

SUPPORTING STATEMENT 0579-0185
BRUCELLOSIS IN SHEEP, GOATS, HORSES; PAYMENT OF INDEMNITY

January 2011

A. 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 the United States' ability to compete in the world market of animal and animal product trade.

The agency charged with carrying out this disease prevention mission is the Animal and Plant Health Inspection Service (APHIS). APHIS regulations for preventing the dissemination of animal diseases within the United States are contained in title 9 of the *Code of Federal Regulations* (9 CFR), Subchapter B-Cooperative Control and Eradication of Livestock or Poultry Diseases. Veterinary Services (VS), a division within APHIS, is responsible for administering these regulations.

Brucellosis is an infectious disease of animals and humans caused by the bacteria of the genus *Brucella*. The disease is characterized by abortions and impaired fertility in its principal animal hosts. Brucellosis is mainly a disease of cattle, bison, and swine. Sheep, goats, and horses are also susceptible, but are rarely infected. *Brucella abortus* is associated with the disease in cattle and bison, *Brucella suis* with the disease in swine, and *Brucella melitensis* with the disease in sheep and goats. There is no economically feasible treatment for brucellosis in livestock.

The continued presence of brucellosis in a herd or flock seriously threatens the health of other animals. To prevent any possible spread of infection, APHIS asks livestock owners to promptly destroy all infected and exposed animals. APHIS pays Federal indemnity for goats, sheep, and horses destroyed because of brucellosis.

APHIS regulations governing indemnity for goats, sheep, and horses are contained in 9 CFR 51. Providing indemnity for goats, sheep, and horses is a crucial tool in encouraging owners of infected or exposed animals to destroy them.

Continuing this indemnity program necessitates the use of several information collection activities, including 1) the completion of indemnity claims using VS Form 1-23; 2), recording test results using VS Form 4-33; 3) obtaining a permit for moving restricted animals (VS Form 1-27),4) submission of proof of destruction, and 5) requests for extension of certain program-related deadlines.

APHIS is asking OMB to approve, for an additional 3 years, its use of these information collection activities in connection with the brucellosis program.

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.

The information collection activities described below are needed to provide indemnity to owners of goats, sheep, or horses destroyed because of brucellosis. These animals rarely contract brucellosis; APHIS is establishing this indemnity program as a safeguard in the event that brucellosis is detected in a flock or herd of these animals. This program will enable APHIS to purchase infected or exposed animals in a timely manner, thus preventing the possibility of disease spread. No information has been collected and used by the Agency in the current collection because there have been no claims to provide indemnity to owners of sheep, goats, or horses destroyed because of brucellosis in the past 3 years.

Indemnity Claim (VS Form 1-23)

This form is used to document appraisals made and approved for payment to owners-claimants. This form is prepared, as needed, by the Area Veterinarian in Charge (AVIC). The AVIC completes the form using existing documentation containing some of the necessary data, in addition to information provided by the animal owner. Information collected on this form includes the owner's name and address, the number of animals for which the owner is claiming indemnity, the species of animals for which the owner is claiming indemnity, and the animal's unique, individually numbered identification. The animal owner reviews and signs the claim form. The form must contain an original signature and is submitted to the regional brucellosis epidemiologist and then to the brucellosis program manager for review and approval.

Test Records (VS Form 4-33)

An APHIS representative, State representative, or accredited veterinarian must compile, on an APHIS-approved form (VS Form 4-33), a complete test record for each animal for which indemnity is being claimed. Form 4-33 documents brucellosis testing of animals for various purposes, including epidemiologic investigation and affected herd testing. The

form is prepared by the veterinarian performing the tests, with information provided as needed by the animal's owner. The test record must include the type of test used for each animal, the test results for each animal, and the individual identification of each animal. A VS-approved brucellosis laboratory records the test results on the form. The designated brucellosis epidemiologist (DBE) reviews the form and classifies the animals tested. The DBE compiles the data from this form to prepare the VS Form 4-33.

Permit for Movement of Restricted Animals VS Form 1-27

VS Form 1-27 documents the interstate movement of brucellosis reactor, exposed, or suspect animals to provide assurance that the animals are not diverted in shipment. This document is prepared, as needed, by an accredited veterinarian or State or Federal animal health official prior to movement of the animals. The information for the form is taken from the animals' test charts and includes the owner's name and address, the number of animals being moved, the identification of the animals, their destination point, the brucellosis status of the animals, and their herd of origin. A copy of the form accompanies the animals to their destination and receipt of the animals is acknowledged by personnel at the destination. VS Form 1-27 also provides documentation of any United States Department of Agriculture seals applied to the conveyance vehicle(s).

