

policy.

Section 515(i) of the 1996 Act provides authority to request from persons covered under the Order any information required to carry out the responsibilities of the program. Each appointed Board/Council is responsible for collecting assessments from the affected persons covered under the program in order to carry out the Board's/Council's responsibility. These programs require the use of the forms described in item 2 below.

2. INDICATE HOW, BY WHOM, 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.

The proposed Processed Raspberry Promotion, Research, and Information Order is being proposed under the 1996 Act and, if adopted, would be established by USDA through the issuance of an Order, and rules and regulations. Prior to becoming effective, a referendum would be conducted by USDA to determine if producers and importers of processed raspberries favor the implementation of the Order.

Under the Order, producers and importers of processed raspberries would be subject to a mandatory assessment of \$0.01 per pound of processed raspberries to fund a coordinated program to maintain, develop, and expand the demand of processed raspberries. The Order would be administered by a 13-member National Raspberry Council (Council) comprised of three importers; six processed raspberry producers (from States producing a minimum of three million pounds of raspberries for processing); one processed raspberry producer representing all the other States producing less than three million pounds; two foreign producers; and one at-large member.

For each Council member, there would be an alternate member. The members and alternates would be appointed by the Secretary of Agriculture to administer the program with AMS oversight, and would be selected from nominations submitted by organizations or eligible individuals representing processed raspberry producers, importers, foreign producers, and at large members.

Council members would serve terms of three years and could serve a maximum of two consecutive terms. For the initial Council, four producers, two importers, one foreign producer, and one at-large member would serve a three-year term. Additionally, three producers, one importer, and one foreign producer member would serve a two-year term of office. The Council would use assessments collected under the Order to carry out research, promotion, consumer education, and industry information activities. In order to carry out these responsibilities, first handlers, importers, and producers are required to submit certain information, as provided in Sections 515, 516, and 517 of the 1996 Act, and Sections 1208.41, 1208.53, 1208.60, and 1208.52 of the Order.

A second information collection package that contains the referendum ballot for 9 burden hours is being submitted in a separate package because its

approval is needed for an upfront vote on whether to implement the program. Upon approval of both information collection packages they will be merged into one information collection package.

It is estimated that there are 297 respondents comprised of 195 producers, 50 importers, 34 first handlers/processors, 2 foreign producers, 5 organic producer/importers, 10 certified organizations, and 1 member at-large. These 297 respondents are required to keep books and records to carry out the provisions of the Order. The 297 respondents differ from the number of respondents completing the forms identified on the AMS Form 71, due to the fact that not all of the producers have to fill out the forms listed, but all producers have to keep the books and records to show they have either paid the assessment or are exempt from paying the assessment.

The information required under this program is gathered through the following forms, and is used by USDA's AMS, and the Council as described below:

a) Background Information Form AD-755 (OMB 0505-0001) (Section 1208.41): This form contains questions to ascertain the nominee's qualifications for consideration of appointment to the Council by the Secretary of Agriculture. The form questions include: personal identification information, including name, social security number, date of birth, and address; length of time engaged in processed raspberry production and/or packing; quantity of pounds produced and/or packed; length of time engaged in importation of processed raspberries and the pounds of processed raspberries imported, packed and exported; employment information; professional affiliation(s); education; income sources for amounts over \$10,000; and criminal history. The form would be completed by all Council nominees including producers, importers, foreign producers, and at-large members. This information would be provided to the Council and forwarded to USDA for use in the nomination process. Upon approval of this collection, a change of worksheet will be submitted to increase the burden of 0505-0001 by 4 hours.

b) Exemption Application for Producers and Importers (RAS-AAE) (Section 1208.53): Producers or importers who handle or import less than a predetermined quantity per year could claim an exemption from assessments. This form requires handling and importation data, supporting documentation, and certification. The form requests the minimum information necessary for proof that producers and importers should be exempt from assessments under the Order.

c) Annual Report by each First Handler (RAS-FHR) (Section 1208.60): First handlers and importers would be required to report to the Council on a reporting period determined by the Council information necessary for the Council to perform its duties. For first handlers, the information may include: the total quantity of processed raspberries acquired during the reporting period; total quantity handled during the period; the total quantity of processed raspberries for sale from the first handlers own production; the quantity of processed raspberries

purchased from a first handler or importer responsible for paying the assessment; the date assessment payments were made; and the first handler's tax identification number. For importers, the information may include: the total quantity of processed raspberries imported during such reporting period; a record of each lot of processed raspberries imported during the reporting period including quantity, date, country of origin, and port of entry; and the importer of record tax identification number.

