

## **SUPPORTING STATEMENT JUSTIFICATION FOR IMPORTATION AND TRANSPORTATION OF MEAT AND POULTRY PRODUCTS**

### **1. Circumstances Making Collection Of Information Necessary:**

This information collection requests a revision of the information collection requirements approved under control number 0583-0094 regarding the importation and transportation of meat and poultry products.

The Food Safety and Inspection Service (FSIS) has been delegated the authority to exercise the functions of the Secretary as provided in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 et seq.) and the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 et seq.). These statutes mandate that FSIS protect the public by ensuring that meat and poultry products are safe, wholesome, unadulterated, and properly labeled and packaged.

Meat and poultry products not marked with the mark of inspection and shipped from one official establishment to another for further processing must be transported under FSIS seal to prevent such unmarked product from entering into commerce. To track product shipped under seal, FSIS requires shipping establishments to complete a form that identifies the type, amount, and weight of the product.

Foreign countries exporting meat and poultry products to the U.S. must establish eligibility for importation of product into the U.S., and annually certify that their inspection systems are "equivalent to" the U.S. inspection system. Additionally, meat and poultry products intended for import into the U.S. must be accompanied by a health certificate, signed by an official of the foreign government, stating that the products have been produced by certified foreign establishments. FSIS has established procedures which allow establishments importing product to stamp such product with the inspection legend prior to FSIS inspection, if they receive prior FSIS approval.

### **2. How, By Whom and Purpose Information Is To Be Used:**

The following is a discussion of the required information collection activities relating to exportation, transportation and importation of meat and poultry products.

#### Transportation

When meat and poultry establishments ship unmarked product to another official establishment

they must complete FSIS Form 7350-1, Request and Notice of Shipment of Sealed Meat and Poultry (325.5). Respondents must supply their name, number, method of shipping, and destination of product, type and description of product to be shipped, reason for shipping product, and a signature. However, because of HACCP, shipping unmarked product with FSIS Form 7350-1 is now rarely done.

FSIS inspectors at the shipping establishment complete the form with the time, date, and serial number of seals. FSIS uses the information on this form to track the shipment of unmarked product.

Meat and poultry establishments must maintain a file of FSIS Form 7350-1 for 2 years from the date the transaction occurred and make the forms available to FSIS program employees upon request (325.10). To facilitate the tracking of unmarked product shipped between official establishments, FSIS inspectors review the FSIS Form 7350-1 when necessary.

### Importation

Countries desiring to establish eligibility for importation of product into the U.S. must present copies of laws and regulations on which the foreign meat and poultry inspection system is based. Determination of eligibility is based on a study of the documents and other information provided, and an initial review of the system in operation by a program employee to determine that the system is "equivalent to" that of the U.S. (327.2 & 381.196).

Countries exporting meat and poultry products to the U.S. must annually certify that their country's inspection system is "equivalent to" the U.S.' inspection system. Responsible officials of the country's inspection program must supply the control numbers, names and addresses of all establishments in the country which prepare product for export to the U.S.

Maintenance of eligibility of a country for importation of products into the U.S. depends on the results of periodic reviews of each establishment listed in the certification. A written report must be prepared by the representative documenting the findings with respect to the conduct and soundness of the inspection system. Copies of the reports shall be kept and made available to the Department representatives upon request.

FSIS uses this information to determine and ensure that establishments exporting products to the U.S. have inspection systems "equivalent to" the U.S.' system, and that product is being produced under such a system.

Meat and poultry products exported to the U.S. must be accompanied by a certificate signed by a responsible official of the exporting country. The certificate must identify the kind of product, species, number of pieces or containers and weight; identification marks on products or containers; consignor, address and establishment number; consignee; destination; shipping marks and a signature.

FSIS uses this information to verify that a meat or poultry product intended for import has been prepared in a plant certified to prepare product for export to the U.S.

FSIS uses this information to conduct re-inspection of meat or poultry product imported to the U.S.

Import establishments that wish to place inspection legends on imported product prior to inspection must submit a letter to FSIS requesting approval to do so. The letter must state that import establishments will limit pre-stamping to lots of product which will be inspected that day; that all product which has been pre-stamped will be stored in the facility where the inspection will occur; that the inspection legend will be removed from product if the product is refused entry after reinspection; and that the establishment will maintain, for 2 years, a log that includes the following information for each lot of product: date of inspection, the country of origin, the foreign establishment number, the product name, the number of units, and the shipping container marks.

