

**2010 SUPPORTING STATEMENT
FOR
DOMESTIC ORIGIN VERIFICATION SYSTEM QUESTIONNAIRE AND
REGULATIONS GOVERNING INSPECTION AND CERTIFICATION OF
PROCESSED FRUITS AND VEGETABLES AND RELATED PRODUCTS
OMB NUMBER 0581-0234**

NOTE TO REVIEWER:

The intention of this collection is to request approval for a revision of this information collection. In addition, we are combining burden hours for the 0581-0123 Regulations Governing Inspection and Certification of Processed Fruits and Vegetables and Related Products in this submission.

A. Justification

1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION.

Both OMB 0581-0234 and OMB 0581-0123 are authorized under the same authority, Agricultural Marketing Act of 1946 (7 U.S.C. 1621-et seq.), and serve the same purpose of providing United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS), Processed Product Branch (PPB) services. The Act requires and directs the USDA to promulgate rules and regulations to develop standards of quality, grades, grading programs, and other services to facilitate trading of agricultural products and assure consumers of quality products which are graded and identified under USDA Programs. Section 203 (h) of the Act specifically directs and authorizes the Secretary of Agriculture to inspect, certify, and identify the grade, class, quality, quantity, and condition of agricultural products under such rules and regulations as the Secretary may prescribe, including assessment and collection of fees for the cost of service.

The Regulations Governing Inspection and Certification of Processed Fruits and Vegetables and Related Products (7 CFR 52) and the Regulations Governing Inspection and Certification of Fresh Fruits and Vegetables and Related Products (7 CFR 51) authorize the collection of information to assure that the products sampled, inspected, graded and certified are the products requested to be sampled and inspected, and that the products are wholesome.

PPB's services are multifaceted and positively impact several government agencies and their respective feeding programs. PPB collects information to provide services for inspection, grading, and certification purposes and other services to facilitate trading of agricultural products, e.g., providing import

product inspections, export product inspections, contract and specification acceptance services, facility assessments, and certifications of quantity and quality; verification and auditing; and developing standards for grades of products. PPB services are voluntary and fee-for-service.

The grading and certification of processed fruit and vegetable services under 7 CFR, Part 52 contain provisions for the collection of fees from users of the PPB services that equal the cost of providing the requested services to the closest extent possible. In order for USDA to satisfy those requests for service, the PPB must request certain information from those who apply for service. An application for service is a request for PPB to perform such services and it requests such information as an applicant's name, address, and product to be inspected.

PPB grading and inspection services address food safety concerns, while simultaneously measuring and evaluating a multitude of quality parameters that are necessary for the procurement of healthy and nutritious foods. These services provide the basis for all of USDA's processed fruit and vegetable purchases, including the purchase of juices and similarly processed fruit and vegetable products. The Needy Family Program and a variety of State procurement agencies rely on these services as well.

The DOV Program is a voluntary audit service. Completion and submission of the DOV Application for Service, FV-DOV-1 serves as an agreement by the requestor to apply for services. The DOV Program is a continuance of the information collection that is required and obtained through USDA Purchase Program activities. The collection of information regarding the requirement for companies to ensure domestic origin of the products they deliver to the USDA Purchase Program is based on the "General Terms and Conditions for the Procurement of Agricultural Commodities of Services" (USDA-1) which satisfies the requirements of the "Buy America Act". The USDA-1 requires each offeror to certify that each end item product is domestic end item product.

The DOV Program is an option for the applicant to complete trace back for each USDA contract to verify domestic origin. The audit examines and verifies that the company's trace back records are in place. The DOV Program assists companies to meet the domestic origin requirement for the USDA Purchase Program efficiently and eliminates the redundancy of the trace paperwork that was required for each USDA contract. It is designed to provide validation of the applicant's domestic origin verification program prior to bidding on contracts to supply food products to the USDA's Domestic Feeding programs, and/or may be conducted after a contract is awarded. Participation in the DOV Program does not relieve a company of its contractual requirements to provide only domestic origin product to the USDA.

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.

This collection of information is used by the Agency for the purpose of providing grading and inspection related services to applicants.

The following forms are used in this collection:

(a) **FV-DOV-1, Domestic Origin Verification (DOV) Program Application for Service (7 CFR 52.7)**

The information collected on the DOV Application for Service serves as an agreement by the requestor to apply for the DOV Program service. The DOV Program is a user-fee assessment service, available to suppliers, processors, and any financially interested party. It is designed to provide validation of an applicant's domestic origin verification program prior to bidding on contracts to supply food product to the USDA's Domestic Feeding programs, and/or may be conducted after a contract is awarded.

