

**SUPPORTING STATEMENT
Hass Avocados OMB 0579-0129**

A. JUSTIFICATION

September 2011

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) is responsible for preventing plant pests and noxious weeds from entering the United States, preventing the spread of pests and weeds new to the United States or not known to be widely distributed in the United States, and eradicating those imported pests and weeds when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 – et seq.), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, or movement of plants and plant pests, to prevent the introduction of plant pests into the United States or their dissemination within the United States.

The regulations in “Subpart-Fruits and Vegetables” (7 CFR Part 319.56-1 through 319.56-51, referred to as the regulations) prohibit or restrict the importation of fruits and vegetables into the United States from certain parts of the world to prevent the introduction and dissemination of plant pests that are new to or not widely distributed within the United States.

APHIS’ regulations currently allow fresh Hass avocados grown in approved orchards in Michoacan, Mexico, to be imported into the United States under certain conditions. APHIS collects information to ensure that fresh Hass avocados from Mexico do not harbor insect pests (including Avocado stem weevils, seed weevils, and seed moths) that, if introduced into the United States, could inflict severe damage upon U.S. agriculture.

The regulations APHIS has devised often require APHIS to collect information from a variety of individuals, both within and outside of the United States, who are involved in growing, packing, handling, transporting, and importing foreign logs, trees, shrubs, and other articles.

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.

Trust Fund (foreign government)

The avocados may be imported only if the Mexican avocado industry association representing Mexican avocado growers, packers, and exporters has entered into a trust fund agreement with the Animal and Plant Health Inspection Service for that shipping season. That agreement requires the Mexican avocado industry association to pay in advance all estimated costs that APHIS expects to incur through its involvement in the trapping, survey, harvest, and packinghouse operations.

Imports Permits (PPQ Form 587) (business)

Importers of Mexican Hass avocados must obtain a permit from APHIS before importing the fruit. The permit allows APHIS to inform the permittee of the requirements and conditions for importing Mexican Hass avocados. The permit also allows APHIS to restrict importation to areas of the United States where climatic conditions preclude the establishment of insect pests from Mexico.

Workplan (business)

Sanidad Vegetal must provide an annual workplan to APHIS that details the activities that Sanidad Vegetal will, subject to APHIS' approval of the workplan, carry out to meet the requirements within section 319.56-30(2)(c).

Marking of field boxes with orchard registration number (business)

Harvested avocados must be placed in field boxes or containers of field boxes that are marked to show the Sanidad Vegetal registration number of the orchard.

Field record to accompany fruit from orchard to packinghouse (business)

The avocados must be protected from fruit fly infestation during their movement from the orchard to the packinghouse and must be accompanied by a field record indicating that the avocados originated from a certified orchard.

Recordkeeping

Participating facilities must maintain records regarding trap placement and Medfly captures. The information APHIS collects serves as the supporting documentation needed to confirm that Hass avocados have been produced in accordance with the conditions set forth in the regulations. These records must be maintained for a period of one year.

Fruit must be stickered with Sanidad Vegetal registration number for packinghouse (business)

Prior to being packed in boxes, each avocado fruit must be cleaned of all stems, leaves, and other portions of plants and labeled with a sticker that bears the Sanidad Vegetal registration number of the packinghouse.

Box marking w/grower, packinghouse, etc. (same respondents as respondents placing sticker) (business)

The avocados must be packed in clean, new boxes, or clean plastic reusable crates. The boxes or crates must be clearly marked with the identity of the grower, packinghouse, and exporter, and the statement “not for distribution in AL, AK, AZ, AR, CA, FL, GA, HI, LA, MS, NV, NM, NC, OK, OR, SC, TN, TX, WA, Puerto Rico, and all other U.S. Territories.”

Phytosanitary Certificate with declaration certifying that conditions have been met (foreign)

All shipments of avocados must be accompanied by a phytosanitary certificate issued by Sanidad Vegetal certifying that the conditions specified in section 319.56-30 have been met.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, 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.

Permits (PPQ Form 587) are posted on the following website:
<http://www.aphis.usda.gov/library/forms/pdf/PPQ587.pdf>

A trust fund can be automated by the government in which the articles are produced. Funds can also be transferred via computer to APHIS.

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 APHIS collects is exclusive to our mission to prevent the introduction of plant pests and plant diseases into the United States. The information is not available from any other source.

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

The information APHIS collects is the minimum needed to protect the United States from infestation by avocado stem weevils, seed weevils, and seed moths. APHIS has determined 90 percent of the respondents are small entities.

6. Describe the consequences 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.

Failing to collect this information would compromise our ability to ensure that fresh Hass avocados from Mexico are not harboring destructive insect pests that could cause millions of dollars in damage to U.S. agriculture. Failing to collect this information would also make it much more difficult to ensure that fresh Hass avocados from Mexico are shipped only to approved States, and not to areas in the southern and western United States where insect pests from Mexico could successfully establish themselves.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information guidelines in 5 CFR 1320.5.

No special circumstances exist that require this 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.**

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 data 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.

Productive consultations occurred in 2011 with the following individuals:

Be-Bud Growers, Inc.
One North Federal Highway
Suite 203
Boca Raton, FL 33432
561-347-3100

Calavo Growers Inc.
1141A Cummings Rd.
Santa Paula, California 93060
805-525-1245

West Pak Avocado Inc.
42322 Avenida Alvarado
Temecula, CA 92590
800-266-4414

On March 21, 2011, page 15278, 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 reenumeration 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 and attitudes, religious beliefs, and others that are 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 asks 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 for hour burden estimates. These estimates were developed using historical data, calculated average number of permits requested, and discussions with importers and shippers of Hass avocados.

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

See APHIS Form 71 for hour burden estimates. Mexican plant health officials, shippers, and importers of Hass avocados. APHIS estimates the total annualized cost to these respondents to be \$1,583,364. APHIS arrived at this figure by multiplying the total burdens hours by the average hourly wage of the above respondents. (105,557.60 X \$15.00 = \$1,583,364). The hourly wage was provided per discussions between Animal Plant Health officials and Mexican officials.

13. Provide estimates 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 item 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.

There is no annual cost burden associated with capital and start-up costs, maintenance costs, and purchase of services in connection with this program.

14. Provide estimates of annualized cost to the Federal Government. Provide a description of the method used to estimate cost and any other expenses that would not have been incurred without this collection of information.

See APHIS Form 79 for annualized cost to the Federal Government. Annual cost to the Government is \$2,888.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

	Requested	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses	70,080,307	0	0	0	0	70,080,307
Annual Time Burden (Hr)	105,558	0	-1,502	0	0	107,060
Annual Cost Burden (\$)	0	0	0	0	0	0

There is a program decrease of -1,502 burden hours due to decreasing the annual hours per recordkeeper from 0.750 hours to .008 for recordkeeping. The total hours decreased from 1520 to 17 thereby affecting the total burden hours. The program specialist determined that the time reported in the last submission was too high. This change did not impact the annual number of responses and that number has not changed since the last approval.

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

APHIS has no plans to tabulate or publish the information APHIS collects.

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

PPQ Form 587 is used in 7 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 this form.

18. Explain each exception to the certification statement identified in the “Certification for Paperwork Reduction Act.”

APHIS is able to certify compliance with all the provisions in the Act.