

Supporting Statement for OMB Approval of the Export Inspection and Weighing Waiver for
High Quality Specialty Grains Transported in Containers
Under the Authority of the
United States Grain Standards Act
(0580-0022)

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The United States Grain Standards Act (USGSA), with few exceptions, requires official certification of export grain sold by grade. The regulations promulgating the USGSA require specific information collection and record-keeping necessary to enforce provisions in the statute.

On July 29, 2011, GIPSA published a final rule in the Federal Register (76 FR 45397) to amend the regulations under the USGSA to make permanent a waiver due to expire on July 31, 2012 for high quality specialty grains exported in containers from the mandatory inspection and weighing requirements of the USGSA.

To ensure that exporters of high quality specialty grains comply with this waiver, GIPSA is asking exporters to maintain records generated during their normal course of business that pertain to these shipments and make these documents available to the GIPSA upon request. GIPSA has no other means available to monitor the grain industry's compliance with provisions of this waiver.

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.

To comply with the waiver of the mandatory inspection and weighing requirement, GIPSA is asking exporters of high quality specialty grains transported in containers to maintain records generated during their normal course of business that pertain to these shipments and make these documents available to GIPSA upon request.

Experience has shown that the U.S. grain industry maintains grain contracts that specify quality parameters agreed to by buyers and sellers of grain. GIPSA believes that grain contracts would provide sufficient information to determine if exporters of high quality specialty grain are complying with the waiver. This information collection requirement is essential in order for GIPSA to enforce provisions set forth in the USGSA.

GIPSA intends to request copies of the relevant documents annually to ensure compliance with this waiver. GIPSA also will require exporters to maintain records for a 3-year period.

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.

GIPSA is committed to complying with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) by providing its customers the opportunity to submit the requested information electronically to the maximum extent possible. Presently, GIPSA has the latest technology in place to communicate with its customers quickly and efficiently. GIPSA will encourage its customers to provide information needed to ensure compliance with this waiver through automated, electronic, mechanical, or other forms of information technology.

GIPSA will accept information in the form of regular mail, fax or email with contracts attached (word document).

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.

There is no similar request for such information.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

GIPSA is minimizing burden by not requiring exporters of high quality specialty grains to complete or submit new Federal government record(s), form(s), or report(s). GIPSA is asking such entities to make available a copy of their sales contract, which would verify grain quality. In many cases, a sales contract consists of a single page.

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.

Without the collection of this information, GIPSA would have no means to determine whether customers are complying with the provisions set forth in the USGSA.

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 collection of information is consistent with 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.

GIPSA published a 60-day notice and request for comments in the Federal Register on January 17, 2012, Vol. 77, No. 10, page 2266. No comments were received.

GIPSA meets on a regular basis with representatives which are directly affected by the USGSA, and its related regulations and instructions. These meetings are conducted to discuss program activity and correct or resolve concerns.

In addition to the regular association meetings, GIPSA meets with producer groups (e.g., American Farm Bureau Federation, National Association of Wheat Growers, American Soybean Association, National Corn Growers Association, etc.) and trade associations (e.g., National Grain Trade Council, U.S. Wheat Associates, U.S. Feed Grains Council, etc.) to discuss inspection and weighing programs.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No remunerations are made to respondents in this information collection.

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

Documents submitted by the public are considered confidential and are only used for official purposes. All public records are maintained and handled according to the provisions of the Freedom of Information Act and the Privacy Act. There is no additional assurance of confidentiality provided by statute or regulation.

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 collection of information contains no questions of a 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.

Number of respondents - 40
Frequency of responses – Annually
Annual burden hours – 240 (40 x 6 burden hours)

Burden hours were determined by utilizing various program area expertises to provide the best estimates of the time to maintain records required by this waiver as a matter of normal business accounting or recordkeeping practice.

GIPSA estimates the total annualized cost to the respondents to be \$ 3444. GIPSA arrived at this figure by multiplying the total burden hours (240 hours) by the estimated average hourly wage of the above respondents (\$14.35).

The hourly wage rate derived from the U.S. Department of Labor, Bureau of Labor Statistics May 2009 Report (website: <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 are no capital or startup costs associated with this information collection.

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.

Estimated Annual Cost to Federal Government of Operating the High Quality Specialty Grain (HQSG) Program:

| | |
|--|----------------|
| Salary | \$1,744 |
| Mailing (Initial request of contracts) | \$18.00 |
| Mailing (FGIS response to grain contracts) | <u>\$18.00</u> |
| Total | \$1,780 |

Review of information is done by a GS-12/03 and takes approximately one hour per response. The estimated annual cost to the Federal government is \$1,780.00. See separate APHIS 79.

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 hours from the previous submission.

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

There are no plans to publish information obtained through this collection.

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.

GIPSA is not seeking approval to not display the expiration date for OMB approval.

18. Explain each exception to the certification statement identified in Item 19 "Certification for Paperwork Reduction Act Submissions" of OMB Form 83-1.

There are no exceptions to the certification statement.