A DOV Program participant is responsible for completing and submitting a DOV Application for Service, collecting, documenting, and maintaining all information and records in accordance with the DOV Program requirements and in accordance with their domestic origin procedures. These records are part of their regular business practice. AMS will use that information to verify that the company meets the requirements of the USDA Purchase Program for fruits and vegetables for domestic origin. Additionally, the AMS auditor may review the applicant's receiving, production, and distribution sites; interview key personnel; and interview production-level employees. Once a company passes the audit, it will submit the DOV Application for Service annually, updating any procedures, as necessary.

Steps for participation in the DOV Program:

1. A company that is interested in the DOV Program begins by submitting the DOV Application for Service. An applicant is required to establish, implement, document, and maintain their DOV procedures and processes according to the DOV Program requirements: (1) Select growers and suppliers based on their ability to provide components or products that are of domestic origin; (2) Identify each end item component or product and describe the method for documenting that it came from domestic

growers; (3) Verify the method for documenting that each end item component or product came from domestic origin, prevent the use of components or products not intended for the DOV Program, and control non-conforming components or products; and (4) Take corrective action to eliminate the cause of any non-conformance encountered. The elements of the applicant's DOV procedures and processes are those that should be in place whether they are on the DOV Program or providing a trace-back on every contract. Auditing under the DOV Program against the requirements allows the applicant to eliminate the cost, redundancy, and labor involved with tracing back every USDA contract. The applicant's DOV procedures remain the property of the applicant.

2. Once the applicant completes the DOV Application for Service and collects their domestic origin procedures to be ready for audit, it is submitted to AMS for review to save time during the audit and to ensure the applicant is ready for the on-site audit. During the review process, AMS may request additional information, clarifications, or revisions.
3. To verify that the applicant has implemented its DOV procedures, AMS schedules the on-site Validation Audit, to verify that the procedures meet the intended purpose of ensuring domestic origin. An AMS auditor will conduct the audit.
4. If the Validation Audit verifies that the applicant has implemented all the DOV requirements, the applicant becomes an Approved DOV Program Participant. The applicant must satisfactorily address any deficiencies found during the audit before they become an Approved DOV Program Participant.
5. For continued participation in the DOV Program, an applicant must request an annual Verification Audit, and is subject to random Verification Audits to ensure continued compliance with the DOV Program requirements.
6. An applicant must notify AMS of modifications in their DOV Application for Service. This includes any changes made to their DOV procedures or processes due to unusual circumstances. AMS will acknowledge and promptly respond to the applicant. AMS will assess the modifications for acceptability as appropriate and confirm or approve the requested modifications.

The procedures and records generated by the applicant will remain the

property of the applicant. DOV Program auditors will review these procedures and records. A well-maintained filing system will provide for an efficient audit performed by AMS. Records pertaining to USDA purchase contracts shall be maintained for a period of 3 years after the disposition of the contract. All of the records and forms pertaining to the USDA purchase contracts must be accessible to AMS.

(b) **FV-356, Application for Inspection and Certificate of Sampling**
(7 CFR 52.7)

This form has been revised to combine information previously requested on FV-159 and is fillable electronically and includes additional data elements required by the various inspection services PPB provides. These include Section 8e Import Product Inspection, Request for Export Certification, and Submittal of Unofficial Samples.

The information on the face of the “Application for Inspection and Certificate of Sampling” form is used by the respondent to fill in their name, address, and to describe the containers, their location, code marks, the number of containers in the lot and other pertinent information depending on the type of service requested.

The revised application includes information collected for the inspection of unofficially submitted samples of food products. This information is used to determine the unique purpose for the inspection of unofficially submitted samples. Reasons for this type of inspection are not limited to, but include all of the following:

- Processing plants not under in-plant inspection may use the inspection results for their internal quality control purposes.
- Brokers and buyers may use the inspection results as guides in sales and purchases of product.
- Inspection results may be a necessary component of import, export, and other customer purchase specifications.
- Applicants that are required by a foreign country to furnish federal certification of a product being exported into that country.
- Individuals or firms desiring information that can be used as misrepresenting a block of product or otherwise used to afford themselves an unfair advantage. Generally the inspection request is declined when possible misrepresentation is evident.

