully loaded wage rates are used to calculate respondent costs. This renewal uses 2006 data.
Unloaded Wage Rate	Wages are estimated for labor types (management, technical, and clerical) within applicable sectors. The Agency uses average wage data for the relevant sectors available in the National Industry-Specific Occupational Employment and Wage Estimates from the Bureau of Labor Statistics (BLS) at http://www.bls.gov/oes/current/oes_nat.htm .
Sectors	The specific North American Industry Classification System (NAICS) code and website for each sector is included in that sector's wage rate table. Within each sector, the wage data are provided by Standard Occupational Classification (SOC). The SOC system is used by Federal statistical agencies to classify workers into occupational categories for the purpose of collecting, calculating, or disseminating data (see http://www.bls.gov/oes/current/oes_stru.htm)
Loaded Wage Rate	Unless stated otherwise, all benefits represent 43% of unloaded wage rates, based on benefits for all civilian non-farm workers, from http://www.bls.gov/news.release/ecec.t01.htm . However, if other sectors are listed for which 43% is not applicable, the applicable percentage will be stated.
Fully Loaded Wage Rate	We multiply the loaded wage rate by 50% (EPA guidelines 20-70%) to get overhead costs.

The total annual respondent cost for this ICR is estimated to be \$1,574,306. This estimate is composed of the following costs: \$139,139 for the FPAS requirement, \$484,281 for labeling of unregistered pesticides, and \$950,886 for labeling of registered pesticides.

6(c) Estimating Agency Burden and Cost

Agency costs for this information collection activity are minimal, and include only the record keeping associated with the receipt of the acknowledgment statements and costs associated with the transmittal of acknowledgment statements to the appropriate government official in the importing country. EPA estimated hourly burden at 0.57 hours (around 35 minutes) per statement.

Table 4. Agency Processing Burden for FPAS Requirement

Collection Activity	Hours	Annual Cost (\$)
	Technical \$66.88/hr	
Receive, review acknowledgment statements for completeness, and enter in log book	0.08	5.35
Data entry of information in acknowledgment statements	0.25	16.72
Make necessary copies and transmit submission to appropriate government officials of importing countries	0.16	10.70
Maintain a file of all submissions	0.08	5.35
TOTAL	0.57	38.12

ANNUAL BURDEN: 2,304 statements x 0.57 hours = 1,313 hours

ANNUAL COSTS: 2,304 statements x \$38.12 = \$87,829

6(d) Bottom Line Burden Hours and Cost

(i) Respondent Burden by Information Collection (IC)

IC	Responses Per Year	Burden Per Response	Annual Burden
Foreign Purchaser Acknowledgment Statements	2,304	1.06 hours	2,442 hours
Labeling for Unregistered Exported Pesticide Products	900	8 hours	7,200 hours
Multilingual Product Labeling for Registered Exported Pesticide Products	2,700	5.5 hours	14,850 hours
Total Annual Respondent Burden			24,492 hours

(ii) Agency Burden

The distribution of this burden for specific tasks is described in the table describing the Agency tally in Table 4 above.

Table 5. Bottom Line Burden Hours and Cost

	TOTAL	
	Hours	Costs
Respondent Burden Estimate	24,492	\$1,574,306
Agency Burden Estimate	1,313	\$87,829

6(e) Reason for Changes in Burden

The annual reporting and recordkeeping burden expressed in this renewal ICR is 24,492 hours. This estimate reflects a decrease of 208 respondent burden hours under the number of hours in the currently approved information collection. The adjustment reflects the decrease in average annual number of responses per calendar year from 2005-2007..

6(f) Burden Statement

Annual respondent burden for this collection of FPAS information requirements is estimated to average 1.06 hours (around 65 minutes) per response, including the time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information. The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The Agency has established a public docket for this ICR under Docket ID No. **EPA-HQ-OPP-2008-0255**, which is available for online viewing at www.regulations.gov, or in person viewing at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive, Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805. You may submit comments regarding the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden, including the use of automated collection techniques.

Submit your comments, referencing Docket ID No. **EPA-HQ-OPP-2008-0255** and OMB Control No. 2070-0027, to (1) EPA online using www.regulations.gov (our preferred method), or by mail to: Public Information and Records Integrity Branch (PIRIB), Mail Code: 7502P, Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460, and (2) OMB by mail to: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

ATTACHMENTS TO THE SUPPORTING STATEMENT

Attachments to the supporting statement are available in the public docket established for this ICR under docket identification number **EPA-HQ-OPP-2008-0255**. These attachments are available for online viewing at www.regulations.gov or otherwise accessed as described in section 6(f) of the supporting statement.

- Attachment A:** **7 U.S.C. 136o - Section 17 of the Federal Insecticide, Fungicide, and Rodenticide Act.** Also available at online at the US House of Representatives' [US Code website](#)
- Attachment B:** **40 CFR 168.75 - Procedures for exporting unregistered pesticides – purchaser acknowledgement statements.** Also available online at the National Archives and Records Administration's [Electronic CFR Website](#)
- Attachment C:** **Display Related to OMB Control #2070-0027 - Listing of Related Regulations in 40 CFR Part 9.1**
- Attachment D:** **Work Sheets to Calculate Industry and EPA Labor Costs**
- Attachment E:** **Public Comment Received from Beveridge and Diamond**
- Attachment F:** **Questions Asked by EPA During Consultations**
- Attachment G:** **Consultation Response: BASF**
- Attachment H:** **Consultation Response: Bedoukian Research, Inc.**
- Attachment I:** **Consultation Response: Dow AgroSciences**
- Attachment J:** **Consultation Response: Monsanto**