Importer Report (No form) is a report submitted to the Council by the U.S. Customs Service (Customs), from information obtained at the port of entry. The report requires information regarding the total quantity of product imported during the reporting period and a record of each importation of such product during such period, giving quantity, date, and port of entry. Assessments are reported on the Importer Report on a calendar month basis and accompany the payment to the applicable Council. Under the Order, U.S. Customs would collect assessments on imported processed raspberries and remit the funds to the Council.

Recordkeeping Requirements (Section 1208.61) are required to maintain and make available information for inspection by the Council and USDA. Each first handler, producer, and importer subject to the 1996 Act and Order shall maintain appropriate records to carryout the requirements of theses regulations. Recordkeeping requirements will help provide for the effective operation of the Order, and its conformance with the 1996 Act.

d) Application for Reimbursement of Assessment (RAS-AFR) (Section 1208.53). Exempted importers would complete this form to request refunds of assessments paid to the Council. Under the Order, assessments on imported processed raspberries would be collected by Customs at the time of entry into the U.S. The assessments are then remitted by Customs to the Council. Customs does not distinguish between nonexempt importers and exempt importers. Accordingly, it would be the Council's responsibility to reimburse exempt importers provided the appropriate reports and justification is submitted to the Council. The information included on this form is necessary to allow the Council to verify the status of importers claiming reimbursement.

e) Application for Assessment Credits (RAS-AAC) (Section 1208.52(h)). This form would be used to ascertain the eligibility of individuals who contribute to local, regional, or State organizations engaged in similar generic research, promotion, and information programs as partial fulfillment of assessments due to the Council. The form requests the following information for individuals: name, address, telephone number, and proof that an assessment was paid to a local, regional, or State organization engaged in generic research, promotion, and information programs for a specified period. The form requests the minimum information necessary for proof that individuals should be credited for assessments paid to local, regional, or State organizations as specified under the Order.

f) Nomination Appointment Form (RAS-NOM) (Section 1208.41).

This form would be used to nominate producers to serve on the Council. For regional and State producer representatives, the nomination form may be used to nominate persons to Council positions. Once all of the nominations for each position of the Council have been received by the Council, those nominees will be forwarded to USDA for consideration by the Secretary of Agriculture.

g) Nomination Appointment Ballot (RAS-BAL) (Section 1208.41).

This form would be used by producers from States that do not have a commission or marketing order to vote on nominees to the Council. Once the votes are tallied from the ballots, those receiving the most votes would be nominated to the Council, and those nominees will be forwarded to USDA for consideration by the Secretary of Agriculture.

h) Organic Exemption Request Form AMS-15 (OMB No. 0581-0093) (Section 1208.53(f)). Under the Order, the form would be completed by producers and importers requesting exemption from paying assessments. Producers and importers requesting exemption must produce or import products that meet the requirements for a “100 percent organic” label under the National Organic Program (7 CFR Part 205), and are not part of a split operation. The form also includes a certification statement.

i) Application for Certification of Organizations (RAS-ACO) (Section 1208.41). This form would be used to ascertain the eligibility of national organizations representing the interests of foreign producers, importers, and domestic producers for certification by the Secretary of Agriculture. Once certified these organizations would be eligible to nominate foreign producers, importers and domestic producers to the Council. The form requests the following information from organizations: membership and what percentage of membership is foreign producers, importers or domestic producers; purpose/function of the organization; whether it represents a substantial volume of raspberries for processing; the total volume (pounds and percentage) of processed raspberries imported into the U.S.; and funding sources.

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.**

Upon approval, these forms will be used to submit information directly to the Council, which administers the Order. The Council is not part of a Federal

agency, but is a commodity industry Council that operates under Federal authority and USDA-AMS oversight. Though AMS is committed to complying with the e-Government Act, which requires Government agencies in general to provide the public the option of submitting information or transacting business electronically to the maximum extent possible, the availability and submission of forms electronically is at the Council's discretion. Currently, forms are transmitted by fax machine and postal delivery.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN ITEM 2 ABOVE.

The information to be included on these forms is not available from other sources because such information relates specifically to individual producers and importers who are subject to the proposed Order. The primary sources of information would be books and records pertaining to production of processed raspberries and imports of processed raspberries.

Information generated by State, Federal, and private sources would not generate information of a proprietary nature relative to producers and importers who are subject to the provision of the Order. Such information would not be detailed enough to be used for the specific purposes of determining the amount of processed raspberries produced or imported. Therefore, there is no practical method for collecting the required information without the use of these forms.

5. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 5 OF THE OMB FORM 83-1), DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.

