

2010 SUPPORTING STATEMENT
FRUIT AND VEGETABLE MARKETING ORDERS
CERTIFIED ORGANIC HANDLER MARKETING PROMOTION
ASSESSMENT EXEMPTION UNDER 26 FEDERAL MARKETING ORDERS
OMB No. 0581-0216

A. JUSTIFICATION

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

Under the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. § 601 *et seq.*; Act), the U. S. Department of Agriculture (USDA) has authority to promulgate and oversee marketing orders (Order) for certain agricultural commodities, and issue regulations thereof for the purpose of providing orderly marketing conditions in interState and intraState commerce, while providing producers with adequate returns. Section 608(d)(1) of the Act provides that information necessary to determine the extent to which an Order has effectuated the declared policy of the Act shall be furnished at the request of the Secretary of Agriculture (Secretary). These Orders apply to handlers, i.e. those engaged in the handling of any agricultural commodity, as defined in the Act. Orders may authorize production and marketing research, including paid advertising, to promote various commodities, which is paid for by assessments that are levied on the handlers.

On May 13, 2002, the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. § 401; FAIR Act) was amended by the Farm Security and Rural Investment Act (7 U.S.C. § 7901; 2002 Farm Bill), exempting any person who produces and markets solely 100 percent organic products, and who does not produce any conventional or non-organic product, from paying these assessments with respect to any agricultural

commodity that is produced on a certified organic farm, as defined by the Organic Foods Production Act of 1990 (7 U.S.C. § 6502; OFPA). The provisions of the OFPA are carried out by the National Organic Program (NOP), which was created by the USDA. Eligible handlers must operate under an approved organic process system plan authorized by the NOP, and must handle or market only products that are eligible for a 100 percent organic product label. As noted in the USDA's regulations governing the formulation of marketing orders (*see* 7 CFR Part 900), to receive the exemption a handler must submit an application to the appropriate Marketing Order Committee or Board (Committee or Board) entitled, "Certified Organic Handler Application for Exemption from Market Promotion Assessments Paid Under Federal Marketing Orders." The information gathered on this form is necessary to help the Committees or Boards determine a handler's eligibility for the assessment exemption.

Originally, the organic assessment exemption applied to 28 Orders, as well as any additional Orders for fruits, vegetables, or specialty crops that may be established, or amended to include market promotion. This number has since been reduced to 26 due to the termination of two programs, Order No. 931 regulating Winter Pears, and Order No. 979 regulating Texas melons. The Orders covered under this submission are: 7 CFR parts 906, Oranges and grapefruit grown in Lower Rio Grande Valley in Texas; 915, Avocados grown in south Florida; 916, Nectarines grown in California; 917, Fresh pears and peaches grown in California; 922, Apricots grown in designated counties in Washington; 923, Sweet cherries grown in designated counties in Washington; 924, Fresh prunes grown in designated counties in Washington and in Umatilla County, Oregon; 925, Grapes grown in a designated area of southeastern California; 927, Pears

grown in Oregon and Washington; 929, Cranberries grown in States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; 930, Tart cherries grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin; 932, Olives grown in California; 947, Irish potatoes grown in Modoc and Siskiyou Counties, California and in all counties in Oregon, except Malheur County; 948, Irish potatoes grown in Colorado; 955, Vidalia onions grown in Georgia; 956, Sweet onions grown in the Walla Walla Valley of southeast Washington and northeast Oregon; 958, Onions grown in certain designated counties in Idaho, and Malheur County, Oregon; 959, Onions grown in South Texas; 966, Tomatoes grown in Florida; 981, Almonds grown in California; 982, Hazelnuts grown in Oregon and Washington; 984, Walnuts grown in California; 985, Spearmint oil produced in the Far West; 987, Domestic dates produced or packed in Riverside County, California; 989, Raisins produced from grapes grown in California; and 993, Dried prunes produced in California.

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 Orders, and the rules and regulations issued thereunder, authorize the Committees and Boards to collect certain information from handlers. (7 CFR § 900.700). As a convenience to those handlers who are eligible for the organic assessment exemption, the Agricultural Marketing Service (AMS) created an application form that handlers may use as a means to apply to the appropriate Committee or Board for the exemption.

