

**Supporting Statement  
Importation of Christmas Cactus  
and Easter Cactus in Growing Media  
from the Netherlands and Denmark  
OMB No. 0579-0266**

**A. JUSTIFICATION**

**March 2012**

**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, 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 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 Title 7, Code of Federal Regulations (CFR), Part 319 prohibit or restrict the importation into the United States of certain plants and plant products to prevent the introduction of plant pests and noxious weeds. The regulations in “Subpart – Nursery Stock, Plants, Roots, Bulbs, Seeds, and Other Plant Products,” §§ 319.37 through 319.37-14 (referred to as the regulations) contain, among other things, prohibitions and restrictions on the importation of plants, plant parts, and seeds for propagation.

Christmas cactus and Easter cactus established in growing media are now allowed to be imported into the United States from the Netherlands and Denmark under certain conditions. This action was taken in response to requests from the Netherlands and Denmark and after determining that Christmas cactus and Easter cactus established in growing media can be imported without resulting in the introduction into the United States or the dissemination within the United States of a plant pest or noxious weeds.

APHIS is asking the Office of Management and Budget (OMB) to approve for an additional 3 years, the use of these information collection activities, associated with its effort to prevent the spread of plant pests and diseases into the continental 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 ensure that the importation of Christmas and Easter cactus from the Netherlands and Denmark will not result in the introduction of plant pest or noxious weeds into the United States.

**Phytosanitary Certificate (foreign)** - APHIS requires a phytosanitary certificate (foreign) to accompany plants imported into the United States issued by the plant protection service of the country in which the plants were grown, and declares those requirements have been met. This information is used as a guide to the intensity of the inspection that APHIS must conduct when the shipment arrives. Without this information, all shipments would need to be inspected very thoroughly, thereby requiring considerably more time. This would slow the clearance of international shipments.

**Written Agreement** – Articles imported under 7 CFR part 319.37-8(e)(2) must be grown in compliance with a written agreement between the grower and the plant protection service of the country where the article is grown. The grower agrees to comply with the provisions of this section. The grower also allows inspectors and representatives of the plant protection service of the country where the article is grown, and provides access to the growing facility as necessary to monitor compliance as written in the agreement.

**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.**

APHIS has no control or influence over when foreign countries will automate these certificates.

A written agreement from the country, where the article is grown, can be automated.

**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 to prevent the introduction of plant pests and plant diseases into the United States, and to prevent the spread of diseases within 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.**

APHIS estimates that 50% of the total number of 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.**

APHIS is the only federal agency responsible for preventing the incursion or interstate spread of plant pests, diseases, and noxious weeds. The information APHIS is collecting is its only source for the information and is not being collected through other forms or reports.

**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.**

No special circumstances exist that would require this collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

**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 individuals concerning this information collection:

Drew Gruenburg  
Chief Operating Officer  
Society of American Florists  
1601 Duke Street  
Alexandra, VA 22314  
(703) 838-5232

Lindsay Rains  
California Department of Food and Agriculture  
Plant Health and Pest Prevention Services  
Permits and Regulations Program  
1220 N. Street, Room 210  
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Marc Teffeau  
Director of Research and Regulatory Affairs  
American Nursery and Land Scape Association  
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Washington, DC 20005  
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On Thursday, October 20, 2011, pages 65163-65164, 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. 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 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.

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

The cost to the public was determined by multiplying the total number of burden hours (120) times the wage per hour rate. APHIS estimates that the average hourly wage is \$31.25.  $120 \times \$31.25 = \$3,750$ .

\$31.25 is the hourly rate derived from the U.S. Department of Labor Bureau of Labor Statistics; National Compensation Survey: Occupational Wages in the United States, May 2009. See <http://www.bls.gov/news.release/ocwage.t03.htm>.

**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 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 zero annual cost burden associated with capital and start-up, operation and maintenance, 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 to the Federal Government is \$4,819. (See APHIS Form 79)

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

ICR Summary of Burden:

	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	210	0	0	0	0	210
Annual Time Burden (Hr)	120	0	0	0	0	120
Annual Cost Burden (\$)	0	0	0	0	0	0

There is no change in burden for this 3-year renewal information collection.

**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 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.**

There are no USDA forms associated with this collection of information.

**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.

**B. Collections of Information Employing Statistical Methods.**

Statistical methods are not used in this information collection.