

**SUPPORTING STATEMENT JUSTIFICATION FOR
INTERSTATE SHIPMENT OF MEAT AND POULTRY PRODUCTS**

1. Circumstances Making Collection Of Information Necessary:

This information collection requests a new information collection of burden hours for the interstate shipment of meat and poultry products.

The Food Safety and Inspection Service (FSIS) has been delegated the authority to exercise the functions of the Secretary as provided in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 et seq.) and the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 et seq.). These statutes mandate that FSIS protect the public by ensuring that meat and poultry products are safe, wholesome, unadulterated, and properly labeled and packaged.

Section 11015 of The Food, Conservation, and Energy Act, enacted on June 18, 2008, amended the FMIA and PPIA to provide for cooperative programs whereby meat and poultry state-inspected establishments will be eligible to ship meat and poultry products in interstate commerce.

2. How, By Whom and Purpose Information Is To Be Used:

The following is a discussion of the required information collection and recordkeeping activities.

The Food Safety and Inspection Service (FSIS) is proposing regulations to implement a new voluntary cooperative program under which, in States that decide to participate, State-inspected establishments with 25 or fewer employees will be eligible to ship meat and poultry products in interstate commerce. In participating States, State-inspected establishments selected to take part in this program will be required to comply with all Federal standards under the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA), as well as with all State standards. These establishments will receive inspection services from State inspection personnel that have been trained in the enforcement of

the FMIA and PPIA. Meat and poultry products produced under the program that have been inspected and passed by selected State personnel will bear an official Federal mark of inspection and will be permitted to be distributed in interstate commerce. FSIS will provide oversight and enforcement of the program.

Request to Establish Program

Under this proposal, States that are interested in participating in the cooperative interstate shipment program will need to submit a request for an agreement to establish such a program through the appropriate FSIS District Office. In their requests, States must agree to comply with certain conditions in order to qualify for the interstate shipment program. In their requests, States must also: 1) identify establishments in the State that the State recommends for initial selection into the program and 2) include documentation to demonstrate that the State is able to provide necessary inspection services to selected establishments in the State and conduct any related activities that would be required that would be required under a cooperative interstate shipment program.

Evaluation of Qualifications

Under this proposed rule, if a State determines that an establishment qualifies to participate in the cooperative interstate shipment program, and the State is able, and willing, to provide the necessary inspection services at the establishment, the State will need to submit its evaluation of the establishment to the FSIS District Office that covers the State. FSIS, in coordination with the State, will then decide whether to select the establishments for the program.

Recordkeeping Adjustments

Under this proposed rule, establishments that qualify for this program will have to meet FSIS requirements for recordkeeping. Most of the establishments will already have met these recordkeeping requirements, but some establishments will need to make minor adjustments to their recordkeeping in order to meet FSIS requirements.

SEC Recordkeeping Review

Under this proposed rule, the selected establishment coordinator (SEC) will visit establishments approximately once a month to review the establishments' records. The initial sec review will naturally take longer than the regular visits.

There are a total of 12,348.3 burden hours for the information collection request relating to the Cooperative Inspection Program for the interstate shipment of meat and poultry products.

3. Use Of Improved Information Technology:

States would be able to use electronic means to submit their requests and to complete their evaluations.

4. Efforts To Identify Duplication:

FSIS has determined that these information collections will not duplicate any other information collections. The required records and reports are not available from other sources, either within government or from non-government sources. There is no similar information that can be used or modified.

5. Methods To Minimize Burden On Small Business Entities:

All States participating in the program would be required to submit the same information.

6. Consequences If Information Were Collected Less Frequently:

To conduct the information collections less frequently would reduce the effectiveness of the meat and poultry inspection program that ensures that meat and poultry products are properly marked, labeled and packaged.

7. Circumstances That Would Cause The 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 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.

There are no special circumstances that require the collection of information to be inconsistent with 5 CFR 1320.6.

