

2011 SUPPORTING STATEMENT
7 CFR PARTS 944, 980 AND 999
SPECIFIED COMMODITIES IMPORTED INTO THE UNITED STATES
EXEMPT FROM IMPORT REGULATIONS
OMB NO. 0581-0167

A. JUSTIFICATION

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

Section 608e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. §§ 601-674; Act), requires that whenever the Secretary of Agriculture issues grade, size, quality, or maturity regulations under domestic marketing orders, the same or comparable regulations must be used for imported commodities.

Import regulations apply only during periods when the domestic marketing order regulations are in effect. Domestic Federal marketing orders currently in effect impact the following imported commodities: tomatoes; raisins; olives (other than Spanish-style green olives); prunes; avocados; grapefruit; Irish potatoes; oranges; onions; walnuts; dates; hazelnuts; table grapes; kiwifruit; nectarines; plums; and pistachios. These domestic products are exempt from meeting established grade, size, quality, and maturity requirements if they are to be used only for processing or for authorized exempt purposes, such as charity or animal feed. Imported products destined for the same processing or exempt purposes are also exempt, and therefore are not subject to section 8e of the Act. If applicable, importers may instead file form FV-6, which the Agricultural Marketing Service (AMS) uses to verify compliance with the following import regulations: (1) fruits; import regulations (7 CFR 944.350); (2) vegetables; import regulations (7 CFR 980.501); and (3) specialty crops; import regulations (7 CFR 999.500).

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.

Safeguard procedures, in the form of reporting requirements, ensure that exempt products are

used only for authorized purposes. Because of the ease with which imported products can enter domestic fresh market channels, the following importer and receiver reporting requirements are in place to prevent exempt imported products from doing so:

Importer's Exempt Commodity Form: FV-6 (§§ 944.350, 980.501, 999.1, 999.100, 999.200, 999.300, and 999.400): Under the import regulations, importers wishing to import commodities for exempt purposes must complete this form prior to importation.

Since the previous submission, the USDA launched the Marketing Order Online System (MOLS) to capture this information electronically. Launched in August 2008, MOLS is an internet-based application that allows importers and receivers of fruit, vegetable, and specialty crops to input shipment data, and then prepare and receive FV-6 certificates online. The data is simultaneously transmitted to the receiver, who verifies receipt of the commodity, and to AMS, where it is reviewed for compliance purposes by Marketing Order Administration Branch (MOAB) staff, in the USDA's Fruit and Vegetable Programs. Importers register to use MOLS, and can access the system at <http://apps.ams.usda.gov/MOLS/>.

In rare instances a paper form FV-6 may be used. The form has four parts, which are distributed as follows: one copy is presented to the U.S. Customs and Border Protection, Department of Homeland Security; one copy is filed with MOAB within two days of the commodity entering the United States; one copy accompanies the exempt shipment to its intended destination, where the receiver certifies its receipt and that it will be used for exempt purposes, and then files that copy with MOAB; and one copy is retained by the importer.

In both the electronic and paper versions of the FV-6, the information collected includes information on the imported product (type of product and lot identification), the importer's contact information, the U.S. Customs entry number, inspection date, and intended use (processing, charity, livestock/animal feed).

During the most recent renewal of the Generic Vegetable and Specialty Crops package, approved under OMB number 0581-0178, the following forms were deleted: 1) Raisin Form No. 1 (FV-197); 2) Raisin Form No. 2 (FV-198); 3) Date Form No. 1 (FV-191); and 4) Date Form No. 2 (FV-192). Prune Forms No. 1 (FV-170) and No. 2 (FV-171) continue to be included in 0581-0178 since the Prune regulations are currently suspended. If the prune regulations are reactivated, AMS will submit a Justification for Change to delete the FV-170 and FV-171 forms from 0581-0178, and to allow prune importers to complete the FV-6 form, so that the burden is appropriately included in 0581-0167.

