SUPPORTING STATEMENT 0579-0224
TUBERCULOSIS TESTING FOR IMPORTED CATTLE

June 2009

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 for enhancing our ability to compete in the world market of animal and animal product trade.

In connection with this mission, the USDA's Animal and Plant Health Inspection Service (APHIS) regulates the importation of animals and animal products to prevent the introduction of animal diseases, to include tuberculosis (TB). To that end, APHIS' animal import regulations in title 9, *Code of Federal Regulations*, part 93, require that all cattle imported into the United States (except cattle imported for immediate slaughter and cattle imported from Canada) test negative for TB.

To ensure imported cattle from Mexico test negative for TB, APHIS requires the following: an application for import or in-transit permit (VS 17-129); completion of import or in-transit permit customs declaration (VS 17-29); premises information (herd of origin certificate and annex); TB history certification; a health certificate; and a dip certificate.

APHIS is asking OMB to approve, for an additional 3 years, its use of these information collection activities to prevent TB-infected cattle from entering the United States from Mexico.

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.

All of the requested information will be used to determine whether cattle imported into the United States from Mexico meet APHIS' regulatory requirements for TB testing. The documents are required for import into the United States. APHIS personnel determine the TB testing status of each animal prior to allowing entry.

Application for Import or In-Transit Permit (for Live Animals, Animal Semen, Animal Embryos, Birds, Poultry, or Hatching Eggs) (VS Form 17-129)
Anyone wishing to import Mexican cattle into the United States must apply for and obtain from APHIS a VS Form 17-129, the "Application for Import or In-Transit Permit (Animals, Animal Semen, Poultry, and Hatching Eggs**)**." The importer must describe the type, number, and identification of the animals to be exported. He or she must also list the origin, intended date and location of arrival, routes of travel, and destination of the animals. The information on VS Form 17-129 is used by APHIS' National Center for Import and Export (NCIE) to issue an import permit to the importer. APHIS will use the permit applications to carefully examine each import request.

Import or In Transit Permit (for Live Animals, Animal Semen, Animal Embryos, Birds, Poultry, and Hatching Eggs), Customs Declaration (VS Form 17-29)
Cattle imported from Mexico must be accompanied by a Customs Declaration under APHIS' import requirements. This form is completed by exporters or importers and is submitted at the time of import. These forms accompany each shipment imported and provide information required by U.S. Customs and Border Protection. The information requested on this form facilitates the oversight necessary to ensure that all APHIS import requirements are met to mitigate the introduction of foreign and other animal diseases regulated by APHIS. APHIS does not process or review these permits.

Premises Information (Herd of Origin Certificate and Annex)
Import permit applications must certify and include the address of the premises in Mexico of the herd of origin, including the Mexican State or its equivalent. The application must also list the nearest Mexican city or municipality. This form is completed by exporters or importers and is submitted at the time of shipment. APHIS will also use this information to evaluate import requests.

TB History Certification
Mexican cattle destined for the United States must be accompanied by a certificate that states that the cattle's herd of origin responded negatively to a whole-herd TB test. This certificate must be issued by a national veterinary officer from the Mexican region of origin. This information gives APHIS a more complete picture of the cattle's TB history.

Health Certifícate (Certificado Zoosanitario para la Exportación de Animales)
This form is filled out electronically by veterinarians approved by Mexico's national animal health service. The form includes information regarding the identifications and health certifications for animals being exported to the United States and is also used by APHIS to evaluate import requests.

Dip Certifícate (Constancia de Tratamiento Garrapaticida y Libre de Ectoparásitos)
This form is completed by veterinarians approved by Mexico's national animal health service. The form certifies that animals have been treated and inspected for ticks and is also used by APHIS to evaluate import requests.

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.

VS 17-129, the "Application for Import or In-Transit Permit (for Live Animals, Animal Semen, Animal Embryos, Birds, Poultry, or Hatching Eggs)," is available on APHIS' Web site at http://www.aphis.usda.gov/import_export/forms.shtml; however, it is unavailable for electronic submission at this time. We anticipate that it will become available by early 2010. The original import permit must accompany the shipment intended for import into the United States; therefore, this is not a candidate for electronic submission.

