

Revised July 2009

Supporting Statement
Importation of Wooden Handicrafts from China
Docket No. APHIS 2007-0117
OMB No. 0579-XXXX

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 plant pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests when eradication is feasible. The Plant Protection Act (7 U.S.C. 7701 *et seq*) authorizes the Department to carry out this mission.

The regulations in “Subpart-Logs, Lumber, and Other Unmanufactured Wood Articles” (7 CFR 319.40-1 through 319.40-11, referred to as the regulations) govern the importation of various logs, lumber, and other unmanufactured wood products into the United States. Under § 319.40-9 of the regulations, all related articles must be inspected at the port of first arrival. If a regulated article shows any signs of pest infestation, the inspector may require treatment if an approved treatment exists, or the inspector may refuse entry of the consignment.

In recent years, decorative wood items and craft products (wooden handicrafts) from China have been entering the United States in increasing quantities. Since 2002, APHIS has issued more than 300 emergency action notices for wooden handicrafts from China, including artificial trees manufactured from a composite of natural and synthetic materials, garden trellis towers, home and garden wood décor, and craft items.

In 2004, USDA intercepted live wood beetles, Callidiellum villosulum Coleoptera: Cerambycidae, on artificial trees manufactured from wood components and on other craft products imported from China. Subsequent to these interceptions, shipments of those articles were recalled from retail stores. Based on these pest interceptions, APHIS suspended the importation of wooden handicrafts from China in 2005 until a more thorough evaluation of the risks associated with those articles could be conducted.

APHIS is proposing to amend the regulations to provide for the importation of wooden handicrafts from China under certain conditions. This action would allow for trade in Chinese wooden handicrafts to resume while continuing to protect the United States against the introduction of plant pests.

APHIS is asking OMB to approve, for 3 years, the use of this information collection activity associated with its efforts to prevent the spread of plant pests such as boring beetles within 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.

Phytosanitary Certificate (foreign) – All consignments of wooden handicrafts must be accompanied by a phytosanitary certificate issued by the National Plant Protection Organization (NPPO) of China. The phytosanitary certificate must contain an additional declaration stating that the handicrafts were treated in accordance with this section and found free from quarantine pests.

Identification tag – All individual packages of wooden handicrafts must be labeled with a merchandise tag containing the identity of the product manufacturer. The identification tag must be applied to each package in China prior to exportation and remain attached to the package until it reaches the location at which the wooden handicraft will be sold in the United States. The identification tag would serve as a means for APHIS to track shipments should a recall be required.

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 their phytosanitary certificate .

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 spread of plant diseases and plant pests within the United States 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 entering into the United States. APHIS has determined that 90 percent are small entities affected by this information collection.

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 cause foreign countries to refuse any shipments from the United States that contain wooden handicrafts, a development that could cause a significant disruption in trade with foreign countries and result in serious economic consequences not only to U.S. exporters, but to many U.S. industries that export products to foreign countries.

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.

This information collection is conducted in a manner consistent with the guidelines established 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.

APHIS engaged in productive consultations with the following individuals in 2008:

Kevin C.K. Cheung
Western Wood Products Association
503-306-3471

Deborah Hawkinson
Hardwood Federation
202-463-2705

Kevin Ketchum
National Hardwood Lumber Assoc.
901-377-1818 ext. 109

Brent J. McClendon
International Wood Products Assoc
703-820-6696

Tom Searles
American Lumber Standard Comm
301-972-1700

The proposed rule, Docket Number APHIS-2007-0117, will describe its information gathering requirements, and also provide a 60-day comment period. During this time, interested member of the public will have the opportunity to provide APHIS with their input concerning the usefulness, legitimacy, and merit of the information collection activities APHIS is proposing.

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 burden hour estimates.

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

Respondents are Chinese exporters of wooden handicrafts. APHIS estimates the total annualized cost to these respondents to be \$15,120.

APHIS arrived at this figure by multiplying the hours of estimated response time by the estimated average hourly wage of the above respondents. $1,260 \times \$12 = \$15,120$.

The hourly wage was developed by using historical data and from discussions with various wood packing producers and cooperators.

- 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 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 \$26,133.90. See APHIS Form 79 for the 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.**

This is a new program.

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.

APHIS has no USDA form involved in this information collection.

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.