

**SUPPORTING STATEMENT 0579-0342
RECORDKEEPING FOR APPROVED LIVESTOCK FACILITIES,
SLAUGHTERING, AND RENDERING ESTABLISHMENTS**

May 7, 2013

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Title 7, U.S.C. 8301, the Animal Health Protection Act, authorizes the Secretary of Agriculture to take such measures as he or she may deem proper to prevent the introduction or dissemination of any contagious or communicable disease of animals or live poultry from a foreign country into the United States or from one State to another.

Disease prevention is the most effective method for maintaining a healthy animal population, and for enhancing the ability of the United States to compete in the world market of animal and animal product trade. The Veterinary Services (VS) program of the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) is the unit responsible for carrying out this disease prevention mission.

APHIS regulations governing the interstate movement of animals for preventing the dissemination of animal diseases within the United States are contained in Title 9 of the *Code of Federal Regulations*, Subchapter C, Interstate Transportation of Animals (Including Poultry) and Animal Products.

Disease surveillance plays an important role in the APHIS mission of protecting the health of U.S. livestock and poultry populations, and testing animals for disease is an important surveillance tool. APHIS can use epidemiological data from tests to assess the prevalence of disease and to identify sources of disease. When testing is coupled with animal identification, APHIS can trace a positive animal's movements and identify other animals with which it may have come into contact.

To enhance APHIS surveillance capabilities, APHIS amended the regulations at 9 CFR 71.20 and 9 CFR 71.21 regarding the movement of livestock to require approved livestock auction market facilities, slaughtering establishments, and rendering establishments to maintain certain records for 5 years (2 years if the records regard only swine or poultry). Previously, livestock auction market facilities must retain certain records for 2 years, and there are no records retention requirements for slaughtering and rendering establishments. Requiring the retention of certain records for 5 years (2 years for swine and poultry) allows APHIS to trace the prior movements of diseased livestock or poultry further into the past than is currently possible and to find potentially infected or exposed livestock or poultry that might otherwise remain unidentified.

APHIS is requiring the operators of approved slaughtering and rendering establishments to sign listing agreements to document their agreement to comply with the requirements of the regulations for listed slaughtering and rendering establishments.

APHIS is asking Office of Management and Budget to approve its use of these information collections in connection with its efforts to continually APHIS' disease surveillance efforts.

2. Indicate how, by whom, how frequently, 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.

Listing Agreement (VS 10-6) (Signature Only)

Authorized personnel at all approved rendering and slaughtering establishments must sign and date an agreement to allow APHIS or its representatives to take blood and tissue specimens from livestock or livestock carcasses at the establishment without cost to the United States. The establishments must also agree to allow APHIS or its representatives to retain and record all internal and external animal identification devices.

The Listing Agreement will be provided, completed, and signed by a VS official in which the establishment is located. The VS Area Office will retain the original agreement.

Recordkeeping

Approved livestock auction market facilities, slaughtering establishments, and rendering establishments will be required to keep certain records regarding the movement of livestock for 5 years (2 years in the case of records regarding swine and poultry). Requiring the retention of certain records for 5 years, or 2 years for swine and poultry (through an addition to 9 CFR 71.21) allows APHIS to trace the prior movements of diseased livestock or poultry further into the past than is currently possible and to find potentially infected or exposed livestock or poultry that might otherwise remain unidentified.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques 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.

The Listing Agreement (VS 10-6) must be retained in original form for distribution by the VS Area Office and must bear the original signature of an authorized representative

of a livestock auction market, rendering, or slaughtering establishments. It is therefore not a candidate for electronic submission.

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 that APHIS collects is not available from any other source. APHIS is the only Federal agency responsible for detecting and controlling contagious animal diseases in the United States.

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

The information APHIS will collect in connection with this program is the minimum needed to implement its animal disease surveillance program. APHIS estimates that 98 percent of the respondents are small entities.

6. Describe the consequence 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.

Collecting this information less frequently or failing to require recordkeeping would make it impossible for APHIS to effectively operate its surveillance program. This would hamper APHIS' ability to detect disease in the U.S. animal population, to prevent disease spread within the United States, and to ultimately eliminate certain animal diseases from the United States.

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.

APHIS has engaged in productive consultations with the following individuals concerning the information collection activities associated with this program:

David Meeker, Vice Pres., Ph.D., MBA,
Vice President of Scientific Services
National Renderers Association, Inc.,
801 North Fairfax Street, Suite 205,
Alexandria VA 22314
(703) 683-0155

Nancy Robinson, Vice Pres., Govt. And Industry Affairs
Livestock Marketing Association
10510 NW Ambassador Dr.
Kansas City, MO 64153
(801) 821-2048

Rosemary Mucklow, Director Emeritus
National Meat Association – West
1970 Broadway, Suite 825

Oakland, CA 94612
(510) 763-1533

The final rule, Docket Number APHIS 2007-0039-2, was published on Tuesday, May 7, 2013. On July 7, 2008, APHIS published in the Federal Register a proposed rule and a 60-day request for comments. During that time, APHIS received four comments from two private citizens (one submitted two comments) and a rendering industry association. Two of the commenters expressed concerns about animal welfare and general dissatisfaction with USDA, but did not express the specific provisions of this rule/information collection. The third commenter made the following comments: FDA has recordkeeping requirements for rendering establishments as well, why USDA hasn't addressed the illegal disposal of carcasses, and that animal identification is not addressed after death. The responses to these concerns are addressed and discussed in the final rule.

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 or attitudes, religious beliefs, and other matters that are commonly 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 will ask 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. Burden estimates were developed from discussions with market, slaughtering, and rendering facility personnel who would be completing the form and maintaining records.

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

APHIS estimates the total annualized cost to the above respondents to be \$9,037.16. APHIS arrived at this figure by multiplying the hours of estimated response time (418) by the estimated average hourly wage of the respondents (\$21.62).

The hourly rate is derived from the U.S. Department of Labor, Bureau of Labor Statistics May 2011 Report-National Compensation Survey: Occupational Wages in the United States, March 28, 2012. Wages used were for agricultural managers (\$33.66), agricultural inspectors (\$19.90), and slaughterers and packers (\$11.30). See http://www.bls.gov/oes/current/oes_nat.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.

No annual cost burden is associated with capital and start-up costs, operation and maintenance expenditures, and purchase of services.

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 annualized cost to the Federal Government is estimated at \$2,798.
(See APHIS Form 79.)

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

	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	3,955	0	3,955	0	0	0
Annual Time Burden (Hr)	386	0	386	0	0	0
Annual Cost Burden (\$)	0	0	0	0	0	0

This is a new collection.

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

APHIS has no plans to publish information it collects in connection with this program.

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.

Not applicable. APHIS will display the expiration date.

18. Explain each exception to the certification statement identified in the "Certification for Paperwork Reduction Act."

APHIS can certify compliance with all provisions under the Act.

B. Collections of Information Employing Statistical Methods

There are no statistical methods associated with the information collection activities used in this program.