FSIS program employees review letters requesting pre-stamping of product, and, if acceptable, approve the procedure.

There are a total of 2,846 burden hours for the information collection requests relating to the importation and transportation of meat and poultry products.

### **3. Use Of Improved Information Technology:**

Under the EGov Act, electronic versions of these forms have been developed. Records may be maintained electronically provided that appropriate controls are implemented to ensure the integrity of the electronic data.

### **4. Efforts To Identify Duplication:**

No FSIS office, USDA agency, or any other Government agency requires information regarding exportation, transportation and importation of meat and poultry products. There is no available information that can be used or modified.

## **5. Methods To Minimize Burden On Small Business Entities:**

Data collected from small businesses are the same as for large ones. The information collections must apply to all businesses exporting product to the United States, transporting unmarked product for further processing, and importing product into the United States. FSIS estimates that approximately 75% of the entities affected by this information collection are small businesses.

## **6. Consequences If Information Were Collected Less Frequently:**

To conduct the information collections less frequently would inhibit the ability of FSIS to ensure that unmarked meat and poultry transported for further processing do not enter into commerce, and the ability of FSIS to ensure that imported meat and poultry products are wholesome, unadulterated, and properly labeled and packaged.

## **7. Circumstances That Would Cause The Information Collection To Be Conducted In A Manner:**

- **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.**

To ensure that foreign establishments importing meat and poultry products into the U.S. are produced under inspection systems "equivalent to" the U.S. inspection system, monthly reports of each establishment must be conducted by representatives of the foreign government. Therefore, the information collection and the recordkeeping activities in this submission are consistent with the guidelines in 5 CFR 1320.6.

**8. Consultation With Persons Outside The Agency:**

In accordance with the Paperwork Reduction Act, FSIS published a 60-day notice in the Federal Register on January 23, 2013, (78 FR 4828) requesting comments regarding this information collect request. FSIS received three comments. One comment was not directly related to the information collection. One comment thought we should not collect any information or impose any regulations on the import or export of meat and poultry. Another coment recommended the Agency use electronic means to facilitate its information collection regarding the import of product as much as possible. FSIS believes that it is necessary to regulate the import and export of meat and poultry to ensure food safety. The Agency agrees that it should maximize the use of electronic means to facilitate its collection of information related to the import of meat and poultry.

FSIS also contacted three I-houses for comments. One I-house stated that it took about 45 minutes to do the request for pre-stamping letter, (Bill Cousins, (856) 691-9696); another I-house said it took about 15-20 minutes to do the letter( Michael Nelson, (856) 589-3130); the other I-house said that it took about 1hour to do the letter (Denise Dean, (415) 760-6078). Based on these comments, FSIS is changing the time to respond for the letter requesting authority to pre-stamp from 15 minutes to 30 minutes.

**9. Payment or Gifts to Respondents:**

Respondents will not receive any gifts or payments.

**10. Confidentiality Provided To Respondents:**

No assurances other than routine protection provided under the Freedom of Information Act have been provided to respondents.

**11. Questions Of A Sensitive Nature:**

The applicants are not asked to furnish any information of a sensitive nature.

**12. Estimate Of Burden:**

The total burden estimate for the reporting and recordkeeping requirements associated with this information collection is 2,846.

Transportation

The Agency estimates that it takes on the average 5 minutes to complete FSIS Form 7350-1, Request and Notice of Shipment of Sealed Meat and Poultry. Approximately 10 establishments a year will use FSIS Form 7350-1 once a year for a total of 1 hour. It will take an establishment an average of two minutes per form to annually conduct recordkeeping activities for a total of .5 hour rounded up to 1 hour.

**REQUEST AND NOTICE OF SHIPMENT OF SEALED MEAT AND POULTRY  
(9 CFR 325.5/FSIS Form 7350-1)**

Type of Establish-Ment	No. of Respon-dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Minutes	Total Annual Time in Hours
Ests.	10	1	10	5	1

Importation

FSIS estimates that it will take one foreign government 120 minutes (2 hours) once to establish eligibility to import meat and poultry products for a total of 2 hours annually.