VS 17-29, the "Application for Import or In-Transit Permit (for Live Animals, Animal Semen, Animal Embryos, Birds, Poultry, or Hatching Eggs)," is available on APHIS' Web site at http://www.aphis.usda.gov/import_export/forms.shtml; however, it is unavailable for electronic submission at this time. We anticipate that it will become available by early 2010. The original import permit must accompany the shipment intended for import into the United States; therefore, this is not a candidate for electronic submission.

The Herd of Origin Certificate and Annex, TB certificate, health certificate, and dip certificate are available through the Mexican government. If submitted electronically, the forms need not physically accompany the export shipment; however, they usually do because APHIS is not currently equipped to accept electronic submissions of this information. APHIS is working with Mexico to develop digital signatures for import documents as well as electronic identification, and expects to have this capability within 3 to 5 years.

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 collects in connection with this program is not available from any other source, because APHIS is the only Federal agency responsible for preventing, detecting, controlling, and eradicating bovine TB or other foreign animal diseases 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 collects is the absolute minimum needed to effectively evaluate the TB risk associated with Mexican cattle imports. The exporters and veterinarians preparing the required forms are considered foreign entities and thus are not "small entities" for purposes of Executive Order 12866 or the Regulatory Flexibility Act.

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, APHIS would be unable to establish an effective defense against the incursion and spread of bovine TB from Mexican cattle. This could have serious health consequences for U.S. cattle and economic consequences for the U.S. cattle 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.

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 2009, APHIS engaged in productive consultations with the following Mexican Federal veterinarians concerning the information collection activities associated with this program:

MVZ José Luis Lopez- Salazar (Tamaulipas)
Av Municipio Libre 377
Piso 7 ala A
Col. Santa Cruz Atoyac
De. Benito Juárez
Mexico, DF 03310
Tel: 01(55) 9183 1000 ext. 51079
www.sagarpa.gob.mx

MVZ Martha Herrera-Lizarini (Chihuahua)
Av Municipio Libre 377
Piso 7 ala A
Col. Santa Cruz Atoyac
De. Benito Juárez
Mexico, DF 03310
Tel: 01(55) 9183 1000 ext. 51079
www.sagarpa.gob.mx

MVZ Jesús Martín Mazon-Soto (Sonora)
Av Municipio Libre 377
Piso 7 ala A
Col. Santa Cruz Atoyac
De. Benito Juárez
Mexico, DF 03310
Tel: 01(55) 9183 1000 ext. 51079
www.sagarpa.gob.mx

On Tuesday, August 11, 2009, pages 40159-40160, 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 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 importers and exporters, and Mexican Federal animal health authorities who complete the documents necessary to export cattle 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.

APHIS estimates the total annualized cost to the respondents to be $922,551. Respondents are full-time cattle importers and exporters as well as salaried veterinary officers employed by the Government of Mexico. APHIS arrived at this figure by multiplying the hours of estimated response time (82,888.68) by the estimated average hourly wage of the above respondents ($11.13). The hourly rate for Mexican Federal veterinarians was determined through consultations with APHIS' animal health specialists based in Mexico. The hourly rate for cattle importers or exporters is from the U.S Department of Labor, Bureau of Labor Statistics May 2008 Report – National Compensation Survey: Occupational Wages in the United States, May 2007. See http://www.bls.gov/oes/#tables.

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.

No annual cost burden is associated with capital and startup 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 $655,353.36. (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.

The number of respondents and responses is greatly increased from the previous renewal of this information collection due to the increase number of tuberculosis test performed on herd premises and the increased number of request to import safe cattle into the US. Although the amount of time spent preparing and reviewing each response has decreased, there is an adjusted increase of +16,146 burden hours. The prior estimates of time spent preparing and reviewing each document was disproportionately high; this collection reflects the accurate figures. Further, there is a program change of +51,747 burden hours with the addition of VS Form 17-29, Customs Declaration; health certificate; and dip certificate which have always been in use, but unaccounted for in previous collections.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

APHIS has no plans to publish the 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.

The VS Forms 17-29 and 17-129 are used in multiple OMB-approved collections; therefore APHIS is seeking approval to not display the OMB expiration date on these forms.

18. Explain each exception to the certification statement identified in the "Certification for Paperwork Reduction Act."

APHIS can certify compliance with all the provisions in the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods will not be used in this information collection.