Samples drawn are not selected by either a Federal or State licensed sampler or inspector; samples are not from lots which have been previously inspected; and the samples are not from a lot which is the subject of controversy with any Federal agency e.g., a Federal food and drug seizure, or court litigation. The information collected is used for providing a user fee service and is not requested for use in conducting a survey and results do not represent a lot. The applicant must be a financially interested party and abide by the requirements of the regulations 7 CFR 52. The applicant must sign and date the form to indicate compliance with the requirements.

Additionally, the form was revised to include additional data elements for section 8e import product inspection. The information required for this type of inspection pertains to imported canned ripe olives, raisins, and dates which are required to be inspected by the Agricultural Marketing Service (AMS), subject to exemptions listed in the applicable Marketing Orders, Import Regulations. This rule is under Title 7 U.S.C. Section 608e-1 of the Agricultural Marketing Agreement Act of 1937, as amended. Inspection of these agricultural products is required to ensure that the standards of quality of imported products are equal to the standards imposed on domestically produced products regulated under Federal Marketing Orders. These standards protect U.S. consumers from substandard or inferior products. The process of importing products into the United States is complex and requires the coordinated efforts of many government agencies. In addition to the above information, this includes: importer of record; port of entry; name of vessel, container number, country of origin, customs entry number, bill of lading number, broker reference number, date of entry, harmonized tariff code, consignee number, and Food Canning Establishment Number (FCE). The FCE number is obtained from the Food and Drug Administration (FDA). This FCE registration is in addition to the Bioterrorism Act food establishment registration requirement. When a food canning establishment registers with FDA, it receives an FCE number. That FCE number then is used to file its scheduled processes of all the canned products manufactured at the facility for U.S. consumption.

Additional data elements were added to the form for information pertaining to export certification. The purpose of the export certificate is to expedite the entry of products into foreign countries. Samples are evaluated for flavor and odor and examined for the presence of foreign material to assure product wholesomeness. The information also functions as the shipper's declaration regarding the number of units in the

consignment. This information includes the number of units declared in the consignment, product and storage temperatures, and other pertinent information concerning the shipment or foreign country requirements.

The reverse of the form is the "Certificate of Sampling," which certifies that the samples have been selected and drawn by an inspector, licensed sampler, or by a person who has been authorized by the Administrator.

An official sampler completes the Certificate of Sampling which includes a record of expenses, mileage, and driving time, etc. This portion of the form is used in the billing process. The signature of the official sampler certifies that a representative number of samples were drawn and that they represent the lot(s) described on the application (front of FV-356.)

The form was also revised to allow the applicant to apply for other miscellaneous services, as appropriate. PPB provides customized services to allow for the ever increasing needs of its customers. These other services would be based on the demands of the receiver of such goods. The applicant would specify what services to perform in the remarks section.

(c) **FV-468, Application for License to Sample Processed Foods**
(7 CFR 52.30)

The information collected on the "Application for License to Sample Processed Foods" is used to subcontract applicants desiring to sample processed foods and certify as to the identification, location, and condition of containers of the processed products that are sampled. The information at the top of the form (application) is intended as a general guide that indicates what is to be expected of the applicant, if the applicant is hired.

FV-468 provides for a listing of previous employers who may be contacted for references and for determining length of service benefits when the employer is either a Federal or State agency. A review of the applicant's previous duties provides USDA with an indication of his or her ability to perform the job functions. The applicant's signature on the bottom of the FV-468 certifies that the statements made thereon are correct. It also certifies that he or she is both aware of and willing to comply with the conditions outlined in the regulations regarding all licensed samplers upon approval of the application.

The information requested on Forms FV-DOV-1, FV-356, and FV-468 is essential for providing PPB's auditing and grading services, which may include the auditing sampling, inspection, and/or the certification of

processed products. The information collected is used to provide a user fee service and is not requested for use in conducting a survey.

(d) **FV-358 Request for Surety Bond (New Form) (7 CFR 52.41)**

This form assures the inspection service that fees and charges for any inspection service are paid by the interested party making the application for such service, in accordance with the applicable provisions of the regulation. The inspection service assures payments are guaranteed by either an advance of funds prior to rendering inspection service in an amount suitable to the Administrator or a surety bond suitable to the Administrator. Applicants that enter into a contract or an agreement for inspection service must provide acceptable surety. A surety bond or advance payment (cashier's check) is the only acceptable form of security. Form FV-358 sets forth the agreement for surety and established the amount to be paid.