**ESTABLISHING ELIGIBILITY TO IMPORT MEAT AND POULTRY PRODUCTS  
(9 CFR 327.2 & 381.196)**

Type of Establish-Ment	No. of Respon-dents	No. of Responses per Respon-den-t	Total Annual Responses	Time for Response in Minutes	Total Annual Time in Hours
Foreign Governments	1	1	1	120	2

The Agency estimates that it will take 36 foreign governments 5 minutes once to certify their meat and poultry establishments for export for a total of 3 hours annually.

**FOREIGN MEAT & POULTRY ESTABLISHMENT CERTIFICATION  
(9 CFR 327.2 & 381.196)**

Type of Establish-Ment	No. of Respon-dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Minutes	Total Annual Time in Hours
Foreign Governments	36	1	36	5	3

FSIS estimates that it will take 36 foreign governments one hour 12 times a year to submit a report for maintaining import eligibility for a total of 432 hours annually.

**REPORT FOR MAINTAINING IMPORT ELIGIBILITY  
(9 CFR 327.2 & 381.196)**

Type of Establish-ment	No. of Respon-dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Minutes	Total Annual Time in Hours
Foreign Governments	36	12	432	60	432

The recordkeeping burden associated with these reports for the 36 foreign governments is 15 minutes expended 12 times a year for a total of 432 responses and 108 hours.

**IMPORT ELIGIBLY REPORT RECORDKEEPING  
(9 CFR 327.2 & 381.196)**

Type of Establish-Ment	No. of Respon-dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Minutes	Total Annual Time in Hours
Foreign Governments	36	12	432	15	108



FSIS estimates that it will take 36 foreign governments an average of 5 minutes to complete a health certificate that accompanies meat and poultry imported into the U.S. an average of 555 times a year for a total of 20,000 responses and 49 hours.

**IMPORTED PRODUCTS; FOREIGN HEALTH CERTIFICATE REQUIRED  
(9 CFR 327.4 & 381.197)**

Type of Establish-ment	No. of Respon-dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Minutes	Total Annual Time in Hours
Foreign Governments	36	555	20,000	5	49

Importers (brokers) that wish to place an inspection legend on imported meat and poultry product before inspection (pre-stamping) must submit a letter to FSIS requesting approval. It takes an average of 30 minutes to complete the letter, so 3 I-houses will submit one letter a year for a total of 3 responses and 1.5 burden hour annually.

**AUTHORIZATION TO PRE-STAMP PRODUCT  
(9 CFR 327.4 & 381.195)**

Type of Establish- Ment	No. of Respon- dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Minutes	Total Annual Time in Hours
I-houses	3	1	3	15	1.5

The I-house must maintain for two years a log of information concerning each lot of product that has been pre-stamped. The 90 I-houses will spend an average of two minutes 750 times a year on recordkeeping for an annual total of 67,500 responses and 2,250 hours.

**AUTHORIZATION TO PRE-STAMP PRODUCT RECORDKEEPING  
(9 CFR 327.4 & 381.195)**

Type of Establish- ment	No. of Respon- dents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Minutes	Total Annual Time in Hours
I-houses	90	750	67,500	2	2,250

The cost to the respondents for transportation and importation information collection activities is estimated at \$105,302 annually. The Agency estimates that it will cost respondents \$37 an hour in fulfilling these paperwork and recordkeeping requirements. Respondents will spend an annual total of 2,846 hours and \$105,302.

**13. Capital and Start-up Cost and Subsequent Maintenance**

There are no related capital and start-up costs associated with these information collection activities.

#### **14. Annual Cost To Federal Government:**

The cost to the Federal Government for these information collection requirements is \$37,000 annually. The cost estimates are based on the inspection review duties necessary to verify that establishments comply with the information collection responsibilities. FSIS estimates that it will cost the Federal Government \$37 an hour for Agency personnel time.

#### **15. Reasons For Changes In Burden:**

This is a revision of a currently approved information collection. Due to comments from industry, the time for the response for the letter requesting pre-stamping authority was changed from 15 minutes per response to 30 minutes. But because of rounding, the burden hours did not increase.

#### **16. Tabulation, Analyses And Publication Plans:**

There are no plans to publish the data for statistical use.

#### **17. OMB Approval Number Display:**

FSIS will display the OMB number on any instructions it publishes relating to these recordkeeping activities.

#### **18. Exceptions to the Certification**

There are no exceptions to the certification. This information collection accords with the certification in item 19 of the OMB 83-I.