

**Supporting Statement
Cut Flowers from Countries
With Chrysanthemum White Rust
OMB NO. 0579-0271**

A. Justification

November 2012

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 (USDA), 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 into the United States or their dissemination within the United States.

The regulations in 7 CFR Part 319 prohibit or restrict the importation of plants, plant parts, and related materials to prevent the introduction of foreign plant pests into the United States. Conditions governing the importation of cut flowers into the United States are contained in “Subpart-Cut Flowers” (§§ 319.74-1 through 319.74-4, referred to as the regulations).

Through these regulations APHIS has established specific requirements for the importation of cut flowers that are hosts of chrysanthemum white rust (CWR) from countries where the disease is known to occur and to make APHIS’ cut flowers and nursery stock regulations consistent.

CWR is a serious disease in nurseries where it may cause complete loss of greenhouse chrysanthemum crops. The disease is indigenous to Japan, where it was noted in 1895, and it remained confined to China and Japan until 1963.

CWR is not established in the United States and is a disease of quarantine significance. This disease has the potential to be extremely damaging to the commercial horticulture and florist industries if it becomes established in greenhouses within the United States. CWR was detected and eradicated in California in 1991; since then, there have been repeated outbreaks of CWR in several coastal California counties. There were also CWR outbreaks in commercial nurseries in New Jersey, Oregon, and Washington between 1995 and 1997, and in dooryard or hobbyist plantings in New York and New Jersey in 1997. Whenever CWR has been detected in the United States, it has been eradicated through immediate and cooperative regulatory action by Federal and State officials.

APHIS is asking OMB to approve for an additional 3 years, these information collection activities, associated with APHIS' program of carrying out specific requirements for the importation of cut flowers that are hosts of CWR from countries where the disease is known to occur.

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 of plants, plant parts, and related materials to prevent the introduction of foreign plant pests into the United States.

Phytosanitary Certificate plus declaration (Foreign Government)

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 this certificate to determine the pest condition of the shipment at the time of inspection in the foreign country. This information is used as a guide to the intensity of the inspection that APHIS must conduct 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 cut flowers must be accompanied by a phytosanitary certificate issued by the national plant protection organization of the country of origin that contains an additional declaration stating that the plants from which the cut flowers originated were grown and harvested in a registered greenhouse or production area that has been inspected and certified as being free of chrysanthemum white rust.

Labeling of Boxes (Business) - Box labels and other documents accompanying shipments of cut flowers must be marked with the identity of the registered production site.

Production Site Registration(Foreign Government) - The flowers must be grown in a production site that is registered with the national plant protection organization (NPPO) of the country in which the production site is located or with the NPPO's designee, and the NPPO or its designee must provide a list of registered sites to APHIS.

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 these certificates.

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 to prevent the introduction of plant pests and plant diseases into the United States, and to prevent the spread of diseases within 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 the introduction of CWR and other plant diseases. APHIS has determined that 15 percent of the total 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 is critical to APHIS' mission of preventing CWR from entering the United States or spreading within the United States. This disease has the potential to be extremely damaging to the commercial horticulture and florist industries if it becomes established in greenhouses within 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.

The following individuals were consulted during 2012:

Hank von Beidershenk
 Flower Council of Holland
 4 Farthings Fold
 Hanthorpe, Bourne
 Lincolnshire, PE10 0RN
 United Kingdom
 T: +44 (0) 7971 588 410

Mr. Jacques Villenseau
 Cut Flowers and Pot Plants
 Drimpet S.R.L.
 40-236-4130-56
 Tiglina 111, Galati, Galati, Romania 6200

Judy Laushman
 Executive Director
 Association of Specialty Cut Flower Growers
 MPO Box 268
 Oberlin, OH 44074
 (440) 774-2887
 (440) 774-2435 fax

On Friday, January 28, 2013, pages 4121 - 4122, 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. During that time, APHIS received two comments from interested members of the public. Both comments were in support of renewing this information collection.

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. These estimates were arrived by using historical data and through discussions with importers of CWR, foreign officials, and program specialists within APHIS.

- **Provide estimates of annualized cost to respondents for the burden hours for collections of information, identifying and using appropriate wage rate categories.**

APHIS estimates the total annualized cost to the respondents to be \$13,566.00. APHIS arrived at this figure by multiplying the total burden hours (646 hours) by the estimated average hourly wage of the above respondents (\$21.00).

The hourly rate is 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 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, operation and maintenance, 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 to the Federal Government is \$ 23,782.00 (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-I.

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	2,581	0	20	0	0	2,561
Annual Time Burden (Hr)	646	0	10	0	0	636
Annual Cost Burden (\$)	0	0	0	0	0	0

There is a program increase of +20 annual respondents due to the addition of the production site registration for foreign government, with an increase of +20 responses resulting in an increase of +10 total burden hours. The production site registration activity was inadvertently omitted from the previous collection and is reporting as a violation.

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 it 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 U.S. 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.