Since the last renewal, this form has undergone cosmetic changes, such as changes to the margins and format.

a) **Certified Organic Handler Application for Exemption From Marketing Promotion Assessments Paid Under Federal Marketing Orders; Form**

FV-649 (§ 900.700): Handlers who (a) operate under an approved NOP process system plan, (b) only handle or market products that are eligible to be labeled 100 percent organic under the NOP and are produced on a certified organic farm as defined in the OFPA, (c) are not split transactions, and (d) are subject to assessments for marketing promotion, may complete this application seeking exemption from marketing promotion assessments, either before or during an assessment period, and annually thereafter, to seek exemption from paying the marketing promotion assessments. The handler files this application with the appropriate Committee or Board, along with copies of their organic handling operation certificate provided by a USDA-accredited certifying agent, a copy of the NOP producer certificate, and a NOP certificate for each additional producer for whom the handler handles or markets a commodity. The Committee or Board then determines whether the handler is eligible for the assessment exemption, and notifies the applicant, in writing, of its approval, or its disapproval and the reason(s) therefore. If the Committee approves the exemption, it takes effect at the beginning of the next assessable period following the notification of approval.

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, form FV-649 will be submitted directly to the applicable Committee or Board that administers the Order under which a handler seeks exemption from a marketing promotion assessment. These Committees and Boards are not part of a Federal agency, but are industry commodity Committees and Boards that operate under Federal authority and oversight. This form is available electronically and can be filled out and printed. However, the form will not be made available for electronic submission due to the logistical constraints of requiring handlers to submit certifying documentation with the application.

Information collection forms are periodically reviewed by the Committees and Boards to ensure that they are understood by industry members, are easy to complete, and place as small a burden as possible on the person supplying the information.

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.

Forms are periodically reviewed to avoid unnecessary information collection duplication by industry and public sector agencies. At the present time, there is no duplication between Federal agencies with regard to these applications. The information provided in these applications is merely supplemented with certifications issued by the NOP.

Information currently generated by State, Federal, and private sector reports pertains to commodities in general, but does not specifically address organic commodities

grown in the Order production areas. Such information also does not necessarily contain information of a proprietary nature relative to the affected handlers. Therefore, such information will not be detailed enough to be used for the specific purposes required under 7 CFR section 900.700.

5. IF THE COLLECTION OF INFORMATION HAS SIGNIFICANT IMPACT ON A SUBSTANTIAL NUMBER OF SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 15 OF THE PAPERWORK REDUCTION ACT SUBMISSION FORM), DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.

The information being collected has been reduced to the minimum requirements of the Order. The form requires a minimal amount of information, which can be supplied without data processing equipment or a trained statistical staff. The primary sources of data used to complete the form are routinely used in all business transactions. Thus, the information collection and reporting burden is relatively small. Requiring the same reporting requirements for all eligible handlers will not significantly disadvantage any handler 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.

There would be no consequence for any Order if this information collection were not conducted. The recipients of any benefits are eligible handlers, who benefit from not paying certain assessments. The information must be collected annually, on a crop year basis, in order to be consistent with crop production and other organic certifications under the NOP. The information would, therefore, not be accurate if collected less frequently, and would not provide the Committees or Boards with the information needed to make determinations on promotion assessment exemption eligibility.

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 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.**

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR section 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 concerning this information collection was published in the Federal Register on October 6, 2010, inviting comments from interested persons through December 6, 2010. (Vol. 75, No. 193, p. 61694). No comments were received.

- **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.**

- **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.**

Each Committee or Board manager may receive information on other Orders through correspondence, meetings, and information from other managers and the USDA. These Committees and Boards endeavor to consult with representatives from whom the information is to be obtained at least once every three years. Notice of the Committee or Board meetings are sent to all those associated with the respective industry, and any concerns regarding Committee or Board issues are welcome. USDA is continually in contact with each of the Committees.

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

Respondents are not provided with gifts or payments for providing information.

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. Information submitted to the Committees and Boards is accessible only by the Committee or Board managers and staff, and certain USDA employees in Washington, D.C. Committee and Board members are aware of the penalties for violating confidentiality requirements. Authorized Committee and Board employees will be the primary users of the information and AMS employees will be the secondary users.