Civil Penalty Stipulation Agreement: FV-7 (§ 900.82): In a situation where a party is alleged to have violated the importation regulations, AMS can use this form to settle the matter in exchange for the payment of a fine. This gives AMS a tool to resolve certain cases without bearing the costs of a hearing. There is no burden associated with this form as only a signature is required.

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.

Since August 2008, AMS has been using MOLS to collect information electronically from importers and receivers, sufficient for form FV-6. Although paper forms are available, they are used minimally, and only when respondents have a unique situation that might preclude using MOLS. The use of this electronic format has reduced the burden on the public since it is faster and more user-friendly.

Form FV-7, the Civil Penalty Stipulation Agreement is only available as a paper form since it requires signatures from multiple parties, and is equivalent to a settlement agreement in cases where AMS might otherwise take legal action against a party who has violated import regulations.

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.

To provide consistency and ease the reporting burden on importers who import several types of regulated products, a standardized reporting method has been established through MOLS, which populates form FV-6 and generates import certificates. MOLS can be used for all imported fresh fruit, vegetable, and specialty crop products under the import regulations, except for fresh prunes, which require the use of Prune Forms No. 1 and No. 2. Form FV-6 is periodically reviewed to avoid unnecessary information collection and duplication by industry and public sector agencies. At the present time, there are no duplications between Federal agencies as MOAB collects and cooperates with various agencies, such as the U.S. Customs and Border Protection, and the Fresh and Processed Products Branches of the USDA, avoiding duplicate requests for information.

Form FV-7 is also used across all commodities where a party is charged with violating the import regulations. If AMS can reach an agreement with the violating party, the importer will pay a fine in exchange for the case being settled. Because the form is specific to the importation of fruits and vegetables for processing and other exempt uses, and MOAB works closely with U.S. Customs and Border Protection and the Fresh and Processed Products Branches, there is no duplication of information collection.

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.

Of the 345 respondents addressed in this information collection, approximately 80 percent can be classified as small entities. Form FV-6 requires only a minimal amount of information to be submitted, which can be supplied through the MOLS database. The submission does not require data processing equipment or a trained statistical staff. The primary sources of data used to complete FV-6 are routinely used in import transactions. Thus, the information collection and reporting burden is relatively small. The same reporting requirements are required of all importers and receivers, so any

importer or receiver that is smaller than the industry average is not significantly disadvantaged.

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.

This information collection was initially developed, and has since been streamlined through an internet-based application, to guarantee compliance with the import regulations addressed above. Reports required in this information collection are similar to the reporting requirements of most domestic marketing orders. The timing and frequency of collecting this information varies in accordance with import shipments.

If this information collection were not conducted, the USDA would have no way of maintaining a safe and legal import program for fruits, vegetables, and specialty crops, as this is the only method of securing compliance with section 8e of the Act.

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;**

Each regulated shipment of fruits, vegetables, or specialty crops being imported into the United States must be accompanied by a FV-6 certificate verifying that the product is for an exempt use. The certificate is received by inputting specific data into MOLS. Such shipments can occur on a daily basis. Importers complete this information collection as often as necessary.

- **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.**
- 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 was published in the Federal Register on June 28, 2011 (Vol. 76, No. 124, page 37766), inviting comments from interested persons through August 29, 2011. 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.**

MOAB's Compliance team, which administers and provides oversight for commodities imported under section 8e of the Act, conducts 2 to 3 port presentations per year

in various U.S. ports, in an effort to keep importers, customs brokers and representatives from the U.S. Customs and Border Protection informed of section 8e requirements.

Representatives of the Compliance team also consult with importers and brokers by telephone. Section 8e informational packages are also mailed and e-mailed to importers and receivers on a regular basis. MOLS users who have questions regarding complying with section 8e requirements can contact MOAB for additional information.

The MOLS database is housed within the AMS information technology department.

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

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 AMS is accessible only by certain USDA employees in Washington, D.C., and are stored in a secure environment.

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.

Questions of a sensitive nature are not included on any form 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 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 HOUR BURDEN, AND EXPLAIN THE REASONS FOR THE VARIANCE.

