

**SUPPORTING STATEMENT  
PROCESSED PRODUCTS FAMILY OF FORMS  
OMB CONTROL NO. 0648-0018**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

National Oceanic and Atmospheric Administration (NOAA) Forms 88-13 and 88-13c are used to collect annual (in the case of 88-13) and monthly (in the case of 88-13c) information on seafood and industrial fishery processing plants. These data are required by the Secretary of Commerce in carrying out provisions of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq. as amended). Each fishery management plan established under the Act must determine the estimated capacity by United States (U.S.) seafood processors for the managed fishery. Data from these forms are used in economic analyses to estimate the capacity and extent to which U.S. fish processors, on an annual basis, will process that portion of the optimum yield harvested by domestic fishing vessels. Employment data are used in socioeconomic analyses for determining potential impacts on processing employment, due in part to management measures.

Federally permitted dealers of Atlantic mackerel, squid, butterfish, Atlantic sea scallop, Northeast multispecies, monkfish, summer flounder, scup, black sea bass, Atlantic bluefish, spiny dogfish, Atlantic herring, Atlantic hagfish, Atlantic deep-sea red crab, tilefish, skate, surf clam or ocean quahog in the National Marine Fisheries Service's (NMFS) Northeast Region are required under 50 CFR 648.7 to complete and submit all sections of NOAA Form 88-13.

NOAA Form 88-13c is used to collect monthly production of fish meal and oil. These data are needed by the Department of Commerce to report market and supply conditions and are used by the industry to procure sufficient inputs to produce such products as animal feeds, paint, and lubricants (13 U.S.C. 61 et seq.).

NOAA is requesting an extension of this information collection.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

NMFS and Regional Council economists use the volume and value data to estimate processing capacity and to forecast and subsequently measure the economic impact of fishery management regulations on fish and shellfish supplies. The employment data are used to analyze the seasonality of a specific fishery. The data are also used for establishing negotiating positions on international trade by determining which seafood industries might be adversely affected by reducing or eliminating established tariffs.

Data from the annual survey are reported in Fisheries of the United States, Statistical Abstract of the United States, and Agricultural Statistics. As a member of the United Nations Food and Agriculture Organization and the Organization for Economic Cooperation and Development, NMFS supplies aggregate data to these organizations.

The information collected through the family of forms is also utilized by various other federal agencies. NMFS supports the International Trade Commission with their various trade investigations by supplying aggregate data on specific processed seafood items. The Office of Management and Budget (OMB) annually requests information on the processing of seafood. The U.S. Customs and Border Protection (CBP), Department of Homeland Security, establishes the annual tariff-rate quota for tuna fish described in Item 1604.14.22 of the Harmonized Tariff Schedule of the United States, based on the U.S. canned tuna production for the preceding calendar year (19 U.S.C. 3007).

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the previous paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

In the current annual survey, NMFS provides each processor a unique pre-printed form that includes the products produced by the processor in the previous year. The processor only needs to fill in the quantities and value, and add any new products, before returning the form. Processors have the option to use a web-based application that allows them to submit the data electronically. None have taken advantage of this option to date, but the option will be publicized again for next year's survey.

**4. Describe efforts to identify duplication.**

NMFS continues to work with Bureau of the Census to reduce duplication and unnecessary reporting. Although the Census includes the seafood industry in its five-year descriptive surveys, the level of detail is more aggregated than NMFS data and represents a survey of capital investment and value-added. These data are not part of NMFS effort.

The Bureau of Labor Statistics (BLS) collects monthly employment data at the six digit North American Industry Classification System code. Although these data are used to verify NMFS collected data, the information provided by the BLS is too aggregated to utilize at the species specific level and can only be used for general comparisons.

The Operational Guidelines on the Fishery Management Plan (FMP) Process require each FMP to evaluate existing state and Federal laws that govern the fisheries in question, and the findings are made part of each FMP. Therefore, NMFS is confident that it is aware of similar collections if they exist.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

Since all of the respondents are considered small businesses, separate requirements based on size of business have not been developed. Only the minimum data are requested.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

If the collection were not conducted, NMFS would lack key economic data for making fishery decisions. The frequency cannot be reduced from the annual submission, which is currently required for dealers. Since dealer entry into and exit from a fishery is common, an annual collection allows NMFS to use the most accurate information available to compile employment and processing data. Failure to collect these data would prevent the Secretary of Commerce from meeting the statutory obligations under the Act. It would also prevent the CBP from establishing the annual tariff-rate quota on canned tuna.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

Form 88-13c obtains monthly data on processed production of fish meal and oil for reporting in the Fishery Market News series. NMFS, U.S. Department of Agriculture (USDA), state fishery agencies and industry in forecasting market needs utilize these data. Forms are mailed to respondents on a monthly basis during the fishing season. The seasonality (four-five months) of the fisheries supporting the processing of meal and oil precludes reducing the reporting time frame to less than monthly. Companies reduce employment at season closure to primary maintenance needs. If the reporting time frame was reduced to quarterly submission, a loss of data for the season would jeopardize the statistics.

**8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the 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 record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A Federal Register Notice published on October 20, 2009 (74 FR 53700) solicited public comments on this information collection. No comments were received.

Direct feedback from respondents is the primary source for changes in the survey form.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payments or gifts are made.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

As stated on the forms, the data contained in the Processed Products Report, Form 88-13 and Form 88-13c, will be kept confidential as required by section 402(b) of the Magnuson-Stevens and NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and will not be released for public use except in aggregate statistical form without identification as to its source.

**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.**

There are no questions of a sensitive nature.

**12. Provide an estimate in hours of the burden of the collection of information.**

**Table 1.** Calculation of Public Reporting Burden Hours and Costs.

| Permit Requirement | Number of Entities | Items/ Entity | Total Number of Items | Response Time (Hours) | Total Burden (Hours) | Cost (\$) to Public |
|--------------------|--------------------|---------------|-----------------------|-----------------------|----------------------|---------------------|
| NOAA Form 88-13    | 1,322              | 1             | 1,322                 | 30 mins.              | 661                  | 0                   |
| NOAA Form 88-13c   | 20                 | 4             | 80                    | 15 mins.              | 20                   | 0                   |
| Totals             | 1,322*             |               | 1,402                 |                       | 681                  | 0                   |

\* Excludes duplication.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).**

There are no start-up, capital, or maintenance costs associated with this collection. No new or specialized equipment is needed to respond to this collection. The forms are provided with postage-fee envelopes.

**14. Provide estimates of annualized cost to the Federal government.**

The estimated Cost to Government is \$4,832

Estimated Cost of Printing: 1,402 forms at 4 cents per copy = \$56

Estimated Cost of Mailing: 1,402 forms at 74 cents total = \$1,036

Estimated Staff Support: 220 hours at GS 7/1 salary (\$17.00/hour) = \$3,740.

**15. Explain the reasons for any program changes or adjustments.**

There are no program changes or adjustments.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

Results from this collection may be used in scientific, management, technical or general informational publications such as Fisheries of the United States, which follows prescribed statistical tabulations and summary table formats. Data are available to the general public on request in summary form only; data are available to NMFS employees in detailed form on a need-to-know basis only.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

Not applicable.

**18. Explain each exception to the certification statement.**

There are no exceptions.