Revised Oct 2011

SUPPORTING STATEMENT

Citrus Canker, Citrus Greening, and Asian Citrus Psyllid;
Interstate Movement of Regulated Citrus Nursery
OMB Number 0579-0369

A. Justification

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 (USDA), Animal and Plant Health Inspection Service (APHIS), is responsible for preventing plant diseases or insect pests from entering the United States, preventing the spread of pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 et seq.), the Secretary of Agriculture, either independently or in cooperation with the States, is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests (such as citrus canker (CC) new to or widely distributed throughout the United States. APHIS' Domestic Quarantines (7 CFR Part 301) are issued under this authority.

The regulations to prevent the interstate spread of CC are contained in "Subpart-Citrus Canker" (7 CFR 301.75 through 301.75-17, referred to below as the CC regulations). APHIS has regulations contained in "Subpart Citrus Greening and Asian Citrus Psyllid" (7 CFR 301.76 through 301.76-11) to prevent the interstate movement of citrus greening (CG) and Asian citrus psyllid (ACP).

APHIS amended the regulations governing the interstate movement of regulated articles from areas quarantined for CC, CG, and/or ACP to allow the movement of regulated nursery stock under a certificate to any area within the United States. In order to be eligible to move regulated nursery stock, a nursery must enter into a compliance agreement with APHIS that specifies the condition under which the nursery stock must be grown, maintained, and shipped. APHIS also amended the regulations that allow the movement of regulated nursery stock from an area quarantined for ACP, but not for CG, and amended the existing regulatory requirements for the issuance of limited permits for the interstate movement of the nursery stock. These actions are warranted to provide a degree of relief from existing prohibitions and restrictions on the interstate movement of regulated nursery stock, while continuing to prevent the artificial spread of these quarantine pests within the United States.

CC is a plant disease that is caused by the bacterium Xanthomonas citri subsp. citri that affects plants and plant parts of citrus and citrus relatives (Family Rutaceae). CC can cause defoliation and other serious damage to the leaves and twigs of susceptible plants.

CG, also known as Huanglongbing disease of citrus, is considered to be one of the most serious diseases in the world. CG is a bacterial disease, caused by strains of the bacterial pathogen "Candidatus Liberibacter asiaticus," that attacks the vascular system of host plants. The pathogen is phloem-limited, inhabiting the food-conducting tissue of the host plant, and causes yellow shoots, blotchy mottling and chlorosis, reduced foliage, and tip dieback of citrus plants. CG greatly reduces production, destroys the economic value of the fruit, and can kill trees. Once infected, there is no cure for a tree with CG.

The bacterial pathogen causing CG can be transmitted by grafting, and under laboratory conditions, by dodder. There also is some evidence that seed transmission may occur. The pathogen can also be transmitted by two insect vectors in the family: Psyllidae: Diaphorina citri Kuwayama, the ACP, and Trioza erytreae (del Guercio), the ACP. ACP can also cause economic damage to citrus in groves and nurseries by direct feeding. Both adults and nymphs feed on young foliage, depleting the sap and causing galling or curling of leaves. High populations feeding on a citrus shoot can kill the growing tip. ACP is currently present in Alabama, Florida, Georgia, Guam, Hawaii, Louisiana, Mississippi, Puerto Rico, Texas, the U.S. Virgin Islands, and portions of Arizona, California, and South Carolina. Bases on regular surveys of domestic commercial citrus-producing areas, the ACP is not present in the United States.

These actions are necessary to provide a degree of relief from existing prohibitions and restrictions on the interstate movement of such articles to affected producers in areas quarantined for CC, CG, and/or ACP, while continuing to prevent the artificial spread of these diseases within the United States.

APHIS is asking OMB to approve, for 3 years, the use of this information collection activity to prevent the interstate movement of CC, CG, and ACP into non-infested areas of the United States.

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.

APHIS uses the following information activities to allow the movement of regulated nursery stock under a certificate to any area within the United States.

Labeling Requirement - Plastic or Metal Tag with Statement – Nursery stock labels are affixed prior to movement with a plastic or metal tag on which reads: "Limited Permit: USDA-APHIS-PPQ. Not for distribution in Northern Mariana Islands or those portions of AZ and CA not quarantined due to the presence of Asian citrus psyllid or citrus greening." This tag must be prominently and legibly displayed, and adequate information as determined by APHIS regarding the identity of the nursery stock and its source of production to conduct traceback to the nursery in which the nursery stock was produced is prominently and legibly printed on the reverse. If the nursery stock is

destined for movement or sale in boxes or containers, the statement and the identifying information may be printed on the box or container, or printed on a label permanently affixed to the box or container, provided that, in either case, the statement and the identifying information are prominently and legibly displayed.

Records of Inspections and Treatments for APHIS Review: APHIS requires records of inspection and treatments in the event that ACP is introduced to the nursery stock at the nursery. Records shall be maintained for APHIS review for 3 years.

