Attachment E
Summary of Consultations

This attachment is available as part of the electronic **docket EPA-HQ-OPP-2011-0766** and is part of the ICR's Supporting Statement

Consultation Questions:

1. Are the data EPA asks for available from another source?
2. Are the instructions for submission clear? — Please include any comments on frequency of information collection here.
3. Would you be interested in electronic reporting of data?
4. Do you find the burden and costs estimates provided in the tables below realistic for this ICR?

Companies Contacted:

A. Trace Tipton
Suterra, LLC
20950 NE Talus Place,
Bend, Oregon 97701
Phone: 541-317-2216

B. Jennifer J. Seifert
Hacco, a Neogen Company
110 JHopkins Drive,
Randolph, Wisconsin 53956
Phone: 920-326-5141

C. Ruby Ana Evans,
E.I. du Pont de Nemours & Co., Inc.
12701 Almeda Road
Houston, Texas 77045
Phone: 713-433-6404

D. Janelle Restum
The Scotts Company
14111 Scottslawn Road
Marysville, Ohio 43041
Phone: 937-578-5029

E. Zofia C. Schmidt
Buckman Laboratories, Inc.
1256 North McLean Blvd.
Memphis, Tennessee 38108
Phone: 901-278-0330

Summary of responses:

1. Are the data EPA asks for available from another source?
   A. – no
   B. – no
   C. – no
   D. – no
   E. – no

2. Are the instructions for submission clear? — Please include any comments on frequency of information collection here.
   A. – yes
   B. – yes…..On the frequency of information collection, noted that it would be preferable if it could be collected on a revolving annual basis – that is, every 12 months from the time of the original submission (per purchaser)
   C. – yes, usually
   D. – yes
   E. – yes

3. Would you be interested in electronic reporting of data?
   A. – yes
   B. – yes
   C. – yes
   D. – yes
   E. – yes

4. Do you find the burden and costs estimates provided in the tables below realistic for this ICR?
   A. – yes
   B. – mixed – It takes more time to actually acquire the FPAS – would estimate up to 7 hours. And label translations can take approximately 2 ½ weeks – from time requested by company until the time it is received – but not sure how long it actually takes to do the translation itself.
   C. – yes, for the FPAS, but probably longer for the labels.
   D. – no – label creation and translation takes 8 weeks (from conception of label to printing)
   E. – yes, for new products, for the same products it could be a little less.

5. other comments?

   A. believes that if an active ingredient is exempt from registration, then the R & D sample should be as well.

   B. the submission schedule should be a revolving one – one year from the date of receipt, rather than a calendar year – they tend to receive most of them in a very short time-frame.

   C. no, it's a routine part of business.

D. doesn't believe that the information submitted to the government is actually useful or used by anyone.

E. no, just a matter of complying with regulations

Summary of Consultations

Five companies were selected at random to respond to several questions about the accuracy of the burden estimates proposed in November 2011. All five reported that the instructions for submitting the Purchaser Acknowledgement Statements are clear; that the information is not available from any other source; and, all five indicated an interest in electronic submissions in the future. The estimates for complying with the PAS were, as published:

ANNUAL BURDEN: 1.06 hrs (64 minutes) X 2,283 statements = 2,420 hours per year
ANNUAL COSTS: $59.52 X 2,283 respondents = $135,904 per year

All five companies responded that the estimates seemed accurate.

The estimates for the respondent burden and cost for compliance with the unregistered exported pesticide product labeling were, as published:

ANNUAL BURDEN: 8 hours x 900 unregistered products = 7,200 hours
ANNUAL COSTS: $504.65 x 900 unregistered products = $454,180

The responses from the five companies surveyed ranged from agreement that the estimates were accurate to an indication that they were significantly different. One company indicated that it could take up to 8 weeks to create, translate and print a product label.

There may be differences in exactly what activities support the burden estimate. No action by EPA to change the estimates is planned.

The representative from one company noted that it would be preferable if the FPAS could be collected on a revolving annual basis – that is, every 12 months from the time of the original submission (per purchaser). As discussed in the supporting statement, EPA provides two reporting options. The exporter may elect to report on a per-shipment basis or to report on an annual basis, provided the exporter submits the first FPAS in the calendar year for the first shipment to a purchaser in an importing country. EPA believes these two options provide flexibility for respondents to comply with the information request. EPA does not contemplate changes to the reporting options at this time.