

**Supporting Statement
Certification Program for Imported Articles to Prevent
the Introduction of Potato Brown Rot
OMB-0579-0221**

A. JUSTIFICATION

March 2013

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 (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 is authorized to prohibit or restrict the importation, entry, or movement of plants and plant pests to prevent the introduction of plant pests, and plant diseases into the United States, or their dissemination within the United States.

The regulations in 7 CFR Part 319 prohibit or restrict the importation of certain plants and plant products into the United States to prevent the introduction of plant pests. The regulations contained in “Subpart-Nursery Stock, Plants, Roots, Bulbs, Seeds, and Other Plant Products,” §§319.37 through 319.37-14 (referred to as the regulations), restrict, among other things, the importation of living plants, plant parts, seeds, and plant cuttings for propagation.

The regulations include a certification program for articles of *Pelargonium* spp, and *Solanum* spp. imported from countries where the bacterium *Ralstonia solanacearum* race 3 biovar 2 is known to occur. The requirements of the certification program were designed to ensure that *Ralstonia solanacearum* race 3 biovar 2 will not be introduced into the United States through the importation of articles of *Pelargonium* spp. and *Solanum* spp. This bacterial strain causes potato brown rot, which causes potatoes to rot through, making them inedible and seriously affecting potato fields.

The certification program requires the collection of information through phytosanitary certificates, compliance agreements, trust funds, and production site registration.

APHIS is asking OMB to approve this information collection for an additional 3 years, associated with its efforts to prevent the introduction of Potato Brown Rot from entering into 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 prohibit or restrict the importation, entry, or movement of plants and plant pests to prevent the introduction of plant pests, and plant diseases into the United States.

Phytosanitary Certificate (Foreign Government)

A Phytosanitary Certificate is required for articles of Pelargonium spp. and Solanum spp. offered for importation into the United States at the time of arrival at the port of first arrival unless they are grown under the Canadian greenhouse for the grown restricted plants program. This certificate must contain either a declaration that the production facility in which the articles were produced has been found free, by testing, of R. solanacearum race 3 biovar 2 or that R. solanacearum race 3 biovar 2 is not present in the region in which the articles were produced.

Compliance Agreement (Business)

Compliance agreements are provided for the convenience of persons who are involved in the growing, handling, or moving of regulated articles from quarantined areas. A person may enter into a compliance agreement when an inspector has determined that the person requesting the compliance agreement is knowledgeable regarding the requirements of the regulations and the person has agreed to comply with the requirements of the regulations and the provisions of the compliance agreement.

Trust Fund (Foreign Government)

The government of the country in which the articles are produced must enter into a trust fund agreement with APHIS before each growing season. The government of the country in which the articles are produced or its designated representative is required to pay in advance all estimated costs that APHIS expects to incur through its involvement in overseeing the execution of section CFR 319.37.8(c)(2)(i). These costs will include administrative expenses incurred in conducting the services required by this program and all salaries (including overtime and the Federal share of employee benefits), travel expenses (including per diem expenses), and other incidental expenses incurred by the inspectors in performing these services.

Production Site Registration (Business)

The production site is utilized for the production of a commodity that is managed separately for phytosanitary purposes and must be registered with the National Plant Protection Organization. This may include the entire place of production or portions of it such as orchard, grove, field, greenhouse, screenhouse, or other premises

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 considerations of using information technology to reduce burden.

APHIS has no control or influence over when and if foreign countries will automate compliance agreements and phytosanitary certificates.

A Trust fund can be automated by the government in which the articles are produced. Funds can also be transferred via computer to APHIS.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use of the purpose described in item 2 above.

The information that APHIS collects is exclusive to its mission to prevent the introduction of plant pests and plant diseases into 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.

The information APHIS collects is the minimum needed to protect the United States from incursion by potato brown rot and other plant diseases. APHIS has determined that there are no small entities involved with 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.

If United States potato fields were to become infected with this strain of R. solanacearum, their value could be drastically reduced, if not completely eliminated, due to the bacterium's ability to resist eradication. Furthermore, the producers for the United States would most likely be required to quarantine their fields and destroy any potatoes present to prevent the spread of the disease. Finally, potato growers would not be able to export potatoes to other countries.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information 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;**

The owner/operator of the facility whose agreement has been canceled may appeal APHIS' decision, in writing, within 10 days of receiving written notification of the cancellation.

- **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 other 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.

The following individuals were consulted during 2012:

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P.O. Box 231306
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Leo Roozen
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1601 Duke Street
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(630) 231-2590

On Monday, February 4, 2013, pages 7738-7739, 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, 1,032 times the wage per hour rate, \$20.00. ($\$20.00 \times 1,032 = \$20,640$).

\$20.00 is the hourly rate derived from the U.S. Department of Labor, Bureau of Labor Statistics May 2011 Report – Occupational Employment and Wages in the United States. See <http://www.bls.gov/news.release/pdf/ocwage.pdf>.

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 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 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 \$54,629.00. (See APHIS Form 79).

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

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	1,032	0	10	0	0	1,022
Annual Time Burden (Hr)	1,032	0	10	0	0	1,022
Annual Cost Burden (\$)	0	0	0	0	0	0

There is a program change increase of +10 respondents, +10 annual responses, and +10 burden hours since the last submission. These increases are due to the addition of the “Production Site Registration” where Potato Brown Rot is required to be grown which was erroneously omitted in the previous submissions. This error resulted in an adjustment of +5 burden hours due to an oversight. These additional 10 hours have been violation since information was collected for this activity.

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 APHIS collects.

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 forms associated with 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 in the Act.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.