The Small Business Administration defines, in 13 CFR part 121, small agricultural producers as those having annual receipts of no more than \$750,000 and small agricultural service firms (first handlers and importers) as those having annual receipts of no more than \$6.5 million. Under these definitions, the majority of producers, first handlers, and importers that would be affected are considered small entities. We have estimated the number of respondents for this collection is 297, and we estimate that 224 are considered small businesses.

Information collection requirements have been reduced to the minimum requirements of the Order. The primary sources of information used to complete the required forms are readily available from normal business records maintained by producers, first handlers, and importers. Such information can be supplied without data processing equipment or outside technical expertise.

Thus, the information collection and reporting burden is relatively small, and requiring the same reporting requirements for all first handlers and producers does not significantly disadvantage any first handler or producer that is smaller than the industry average.

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 information will be collected through a mandatory check-off program designed to maintain, develop, and expand markets for processed raspberries. If the information collection herein were not collected, the Council could not carry out the coordinated research, promotion, consumer education, and industry information program on processed raspberries, ensure compliance with the mandatory program or ensure proper assessment collection. Collecting data less frequently also would limit the Secretary's ability to oversee the Order.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES THAT WOULD CAUSE AN INFORMATION COLLECTION TO BE CONDUCTED IN A MANNER:

- **REQUIRING RESPONDENTS TO REPORT INFORMATION TO THE AGENCY MORE OFTEN THAN QUARTERLY;**
- **REQUIRING RESPONDENTS TO PREPARE A WRITTEN RESPONSE TO A COLLECTION OF INFORMATION IN FEWER THAN 30 DAYS AFTER RECEIPT OF IT;**
- **REQUIRING RESPONDENTS TO SUBMIT MORE THAN AN ORIGINAL AND TWO COPIES OF ANY DOCUMENT;**
- **REQUIRING RESPONDENTS TO RETAIN RECORDS, OTHER THAN HEALTH, MEDICAL, GOVERNMENT CONTRACT, GRANT-IN-AID, OR TAX RECORDS FOR MORE THAN 3 YEARS;**
- **IN CONNECTION WITH A STATISTICAL SURVEY, THAT IS NOT DESIGNED TO PRODUCE VALID AND RELIABLE RESULTS THAT CAN BE GENERALIZED TO THE UNIVERSE OF STUDY;**
- **REQUIRING THE USE OF A STATISTICAL DATA CLASSIFICATION THAT HAS NOT BEEN REVIEWED AND APPROVED BY OMB;**
- **THAT INCLUDES A PLEDGE OF CONFIDENTIALITY THAT IS NOT SUPPORTED BY AUTHORITY ESTABLISHED IN STATUE OR REGULATION, THAT IS NOT SUPPORTED BY DISCLOSURE AND DATA SECURITY POLICIES THAT ARE CONSISTENT WITH THE PLEDGE, OR WHICH UNNECESSARILY IMPEDES SHARING OF DATA WITH OTHER AGENCIES FOR COMPATIBLE CONFIDENTIAL USE; OR**

- REQUIRING RESPONDENTS TO SUBMIT PROPRIETARY TRADE SECRET, OR OTHER CONFIDENTIAL INFORMATION UNLESS THE AGENCY CAN DEMONSTRATE THAT IT HAS INSTITUTED PROCEDURES TO PROTECT THE INFORMATION'S CONFIDENTIALITY TO THE EXTENT PERMITTED BY LAW.

There are no special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- 8. IF APPLICABLE, PROVIDE A COPY AND IDENTIFY THE DATE AND PAGE NUMBER OF PUBLICATION IN THE FEDERAL REGISTER OF THE AGENCY'S NOTICE, REQUIRED BY 5 CFR 1320.8(d), SOLICITING COMMENTS ON THE INFORMATION COLLECTION PRIOR TO SUBMISSION TO OMB. SUMMARIZE PUBLIC COMMENTS RECEIVED IN RESPONSE TO THAT NOTICE AND DESCRIBE ACTIONS TAKEN BY THE AGENCY IN RESPONSE TO THESE COMMENTS. SPECIFICALLY ADDRESS COMMENTS RECEIVED ON COST AND HOUR BURDEN.**

A 60-day notice for comments is embedded in a proposed rule published in the Federal Register on XX, 2009 (XX FR XXXX). No comments are expected.

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 FORMAT (IF ANY), AND ON THE DATA ELEMENTS TO BE RECORDED, DISCLOSED, OR REPORTED.