Compliance Agreements (PPQ Form 519): Any person engaged in growing, processing, handling, or moving citrus nursery stock in an area quarantined for CC, CG, or ACP must enter into a compliance agreement with APHIS if he/she wishes to move citrus nursery stock interstate.

Federal Certificate (PPQ Form 530): Citrus nursery stock may only be shipped interstate to all U.S. States if accompanied by a PPQ 530 certificate issued by an inspector verifying that all conditions of this protocol and any additional requirements stipulated in the compliance agreement have been met. Movement may also require a treatment which has to be determined by an inspector. In addition, the PPQ 530 must accompany the shipment throughout transport from the inspection until destination, and a copy of the certificate must be attached to the consignee's copy of the accompanying waybill.

Limited Permit (PPQ Form 540): Citrus nursery stock may only be shipped interstate if accompanied by a PPQ 540 limited permit issued by an inspector verifying that all conditions of this protocol and any additional requirements stipulated in the compliance agreement have been met. A copy of the limited permit must be attached to the consignee's copy of the accompanying waybill. In addition, the PPQ 530 must accompany the shipment through transport from the inspection until destination.

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.

PPQ Form 519 is automated and fillable at:
www.aphis.usda.gov/library/forms/pdf/ppq519.pdf

PPQ Form 530 is not automated for several reasons. The form has a serial number and it is an accountable form that must be issued by the PPQ employee, or a person under Compliance Agreement with PPQ. APHIS needs to have strict control over the issuance of these forms since they allow the movement of regulated products that are subject to restrictions. They can only be issued after an inspection proves that the shipment meets the requirements for movement. An inspector has to determine if a treatment is required

before movement. Finally, the form must accompany the shipment throughout transport from the inspection until destination.

PPQ Form 540 is not automated for several reasons. The form has a serial number and it is an accountable form that must be issued by the PPQ employee, or a person under Compliance Agreement with PPQ. APHIS needs to have strict control over the issuance of these forms since they allow the movement of regulated products that are subject to restrictions. They can only be issued after an inspection proves that the shipment meets the requirements for movement. An inspector has to determine if a treatment is required before movement. Finally, the form must accompany the shipment throughout transport from the inspection until destination.

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 its mission of preventing the incursion or interstate spread of plant pests and noxious weeds and 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 destructive plant pests and plant diseases. APHIS has determined that 70 percent of the total respondents are small entities.

6. Describe the consequences o 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, or if this information was collected less frequently, could cause a severe economic loss to the citrus industry.

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.**

There are no special circumstances associated with this information collection.

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 2011, APHIS held productive consultations with the following citrus producer associations concerning the information collection activities associated with CC, CG, and ACP:

Revels Citrus Farm
Terry Revel
8701 Ramsey Road
Grand Bay, AL 36541
251-391-2442

Atkins Nursery
Victor Gonzalez
4255 Sterling View Dr.
Fallbrook, CA
760-728-1610

Sazon Becnell & Sons Citrus Nursery
Ricky Becnel
14102 Hwy 23
Belle Chase, LA 70037
504-656-2497

On Wednesday, April 27, 2011, pages 23449-23459, APHIS published an Interim Rule and request for comments in the Federal Register. The rule stated its plans to request continuation of a 3-year renewal for this information collection. During that time, APHIS received seven comments from interested members of the public. Six of the seven commenters mentioned the paperwork burden, and one commenter also asked that APHIS expand the scope of the rule to leaves for consumption (not just nursery stock). Since APHIS considers this a possible risk, APHIS is doing further research on this and all comments will be addressed before the final rule is published. All comments are available to view in ROCIS.

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 (other than appropriate, program-related payments) or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in status, regulation, or agency policy.

No additional assurance of confidentiality is provided with this information collection. Any and all information obtained in this collection shall not be disclosed except in accordance with 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 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.

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

Total cost to respondents is computed by multiplying their average wage by the total number of hours needed to complete the work. ($31.68) x 1,899 hours = $60,160.32.

The hourly rate is derived from the U.S Department of Labor, Bureau of Labor Statistics May 2009 Report Occupational Employment and Wages in the United States. See http://www.bls.gov/oes/

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 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.

There is zero 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 expense that would not have been incurred without this collection of information.

The estimated cost for the Federal Government is $14,523.
See APHIS Form 79 for annualized cost to the Federal Government.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

There is no change in burden from the last approval of this information collection.

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

APHIS has no plans to tabulate or publish the information 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.

PPQ Form 519 is used in 12 information collections, PPQ Form 530 is used in 8 information collections, and PPQ Form 540 is used in 7 information collections. Therefore, it is not practical to include an OMB expiration date on these forms because of the various expirations 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 identified in the "Certification for Paperwork Reduction Act."

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

B. Collections of Information Employing Statistical Methods

Statistical methods are not used in this information collection.