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUDE, 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 found in this information collection.

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 OTHERWISE 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 BURDEN AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDEN HOURS FOR**

CUSTOMARY AND USUAL BUSINESS PRACTICES.

The number of respondents required to file this form was estimated based on records kept by the Committees and Boards, which track growers and handlers regulated under their respective programs. While not exact, these estimates are very close to the actual number of growers or handlers because members of the industry are required to work closely with the Committees and Boards that administer their respective Orders. See AMS-71 for breakout.

- **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.**

The respondents' estimated annual cost of providing information to the Committees and Boards is approximately \$1,012. This total has been estimated by multiplying 32.5 total burden hours by \$31.13, the national mean hourly wage of Farm, Ranch, and Other Agricultural Managers, according to the U.S. Department of Labor Statistics. (National Compensation Survey: Occupational Employment and Wages, May 2009; <http://bls.gov/oes/current/oes119011.htm>.)

This hourly wage has gone down since the last renewal, which used a labor category of "professional, specialty and technical white collar occupations, and executive, administrative, and managerial white collar occupations." Since the burden of completing this form falls on agricultural handlers, who do not fit into professional, managerial, or executive job categories, a wage based on farm and agricultural managers is now being used to more accurately reflect the cost of providing this information.

- 13. PROVIDE AN ESTIMATE 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 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, PREPARATION 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, MAKE: (1) PRIOR TO OCTOBER 1, 1995, (2) TO ACHIEVE REGULATORY COMPLIANCE WITH REQUIREMENTS NOT ASSOCIATED WITH THE INFORMATION COLLECTION OR KEEPING RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL BUSINESS OR PRIVATE PRACTICES.**

There are no capital/startup or ongoing operation/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, OPERATIONS 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.

The Federal Government’s annual costs for providing oversight of, and assistance for, this information collection is estimated at \$15,030.48 for the first year, and \$15,481.40 for subsequent years, assuming a cost of living increase to salaries, and higher overhead costs.

A breakdown of the oversight costs for the first year is as follows:

Salaries/benefits/awards	\$1,650.48
Travel	\$5,000
Printing/Copying/Mailing/Postage	\$900
Federal Register Services	\$1,680
OGC (legal services)	\$4,000
Supplies/equipment	\$1,800
TOTAL	\$15,030.48

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

The Agency is requesting approval for 32.5 burden hours, based on 65 annual responses. Since the last submission in 2007, there is a decrease of 19 burden hours. The difference is due to a decrease in the number of respondents. Fewer handlers now handle strictly organic commodities, and therefore are not eligible to apply for this exemption.

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.

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 AMS requests approval not to display the expiration date on the form associated with this information collection because having to do so would 1) decrease the efficiency of the Marketing Order programs, 2) be financially prohibitive to some Committees or Boards, and 3) delay the use of such forms and cause confusion to the respondents.

Displaying an expiration date on the form in this information collection would decrease the efficiency of these Marketing Order programs. At the time the form expires, each Committee or Board would need to destroy otherwise-usable forms, counteracting the Administration's goal of increasing program efficiency. As the form is widely distributed, there is the possibility that a respondent could inadvertently complete an expired form before a new form was distributed, having a severe adverse legal impact if the validity of the form were ever challenged.

Some of the Committees and Boards are very small with small operating budgets, and rely heavily on financial discounts to function properly. As such, they order large quantities of this form at once to get lower printing prices, knowing that it will be in use for several years. Displaying expiration dates on the form could financially devaState them as they simply could not afford to reprint forms or pay more for the forms they order from the printer.

Finally, putting an expiration dates on the form would prevents it from being used once it reaches expiration while the new form is in the OMB-approval process. Committees and Boards mail forms to respondents in a timely manner to ensure accurate completion. If a Committee or Board needs to order additional forms during this process, it could not order the forms with a new expiration date, as there are no guarantees that a requested expiration date would be approved by OMB. This would delay the Committee's or Board's use of this form, and hinder the smooth operation of Marketing Order requirements. Displaying expiration dates on forms also confuses respondents, who may think that the expiration date applies to the time their information is due, rather than the validity of the actual form.

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

The collection of information does not employ statistical methods.