Mr. Tom Krugman, Development Coordinator for the Washington Red Raspberry Commission, telephone number (360) 704-9277; Mr. Henry Bierlink, Executive Director, Washington Red Raspberry Commission, telephone number (360) 354-8767; and Mr. Rob Dhailwal, President of the Washington Red Raspberry Commission, telephone (360) 966-7787 were contacted on their views of the information collected.

CONSULTATION WITH REPRESENTATIVES OF THOSE FROM WHOM INFORMATION IS TO BE OBTAINED OR THOSE WHO MUST COMPILE RECORDS SHOULD OCCUR AT LEAST ONCE EVERY 3 YEARS (EVEN IF THE COLLECTION OF INFORMATION ACTIVITY IS THE SAME AS IN PRIOR PERIODS. THERE MAY BE CIRCUMSTANCES THAT MAY PRECLUDE CONSULTATION IN A SPECIFIC SITUATION, THESE CIRCUMSTANCES SHOULD BE EXPLAINED.

The Order has not yet been implemented. There are no obstacles to consulting with industry members who must submit information to the Council. Industry members are consulted on an ongoing basis on the information collection requirements.

9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEES.

AMS does not provide 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.

Section 1205(m)(2) of the 1996 Act provides that information collected from books and records will be kept confidential by those individuals having access to such information. The 1996 Act also provides for a fine and/or imprisonment for employees of the Council or USDA convicted of violating this confidentiality provision.

All information collected will be treated as confidential, as indicated on the forms and in conformance with the Privacy Act and Freedom of Information Act. Other confidential information will be withheld from public review under the Freedom of Information Act and the Privacy Act, 5 USC 552.

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND 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.

Questions of a sensitive nature are not included on any form. The only private information required is on the Background Information Form that a nominee to the Council must fill out. These questions are asked to ascertain his/her qualifications to serve on the Council and include: personal identification information, including name, social security number, date of birth, and address; length of time engaged in processed raspberry production and/or packing; quantity of pounds produced and/or packed; length of time engaged in importation of processed raspberries and the pounds of processed raspberries imported, packed and exported; employment information; professional

affiliation(s); education; income sources for amounts over \$10,000; and criminal history. The form would be completed by all Council nominees including producers, importers, foreign producers, and at-large members. This information would be provided to the Council and forwarded to USDA for use in the nomination process. This information is provided to the Secretary for use in the selection process.

12. PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION.

THE STATEMENT SHOULD:

INDICATE THE NUMBER OF RESPONDENTS, FREQUENCY OF RESPONSE, ANNUAL HOUR BURDEN, AND AN EXPLANATION OF HOW THE BURDEN WAS ESTIMATED. UNLESS DIRECTED TO DO SO, AGENCIES SHOULD NOT CONDUCT SPECIAL SURVEYS TO OBTAIN INFORMATION ON WHICH TO BASE HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL RESPONDENTS IS DESIRABLE. IF THE HOUR BURDEN ON RESPONDENTS IS EXPECTED TO VARY WIDELY BECAUSE OF DIFFERENCE IN ACTIVITY, SIZE, OR COMPLEXITY, SHOW THE RANGE OF ESTIMATED HOUR BURDEN, AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDEN HOURS FOR CUSTOMARY AND USUAL BUSINESS PRACTICES.

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 AMS Form 71.

PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE CATEGORIES. THE COST OF CONTRACTING OUT OR PAYING OUTSIDE PARTIES FOR INFORMATION COLLECTION ACTIVITIES SHOULD NOT BE INCLUDED HERE. INSTEAD, THIS COST SHOULD BE INCLUDED IN ITEM 14.

The respondents' estimated annual cost of providing information to the Council is \$9,141. An estimated number of 297 respondents would provide information to the Council annually. This total has been estimated by multiplying 277 hours by \$33, the average mean hourly earnings of professional, specialty and technical white collar occupations, and executive, administrative, and

managerial white collar occupations by worker and establishment characteristics and geographic areas (metropolitan). Data for computation of this hourly wage were obtained from the U.S. Department of Labor Statistics' publication, "National Compensation Survey: Occupational Wages in the United States, June 2005", published August 2006 (Bulletin 2581). This publication can also be found at the following website: <http://www.bls.gov/ncs/ocs/sp/ncbl0832.pdf>.