(e) **FV-16, Notice for Hold for Re-Examination (New Form) (7 CFR 52.57)**

PPB has a Memorandum of Understanding between AMS and the Food and Drug Administration (FDA) where AMS is required to report to FDA any product adulterated by foreign material that is found in the course of inspection and is not under control of AMS. The FV-16 is used to report adulterated product to FDA. It is presented to an applicant to sign to acknowledge that it has disposed the product. Applicants have a number of options available, such as, segregation, reworking, destruction, or disposal for non-food use under AMS supervision. The option taken should be reported to the PPB inspector within two weeks from the date shown on the FV-16 (adjacent to the inspector's signature). The applicant indicates their desired option on the FV-16 form, and dates and signs the form.

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.

Applicants may submit information by telephone, facsimile, or by email. Also,

forms FV-DOV-1, FV-468, FV-356, and FV-358 are accessible at <http://eforms.ams.usda.gov/>. Presently, form FV-DOV-1 may be accessed on the internet at <http://www.ams.usda.gov/processedinspection>. Additional efforts are continually being made to reduce burden, while continuing to provide our essential user fee services. Forms FV-468, FV-356, and FV-358 are fillable. Although alternative application methods are available to our customers, we remain mindful that not all of the inspection sites involved in this information collection have the technological capability of applying over the internet. Certain inspection sites have inadequate software capabilities, high equipment costs, high staffing expenses, and a multitude of costly computer security considerations. Therefore, we need to continue providing for the usage of our traditional forms through the use of Facsimile (FAX) machine transmissions, and postal deliveries are also accepted.

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.

Repeat information such as the name and address of inspection locations is not required, unless changes have been made to this information. However, each request is based on different production information and different needs. Therefore, sample size, case marks, lot numbers, number and type of containers, product type, product codes, certification types, warehouse locations, sampling applicants, and the nature of the samples i.e. “official” and “unofficial” samples are all subject to continual change. All of these factors require a continuation of the forms discussed in this justification.

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 information is required from all applicants requesting our user fee service. The forms in this justification have no negative impact on small businesses or other small entities. In fact, PPB’s grading and inspection services are often fundamental to the success of small business enterprises. Many companies are financially incapable of sustaining internal quality assurance departments. PPB’s grading and inspection services offer small companies a third party alternative for maintaining internal quality assurance programs. In turn, small business entities can compete in markets where they may not have otherwise been able to.

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 Agricultural Marketing Act of 1946 (7 U.S.C. 1622(h)) requires and directs the Department of Agriculture (USDA) to promulgate rules and regulations to carry out voluntary inspection and grading services, on a fee for service basis. In order to comply with the rules set forth under the Act in (7 CFR 52), the collection of information is needed to assure that the products sampled, inspected, graded, and/or certified are the actual products that have been selected by the respective applicant. This user fee information is collected on an as needed basis.

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 pursuant the preceding questions. The collection of information is conducted in a manner consistent with the guidelines in 5 C.F.R. 1320.6. The recordkeeping requirements for industry are self imposed. As part of our grading and inspection contract(s), AMS maintains a file of the grading and inspection information for seven years, plus the current year.

All applicant-generated programs related materials are the property of the applicant and AMS will treat them accordingly. It is our policy that records and documents should be protected to the extent possible as provided by the Freedom of Information Act. To the extent permitted by law, AMS considers and treats any applicant-generated program related material and records as trade secrets or confidential information, as proprietary and confidential, as they are voluntarily submitted to the Agency.

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.

The notice was published in the Federal Register on July 6, 2010, Volume 75, Number 128, Pages 38765-38766. There were no comments received on the notice.

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.

Three companies were consulted to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format, and on the data elements to be recorded, disclosed, or reported. The companies are as follows:

Seneca Foods Corporation
3736 South Main Street
Marion, New York 14505

Phone: (315) 926-8100

Rema Foods, Inc.
140 Sylvan Avenue
Englewood Cliffs, NJ,
Phone: (201) 947-1000

Strahl & Pitsch, Inc.
30 Great East Neck Road, (P.O. Box 1098)
West Babylon, NY 11704
Phone No: (631) 587-9000

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.

Periodic supervisory reviews and recommendations are conducted by regional supervisors on an annual basis. The forms are maintained by AMS. There are no circumstances that would preclude consultations.

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

No payments or gifts were provided to respondents.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.

Section 608(d) of the Act provides that information acquired will be kept confidential, and that penalties exist for violating confidentiality requirements. USDA's AMS employees are trained to maintain confidentiality. 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.

