

February 2013

**Supporting Statement
Importation of Unshu Oranges from the
Republic of Korea into the Continental United States
OMB Number 0579-0314**

NOTE: Korean Unshu oranges can now be imported into the continental United States instead of only Alaska, so there is a title change for this information collection from “Importation of Unshu Oranges from the Republic of Korea into Alaska” to “Importation of Unshu Oranges from the Republic of Korea into the Continental United States.”

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 is responsible for preventing plant pests and noxious weeds from entering the United States, preventing the spread of plant diseases not widely distributed in the United States, and eradicating those imported pests and noxious weeds when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 – *et seq*), the Secretary of Agriculture is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests new to the United States or not known to be widely distributed throughout the United States.

In 2010, APHIS amended the regulations governing the importation of citrus fruit to allow fresh Unshu oranges from the Republic of Korea to be imported into the continental United States under certain conditions. As a condition of entry, the oranges would have to be prepared for shipping using packinghouse procedures that include culling of damaged or diseased fruit and washing the oranges in a water bath and a surface sterilization treatment. In addition, the oranges would have to be accompanied by a phytosanitary certificate with an additional declaration stating that the fruit was given a surface sterilization in accordance with 7 CFR, Part 305, and was inspected and found free of *Elsinoe australis*. The packinghouse in which the surface sterilization treatment is applied and the fruit is packed must be registered with the National Plant Protection Organization (NPPO) of the Republic of Korea.

Currently, the regulations in 7 CFR 319.28 (referred to as the regulations) allow the importation of Unshu oranges (*Citrus reticulata* Blanco var. *unshu* Swingle) from Cheju Island, Republic of Korea, into certain areas of the United States after the specified safeguards have been met to prevent the introduction of *Elsinoe australis*, which is the pathogen that causes sweet orange scab.

This action allows for the importation of Unshu oranges from Cheju Island, Republic of Korea, into the continental United States while continuing to provide protection against the introduction of quarantine pests.

APHIS is asking the Office of Management and Budget (OMB) to approve, for an additional three years, its use of these information collection activities, associated with its efforts to prevent the spread of plant pests and plant diseases into the United States.

2. Indicate how, by whom, and for what purpose the information is 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 allow fresh Unshu oranges from Cheju Island, Republic of Korea, to be imported into the continental United States.

Phytosanitary Certificate (foreign) - APHIS requires that some plants or plant products be accompanied by a phytosanitary inspection certificate that is completed by plant health officials in the originating or transiting country. APHIS uses the information on the certificate to determine the pest condition of the shipment at the time of inspection in the intensity of the inspection APHIS conducts when the shipment arrives. Without this information, all shipments would need to be inspected very thoroughly, thereby requiring considerably more time. This would slow the clearance of international shipments.

Each shipment of Unshu oranges must be accompanied by a phytosanitary certificate issued by the NPPO of the Republic of Korea, which includes an additional declaration stating that the fruit was given a surface sterilization in accordance with 7 CFR, Part 305, and was inspected and found free of *Elsinoe australis*.

Packinghouse Registration (business): The packinghouse in which the surface sterilization treatment is applied and the fruit is packed must be registered with the NPPO of the Republic of Korea.

On October 12, 2010, the final rule added this packinghouse registration requirement and eliminated the box marking requirement, resulting in a decrease in total estimated annual burden from 31 hours to 19 hours.

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 entry of injurious plant pests, diseases, and noxious weeds 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 in connection with this program is the minimum needed to protect the United States from destructive plant pests and diseases. APHIS has determined that approximately 25 percent of the respondents are small entities.

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.

This information collection activity is critical to its mission in ensuring that Unshu oranges from the Republic of Korea are pest free of *Elsinoe australis*, a disease that could cause millions of dollars in damage to U.S. agriculture. Failing to collect this information would cripple APHIS' ability to ensure that Unshu oranges from the Republic of Korea are not carrying plant pests.

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 impeded 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.

In 2012, APHIS held productive consultations with the following individuals concerning the information collection activities associated with Unshu oranges from Korea:

Robert Schueller
Melissa's World Variety Produce
5325 South Soto Street
Vernon, CA 90058
800-588-1281

Oppenheimer Group
Steve Woodyear-Smith
Tropicals Category Director
724 Corporate Center Drive, Suite 200
Pomona, CA 91768
909-802-1700

United Fresh Fruit and Vegetable Association
Burleson Smith
Vice President, Environmental Affairs and Sustainability
1901 Pennsylvania Ave., NW
Washington, D.C. 20011
202-303-3400

On Wednesday, October 31, 2012, pages 65852-65853, 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 decisions to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

This information collection activity involves no payments (other than appropriate, program-related 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 annualized cost to the respondents totaled \$570, and the total burden to the respondents totaled 19 hours. The estimated wage rate was developed using historical data through discussions with importers of Unshu oranges and APHIS' International Programs.

19 hours X \$30.00 estimated wage rate = \$570 annualized cost

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 \$ 829. (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.

N

	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	34	0	-5,397	-14	0	5,445
Annual Time Burden (Hr)	19	0	-5	-7	0	31
Annual Cost Burden (\$)	0	0	0	0	0	0

The number of respondents decreased from 5 to 4. In the 2010 renewal, 5 respondents accounted for phytosanitary certificates, and the same 5 respondents for stamping of boxes, which totaled 5 respondents. In the current renewal package, phytosanitary certificates only account for 1 respondent due to the decrease in trade due to the economy, and the other 3 respondents account for the new packinghouse registration requirement which was inadvertently left out of the 2010 renewal package.

There is a program change of -5,397 annual responses and -5 burden hours. APHIS arrived at these figures by removing the requirement for stamping of boxes (-5,400 responses and -8 burden hours). This is offset by adding the requirement for packinghouse registration (+3 annual responses and +3 burden hours) which was inadvertently omitted in the last submission.

There is an adjustment of -14 annual responses and -7 burden hours due to the drop in the number of phytosanitary certificates issued.

Note: As stated in the beginning of this Supporting Statement, Korean Unshu oranges can now be imported into the continental United States instead of only into Alaska, so there is a title change for this information collection from “Importation of Unshu Oranges from the Republic of Korea into Alaska” to “Importation of Unshu Oranges from the Republic of Korea into the Continental United States.”

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.

There are no USDA forms 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 in the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not used in this information collection.