13. PROVIDE AN ESTIMATE 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).

- **IF COST ESTIMATES ARE EXPECTED TO VARY WIDELY, AGENCIES SHOULD PRESENT RANGES OF COST BURDENS AND EXPLAIN THE REASONS FOR THE VARIANCE. THE COST OF PURCHASING OR CONTRACTING OUT INFORMATION COLLECTION SERVICES SHOULD BE A PART OF THIS COST BURDEN ESTIMATE. IN DEVELOPING COST BURDEN ESTIMATES, AGENCIES MAY CONSULT WITH A SAMPLE OF RESPONDENTS (FEWER THAN 10), UTILIZE THE 60-DAY PRE-OMB SUBMISSION PUBLIC COMMENT PROCESS AND USE EXISTING ECONOMIC OR REGULATORY IMPACT ANALYSIS ASSOCIATED WITH THE RULEMAKING CONTAINING THE INFORMATION COLLECTION, AS APPROPRIATE.**

GENERALLY, ESTIMATES SHOULD NOT INCLUDE PURCHASES OF EQUIPMENT OR SERVICES, OR PORTIONS THEREOF, MADE: (1) PRIOR TO OCTOBER 1, 1995, (2) TO ACHIEVE REGULATORY COMPLIANCE WITH REQUIREMENTS NOT ASSOCIATED WITH THE INFORMATION COLLECTION, (3) FOR REASONS OTHER THAN TO PROVIDE INFORMATION OR KEEPING RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL BUSINESS OR PRIVATE PRACTICES.

There are no capital, startup, operation, or maintenance costs associated with this program. The primary sources of information will be books and records pertaining to production or importation of processed raspberries that are normally maintained as part of usual and customary business practices.

14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT. ALSO, PROVIDE A DESCRIPTION OF THE METHOD USED TO ESTIMATE COST, WHICH SHOULD INCLUDE QUANTIFICATION OF HOURS, OPERATION EXPENSES (SUCH AS EQUIPMENT, OVERHEAD, PRINTING, AND SUPPORT STAFF), AND ANY OTHER EXPENSE THAT WOULD NOT HAVE BEEN INCURRED WITHOUT THIS COLLECTION OF INFORMATION. AGENCIES ALSO

MAY AGGREGATE COST ESTIMATES FROM ITEMS 12, 13, AND 14 IN A SINGLE TABLE.

There are no additional costs associated with this information collection. The Federal government's estimated annual cost for providing oversight and assistance for this information collection is estimated at \$111,363 the first year and for subsequent years it is estimated to be about \$77,600. AMS is reimbursed by the Council for all of its oversight costs. A breakdown of the oversight costs for the first year is the following:

Salaries/Benefits/FERS Contributions/Awards	\$89,326
Travel	\$5,000
Contracts/Services/Training	\$3,836
Printing/Copying/Mailing/Postage	\$3,638
Rent/Communication/Utilities/FTS	\$3,268
OGC (Legal Services)	\$5,000
Supplies/Equipment	<u>\$1,295</u>
TOTAL	\$111,363

15. EXPLAIN THE REASON FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14 OF THE OMB FORM 83-I.

This is a new program. See the AMS-71 form for the new burden hours.

16. FOR COLLECTIONS OF INFORMATION WHOSE RESULTS WILL BE PUBLISHED, OUTLINE PLANS FOR TABULATION, AND PUBLICATION. ADDRESS ANY COMPLEX, ANALYTICAL TECHNIQUES THAT WILL BE USED. PROVIDE THE TIME SCHEDULE FOR THE ENTIRE PROJECT, INCLUDING BEGINNING AND ENDING DATES OF THE COLLECTION OF INFORMATION, COMPLETION OF REPORT, PUBLICATION DATES, AND OTHER ACTIONS.

There are no plans to publish any information or data collected. The information collected on these forms is not for publication or statistical use.

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 Agency requests approval not to display the expiration date for OMB approval of the information collection. This requirement significantly affects mandatory programs by increasing costs to users because otherwise usable forms must be destroyed based on the expiration date, if the form is revised, and

redistributed. Such needless cost increases are passed on to users of mandatory services, and are counter-productive to the Administration's goal of reducing costs and increasing program efficiency. In addition, the Council office orders forms well in advance of the fiscal year, so that forms can be mailed to first handlers and importers, producers, cooperative organizations in a timely manner. The Council office attempts to order forms in quantities large enough to get a price break. If the Council office needs to order more forms prior to an OMB submission for extension of approval, there are no guarantees that a requested expiration date will be honored by OMB. There is also some confusion among respondents thinking their annual applications are good for the length of time noted in the expiration date, rather than expiring at the end of the marketing season. Additionally, the impact of the expiration date requirement on administrative and regulatory forms for the programs can adversely affect the operation and enforcement of statutes. Inadvertent use of a form with an expired date poses an opportunity for those looking for a means of disruption to challenge paying for services rendered, the validity of the collection of information, or legal requirement imposed by regulations or statutes.

18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, (CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS, OF OMB FORM 83-I.

The agency is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection does not employ statistical methods.