The number of respondents required to file forms is approximately 345, consisting of importers and receivers. See AMS-71 spreadsheet 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.**

See AMS-71 spreadsheet for breakout.

- **PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE CATEGORIES.**

The respondents' estimated annual cost of reporting information to the USDA is approximately \$15,611. This total has been estimated by multiplying 511 total burden hours by \$30.55, the national mean hourly wage of Buyers and Purchasing Agents of Farm Products, according to the U.S. Department of Labor Statistics. (National Compensation Survey: Occupational Employment and Wages, May 2010; http://bls.gov/oes/current/oes_nat.htm#00-0000.)

Importers and brokers, upon request, can order 25 forms per year for \$7.50; 50 forms for \$15.00; or 100 forms for \$30.00. There is a limit of 100 FV-6 forms per year. With the development of MOAB's internet filing feature (MOLS), however, the use of paper forms has dropped significantly.

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 no start-up costs to respondents or record keepers that are not included in items 2 and 14.

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.

The Federal government's annual costs for providing oversight of, and assistance for, this information collection is estimated at \$88,000 for the first year, and \$90,640 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	\$47,000
Travel	\$9,000
Database maintenance	\$10,000
Printing/Copying/Mailing/Postage	\$4,000

Federal Register Services	\$4,000
OGC (Legal Services)	\$8,000
Supplies/Equipment	\$6,000
TOTAL	\$88,000

15. EXPLAIN THE REASON FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14 OF THE OMB FORM 83-1.

The Agency is requesting approval for 511 burden hours, based on 6,210 annual responses. Since the last submission in 2008, there is a decrease of 254 burden hours. The difference is due to the implementation of the MOLS system, which has significantly reduced the time it takes respondents to file the FV-6 form, and the decrease in use of paper forms. The ease and accuracy of receiving FV-6 certificates electronically has improved as well, and the number of responses has decreased.

Regulation	Reason	Previous Burden	New Burden	Difference	Type
944.350	Avocados Dec. in respondents and responses per respondents	5.53	1.25	-4.28	ADJ
944.350	Grapefruit Dec. in respondents and responses per respondents	18.68	.83	-17.85	ADJ
944.350	Kiwifruit Dec. in responses per respondents	1.38	.83	-.55	ADJ
944.350	Olives Dec. in responses per respondents	1.38	.83	-.55	ADJ
944.350	Oranges Inc. in respondents and dec. in responses per respondent	14.44	10.38	-4.06	ADJ
944.350	Table Grapes Dec. in responses per respondent	4.15	.83	-3.32	ADJ
980.501	Potatoes Dec. in respondents and dec. in responses per respondent	551.98	456.5	-95.48	ADJ
980.501	Onions Inc. in respondents and dec. in responses per respondent	93.38	33.2	-60.18	ADJ
980.501	Tomatoes Dec. in respondents and dec. in responses per respondent	45.03	3.32	-41.71	ADJ
999.1	Dates Dec. in respondents and dec. in	17.43	.83	-16.6	ADJ

999.300	responses per respondent Raisins Dec. in responses per respondent	9.96	.83	-9.13	ADJ
	TOTAL			-253.71	

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 collections.

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.

AMS requests approval not to display the expiration date on the forms associated with this information collection because having to do so would prevent the use of MOLS and its self-generated forms.

Since MOLS is an internet-based application where importers and receivers enter data and receive FV-6 certificates, requiring an expiration date on the FV-6 would make it very difficult and expensive to update MOLS. Users enter data in MOLS, which then automatically generates the form based on the data that was input.

In addition, putting expiration dates on the forms prevents them from being used once they reach expiration while the new forms are in the OMB-approval process. USDA rarely uses paper forms, except for instances when importers cannot access MOS to receive the FV-6 electronically. Form FV-7 is equivalent to a legal settlement, and is used only when import violations occur. Requiring an expiration date on that form would increase potential errors, and could result in legal settlements being invalidated if an old form were accidentally used.

18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, "CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS," OF OMB FORM 83-1.

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

This collection of information does not employ statistical methods.