8. Consultation With Persons Outside The Agency:

In accordance with the Paperwork Reduction Act, FSIS has embedded a 60 day notice of this information collection request in the proposed rule that is to be published in the Federal Register, requesting comments on this information collection request.

9. Payment Or Gifts To Respondents:

Respondents do not receive gifts or payments.

10. Confidentiality Provided To Respondents:

No assurances other than routine protection provided under the Freedom of Information Act have been provided to respondents.

11. Questions Of A Sensitive Nature:

The applicants are not asked to furnish any information of a sensitive nature.

12. Estimate Of Burden:

The total estimated burden for this information collection is 12,348.3 burden hours. The burden estimates are broken down into two categories described in the pages that follow.

Request to Establish Program	640
Evaluation of Qualification for Program	9,600
Recordkeeping Adjustments	1,608.3
SEC Recordkeeping Review	500
Total	12,348.3 hours

Request to Establish Program

FSIS estimates that 16 States would take an average of 40 hours to prepare a request to establish a cooperative program: interstate shipment of meat and poultry products for a total of 16 responses and 640 hours.

REQUEST TO ESTABLISH PROGRAM

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Hours	Total Annual Time in Hours
States	16	1	16	40	640

Evaluation to Qualify for Program

FSIS estimates that 16 states would conduct 25 evaluations of plants for approximately 24 hours a time for a total of 400 responses and 9,600 hours.

EVALUATION OF PLANTS

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Hours	Total Annual Time in Hours
States	16	25	400	24	9,600

Recordkeeping Adjustments

FSIS estimates that 100 establishments would 1 time adjust their records to meet FSIS requirements for approximately 16 hours a time for a total of 100 responses and 1,600 hours.

RECORDKEEPING ADJUSTMENTS

Type of Establish- Ment	No. of Respon- dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Hours	Total Annual Time in Hours
Establish- ments	100	1	100	16	1,600

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FSIS estimates that 100 establishments would 1 time file their adjusted records for approximately 5 minutes a time for a total of 100 responses and 8.3 hours.

RECORDKEEPING ADJUSTMENTS FILING

Type of Establish- Ment	No. of Respon- dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours

Type of Establish- Ment	No. of Respon- dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
Establish- ments	100	1	100	5	8.3

SEC Recordkeeping Reviews

FSIS estimates that 400 establishments would 1 time initially show their records to the SEC for approximately 15 minutes a time for a total of 400 responses and 100 hours.

INITIAL SEC VISIT FOR RECORDKEEPING REVIEW

Type of Establish- Ment	No. of Respon- dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
Establish- ments	400	1	400	15	100

FSIS estimates that 400 establishments would spend 5 minutes showing their records to the SEC on a monthly basis for approximately 5 minutes a time for a total of 4,800 responses and 400 hours.

SEC RECORDKEEPING REVIEWS

Type of Establish- Ment	No. of Respon- dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Hours	Total Annual Time in Hours
Establish- ments	400	12	4,800	.08	400

The cost to the respondents is estimated at \$116,480 annually. The Agency estimates that it will cost respondents \$35 an hour in fulfilling these paperwork and recordkeeping requirements. Respondents will spend an annual total of 12,348.3 hours and \$432,540.5.

13. Capital, Start-up Cost, And Subsequent Maintenance

There are no capital or start-up costs related to this information collection activity.

14. Annual Cost To The Federal Government:

The cost to the Federal Government for this information collection is \$ 35,000 annually. The Agency

estimates a cost of \$35 per hour for the time of its personnel.

15. Reasons For Changes In Burden:

This is a new information collection burden of 12,348.3 hours.

16. Tabulation, Analyses And Publication Plans:

There are no plans to publish the data for statistical use.

17. OMB Approval Number Display:

The OMB approval number will appear on required FSIS forms.

18. Exceptions To The Certification:

There are no exceptions to the certification. This information collection accords with the certification in item 19 of the OMB 83-I.