Proof of Destruction

Prior to receiving indemnity for animals destroyed because of brucellosis, the owner must submit documentation of destruction to the AVIC. These documents may include a postmortem report; a meat inspection certification of slaughter; a written statement by a State representative, APHIS representative, or accredited veterinarian attesting to the destruction of the animals; a written, sworn statement by the owner or caretaker of the animal attesting to the destruction of the animals; or a permit (VS Form 1-27) consigning the animal from a farm or livestock market directly to a recognized slaughter establishment.

Extension Request

Ear tags or other forms of animal identification must be applied within 15 days after the animals are condemned. The AVIC may extend this time limit to 30 days if he or she receives a request for extension from the owner (either verbally or in writing). After the condemned animals are removed from their holding location, all structures, holding facilities, conveyances, and materials contaminated due to the presence of these animals must be properly cleaned and disinfected within 15 days from the date the animals are removed. The AVIC may extend this time limit to 30 days if he or she receives a request for extension from the owner (either verbally or in writing).

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.

The indemnity claim form (VS 1-23), test records (VS 4-33), and permit (VS 1-27) require original signatures and thus are not candidates for electronic submission. Documents used for proof of destruction are not VS forms and may be submitted by any convenient means, including electronic means, at the discretion of the AVIC. (See “Proof of Destruction” paragraph for detailed listing of acceptable proof of destruction documents.) Requests for extending certain deadlines associated with this program can be made via phone, fax, or electronically, as well as by hard copy.

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 is not available from any other source. APHIS is the only Federal agency responsible for preventing, detecting, controlling, and eradicating brucellosis 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 in connection with this program is the absolute minimum needed to ensure that sheep, goats, and horses condemned because of brucellosis are handled in such a way that they do not pose a health threat to the U.S. livestock population. APHIS estimates that 100 percent of respondents are small businesses.

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.

Failure to collect this information would make it impossible for APHIS to effectively administer an indemnity program for sheep, goats, and horses destroyed because of brucellosis. This would make it much more difficult for APHIS to eliminate this source of brucellosis infection in the United States.

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.

- **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 three 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 statute 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.**

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 2010, APHIS engaged in productive consultations with the following individuals concerning the information collection activities associated with this program:

Robin Saum, President
 American Dairy Goat Association
 209 West Main Street – P.O. Box 865
 Slindale, NC 28160
 828-286-3801
www.ADGS.org

Dudley Hoskins
Director of Regulatory Affairs
American Horse Council
1616 H Street NW, 7th Floor
Washington, DC 20006
202- 296-4031, ext. 201
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Mr. Paul Rodgers
American Sheep Industry Association
9785 Maroon Circle, Suite 360
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303- 771-3500
Proddgers2@earthlink.net

On Friday, June 4, 2010, pages 31743-31744, 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 remuneration 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 sheep, goat, and horse owners who may be eligible to participate in a brucellosis indemnity program; accredited veterinarians; State veterinarians; and other program cooperators.

•Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

Respondents are the owners of sheep, goats, and horses; State veterinarians; and accredited veterinarians. APHIS estimates the total annualized cost to these respondents to be \$246.88. APHIS arrived at this figure by multiplying the hours of estimated response time (8 hours) by the estimated average hourly wage of the above respondents (\$30.86). Estimated hourly wages for the respondents were determined 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>.)

Owners of sheep, goats, and horses: \$16.13 per hour [median, farmers and ranchers]
State veterinarians: \$38.46 per hour [median, State veterinarians]
Accredited veterinarians: \$38.01 per hour [median, accredited veterinarians]

13. Provide estimates of the total annual cost burden to respondents or record keepers 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 \$189. (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.

There is an adjustment resulting in an increase of 6 total burden hours (2 hours to 8 hours) and an increase of 3 total annual responses (8 responses to 11 responses) due to previously improperly rounding hours and improperly accounting for affected publics (Business; and State, Local, and Tribal Governments). Official Seals and Cleaning and Disinfection were also removed from the collection; however, it did not affect the burden because both items together are less than an hour. The Official Seals are actually completed by APHIS personnel – not members of the public. Cleaning and Disinfection does not involve any paperwork.

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

APHIS has no plans to publish 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.

All three official forms (VS 1-23, VS 4-33, and VS 1-27) are used in multiple collections; therefore, it is not practical to include an OMB expiration date because of the various expiration dates for each collection. APHIS is seeking approval to not display the OMB expiration date on these forms.

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

APHIS can certify compliance with all provisions of the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not employed in this information collection activity.