The information collected does not include any material that is of a sensitive nature or is commonly considered private.

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 HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL DESIRABLE. IF THE HOUR BURDEN ON EXPECTED TO VARY WIDELY BECAUSE ACTIVITY, SIZE, OR COMPLEXITY, ESTIMATED HOUR BURDEN, AND FOR THE VARIANCE. INCLUDE BURDEN BUSINESS

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EXPLAIN THE REASONS

GENERALLY, ESTIMATES SHOULD NOT

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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.

Estimates of the burden of collection of information have been summarized on the attached form AMS-71.

The annual hour burden for Forms FV-DOV-1, FV-356, FV-468, FV-16 and FV-358, was estimated by using data from the PPB automated billing program and data from field offices.

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 estimated cost to the respondents was derived from the Bureau of Labor Statistics, May 2009 National Occupational Employment and Wage Estimates for the United States, Production Occupations, First-Line Supervisors/Managers of Production and Operating Workers found at http://www.bls.gov/oes/current/oes_nat.htm#b00-000.

The total cost is estimated at \$164,150. This total has been estimated by multiplying total burden hours by \$26.51 per hour (6192 x \$26.51 = \$164,150) a sum deemed to be reasonable should the respondents be compensated for their time.

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).

THE COST ESTIMATE 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. THE ESTIMATES SHOULD TAKE INTO ACCOUNT COSTS ASSOCIATED WITH GENERATING, MAINTAINING, AND DISCLOSING OR PROVIDING THE INFORMATION. INCLUDE DESCRIPTIONS OF METHODS USED TO ESTIMATE MAJOR COST FACTORS INCLUDING SYSTEM AND TECHNOLOGY ACQUISITION, EXPECTED USEFUL LIFE OF CAPITAL EQUIPMENT, THE DISCOUNT RATE(S), AND THE TIME PERIOD OVER WHICH COSTS WILL BE INCURRED. CAPITAL AND START-UP COSTS INCLUDE, AMONG OTHER ITEMS, PREPARATIONS FOR COLLECTING INFORMATION SUCH AS PURCHASING COMPUTERS AND SOFTWARE; MONITORING, SAMPLING, DRILLING AND TESTING EQUIPMENT; AND RECORD STORAGE FACILITIES.

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 neither any overhead capital costs, nor ongoing operation and maintenance costs associated with this information collection.

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.

Due to the voluntary nature of grading and certification services, 7 CFR Part 52 contains provisions for the collection of fees from users of the PPB services that nearly as possible are equal to the cost of providing requested services. There are no costs to the federal government as all costs are recovered through user fees.

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

In the previous renewal submission of 0581-0123, FV-356 was reported with a response time of .0300 (2 minutes) per response. This typo error was discovered when merging the burden and forms of 0581-0123 into this collection. The correct time is .3300 (20 minutes) per response which accounts for the significant increase in the chart below of +5551 burden hours for this form. The overall increase is +5450 burden hours due to the merge and the addition of two new forms.

<u>REG. NO.</u>	<u>REASON</u>	<u>PREVIOUS BURDEN</u>	<u>NEW BURDEN</u>	<u>DIFFERENCE</u>	<u>TYPE OF CHANGE</u>
52.7 (FV-DOV-1)	Decrease in response time	100	25	- 75	Adj.
52.7 (FV-159)	Form Obsoleted	56	0	-56	Adj.
52.7 (FV-356) (0581-0123)	Rev. to combine FV-159, & correct miscalculations	573	6124	+ 5551	Adj.
52.30 (FV-468) (0581-0123)	Corrected Mis-calculation	13	37	+ 24	Adj.
52.41 (FV-358)	New Form	0	5	+ 5	Adj.
52.57 (FV-16)	New Form	0	1	+1	Adj.
				_____	Adj.
				Total + 5450	

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.

Data collected will not be published for statistical use. However, with the authorization of the applicants into the DOV Program, their names are published on the Web as “Approved DOV Participants.”

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.

We are seeking approval to not display the OMB expiration date on the PPB forms. Our electronic forms are downloaded at the point of use. Expiration dates on our forms are inappropriate. We currently use a revision date to maintain control of the documents which is required by our internal Quality Management System, which is appropriate for our forms. In addition, respondents could be confused by the term expiration date and may believe that the submission of their information on the form is good for the length of time noted by the expiration date, which is incorrect.

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 for 83-I.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection of information does not employ statistical methods.