

Supporting Statement
Importation of Mangoes from the Philippines
OMB No. 0579-0172

March 2013

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, Animal and Plant Health Inspection Service (APHIS), is responsible for preventing plant pests and noxious weeds from entering the United States, preventing the spread of plant pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests and weeds when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 – et seq., the Secretary of Agriculture, either independently or in cooperation with the States, 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.

The regulations in “Subpart – Fruits and Vegetables” (Title 7, Code of Federal Regulations (CFR) 319.56 through 319.56-56, referred to as the regulations), prohibit or restrict the importation of fruits and vegetables into the United States from certain parts of the world to prevent the introduction and dissemination of plant pests that are new to or not widely distributed with the United States.

APHIS’ regulations on fruits and vegetables allow the importation of mangoes from Guimaras Island in the Republic of the Philippines into the United States under certain conditions. The regulations require the use of box marking to indicate the origin of the fruit phytosanitary certificates to confirm that the fruit has been grown and treated in accordance with the regulations, and a trust fund agreement between the Republic of the Philippines Department of Agriculture and APHIS to cover the Agency’s participation in the treatment and inspection activities in the Philippines that are required for the importation of mangoes.

Carrying out these regulations and monitoring the treatment options often require APHIS to collect information from a variety of individuals who are involved in growing, packing, handling, transporting, and exporting plants and plant products. The information APHIS collects serves as the supporting documentation for issuing PPQ forms and documents required to authorize release of restricted products, and allow movement of regulated products. The information APHIS collects is vital to helping ensure that injurious plant diseases and insect pests are not imported and do not spread into or within the United States.

This regulation is designed to prevent the importation and spread of injurious pests such as fruit flies within the United States by allowing the movement of regulated products only if they have been treated to remove the danger of infestation. Imported fruit flies would result in millions of dollars in damage to American agriculture.

APHIS is asking OMB to approve for an additional 3 years, these information collection activities, associated with its efforts to prevent the spread of plant pests and plant diseases 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 carry out the regulations for fruits and vegetables to allow the importation of mangoes from Guimaras Island in the Republic of the Philippines into the United States under certain conditions.

Box Labeling – (Business)

Each box of mangoes imported into the United States from the Philippines must be clearly labeled with the name of the orchard or grove of origin, or the name of the grower where the mangoes were produced on the island of Guimaras, Republic of the Philippines; and the type and amount of fruit it contains. Consignments originating from approved areas other than Guimaras must be labeled “For distribution in Guam and Hawaii only.”

Phytosanitary Certificate - (Foreign)

Each consignment of mangoes must be accompanied by a phytosanitary certificate issued by the Republic of the Philippines Department of Agriculture that contains additional declarations stating that the mangoes were grown on the island of Guimaras and have been treated for fruit flies of the genus *Bactrocera*.

Trust Fund - (Foreign)

Mangoes that are treated or inspected in the Philippines may be imported into the United States only if the Republic of the Philippines Department of Agriculture (RPDA) has entered into a trust fund agreement with APHIS. That agreement requires the RPDA to pay, in advance for each shipping season, all costs that APHIS estimates it will incur in providing inspection services in the Philippines during that shipping season.

PPQ Form 587 Import Permit – (Business and Farms)

All fruits and vegetables imported under this subpart, whether commercial or noncommercial consignments, must be imported under permit issued by APHIS, be in compliance with the conditions specified in the permit, and in accordance with all applicable regulations in this part; *except for*:

Dried, cured, or processed fruits and vegetables (except frozen fruits and vegetables), including cured figs and dates, raisins, nuts, and dried beans and peas, except certain acorns and chestnuts subject to §319.56–11 of this subpart;

Fruits and vegetables grown in Canada (except potatoes from Newfoundland and that portion of the Municipality of Central Saanich in the Province of British Columbia east of the West Saanich Road, which are prohibited importation into the United States); and fruits and vegetables, except mangoes, grown in the British Virgin Islands that are imported into the U.S. Virgin Islands.

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 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 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. APHIS has no control or influence over when foreign countries will automate this certificate.

The Import Permit, PPQ Form 587, is a PDF which is fillable online and can be printed for public use and is posted at <http://www.aphis.usda.gov/library/forms/pdf/PPQ587.pdf>.

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 for the purpose described in item 2 above.

The information APHIS collects is exclusive to its mission of preventing the dissemination or interstate spread of plant pests, diseases, and noxious weeds; 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 in connection with this program is the minimum needed to protect growers nationwide from the potential introduction of fruit flies into the country. APHIS has determined that 50 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.

If APHIS did not collect this information or if this information was collected less frequently, APHIS could not verify that fruit was treated, verify that fruit flies in the prohibited commodity were destroyed by treatment, or verify that the treatment was adequate to prevent the risk of fruit flies entering the country.

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;**
- **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.

In 2013, APHIS held productive consultations with the following individuals concerning the information collection activities associated with vapor heat treatment of mangoes from the Philippines:

Fruitful Harvest Corporation
Jean Lui, President
12th F. GE Antonino Building, George Bocobo St., cor. TM
Kalaw, Manila, Philippines
(632) 404-3736

Gregorio Leonardo, President

G.H. Leonardo Marketing Corporation
2419 Isagani Street, Station Cruz,
1014 Manila, Philippines
(632) 711-2842

Charles Lim, President
Divine Providence Trading
Santiago City, 3500
Tuguegarao, Cagayan, Philippines
(63-78) 305-0067

On Monday, June 10, 2013, pages 34636-34637, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plans to request a 3-year approval of this collection of information. During that time no comments 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 83-1.

See APHIS Form 71 for hour burden estimates. These estimates were developed using the calculations of the average time to fill out the treatment certificates and discussions with growers, packers, and shippers.

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

Respondents are growers, packers, and shippers of regulated articles. APHIS estimates the total annualized cost to these respondents to be \$2,057.00. APHIS arrived at this figure by multiplying the total burden hours 121 by the estimated average hourly wage of the above respondents (\$17.00). The hourly wage was provided by USDA's Program Specialist and foreign officials in the Republic of the Philippines.

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.

See APHIS Form 79 for annualized cost to the Federal government. This cost is based on the estimated average time required to process treatment certificates and perform inspections associated with vapor heat treatment of mangoes from the Philippines. These costs are estimated to be \$550.

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

There is no change in the total burden hours.

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.

PPQ Form 587 is used in five information collections (0579-0049, 0172, 0173, 0293, and 0319); therefore, it is not practical to include an OMB expiration date because of the various expiration dates for each collection. APHIS is seeking approval to not display the OMB expiration date on this form.

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

APHIS is able to certify compliance with all provisions in the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not used in this information collection.