

2014 SUPPORTING STATEMENT
Paper and Paper-Based Packaging Promotion, Research and Industry Information
Order

7 CFR Part 1222

OMB Number 0581-0281

(Final Order)

FF.

Justification

1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION.

The Paper and Paper-Based Packaging Promotion, Research and Information Order (Order) under the Commodity Promotion, Research, and Information Act of 1996, (PL 104-127, 110 Stat. 1032, April 4, 1996, 7 U.S. C. 7411-7425) requires collection of information to carry out the program. This legislation is hereinafter referred to as the 1996 Act. Under the enabling legislation, Congress has delegated the Department of Agriculture (USDA) the responsibility of establishing and overseeing agricultural commodity research and promotion orders, which may include a combination of promotion, research, industry information, and consumer information activities funded by mandatory assessments. These programs are designed to maintain, develop, and expand markets and uses for agricultural commodities. The Order was submitted by the Paper and Paper-Based Packaging Panel (Panel). The Panel is a group of 14 industry members that was formed to oversee development of this program.

The Order provides for the development and financing of a coordinated program of research, promotion, and information for paper and paper-based packaging. The program includes projects relating to research, consumer information, advertising, sales promotion, producer information, market development and product research to assist, improve, or promote the marketing, distribution, and utilization of paper and paper-based packaging.

The program is administered by a Board appointed by the Secretary of Agriculture and financed by a mandatory assessment on manufacturers and importers of paper and paper-based packaging. The Agricultural Marketing Service provides oversight to ensure: (1) funds are collected and properly accounted for; (2) expenditures of all funds are for the purposes authorized by the enabling legislation; and (3) the Board's administration of the program conforms to USDA policy.

Section 515(i) of the 1996 Act provides authority to request from persons covered under the Order any information required to carry out the responsibilities of the program. Each appointed Board is responsible for collecting assessments from the affected persons covered under the program in order to carry out the Board's responsibility. These programs require the use of the forms described in item 2 below.

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.

The Paper and Paper-Based Packaging Promotion, Research and Information Order is authorized under the 1996 Act. The Order was established by USDA through the issuance of an Order, and rules and regulations. A referendum passed with 85 percent of those voting in the referendum representing 95 percent of the volume of paper and paper-based packaging represented in the referendum favored implementing the Order.

Under the Order, manufacturers and importers of paper and paper-based packaging are subject to a mandatory assessment of \$0.35 per short ton of paper and paper-based packaging to fund a coordinated program to maintain, develop, and expand the demand of paper and paper-based packaging. The Order is administered by a 12 member Paper and Paper-Based Packaging Board (Board) comprised of 10 domestic manufacturer members from 4 regions (6 members from the South Region, 1 member from the Northeast, 2 members from the Midwest, and 1 member from the West), 1 member at-large from any region and manufacture 250,000 short tons or less of paper and paper-based packaging, and 1 importer member.

The members are appointed by the Secretary of Agriculture to administer the program with AMS oversight, and selected from nominations submitted by the Panel for the initial nominations. Subsequent nominations will be conducted by the Board through a nomination and balloting process for both domestic manufacturers and importers.

Board members serve terms of three years and could serve a maximum of two consecutive terms. For the initial Board, terms will be staggered for two, three, and four years as recommended by the Panel to the Secretary. The Board uses assessments collected under the Order to carry out research, promotion, consumer education, and industry information activities. In order to carry out these responsibilities, manufacturers and importers are required to submit certain information, as provided in Sections 515, 516, and 517 of the 1996 Act, and Sections 1222.41, 1222.52, 1222.53, and 1222.71 of the Order.

A second information collection package (0581-0282; Paper & Paper-Based Packaging Promotion, Research & Information (Referendum Procedures) Exp. 10/31/2016) that contains the referendum ballot for 2 burden hours was approved in a separate package because its approval was needed for an upfront vote. Upon approval of this information collection package, 0581-0282 and this package will be merged into one information collection package and ultimately merged into 0581-0093.

It is estimated that there are 2696 respondents comprised of 84 domestic manufacturers and 2612 importers. These 2696 respondents are required to keep books and records to carry out the provisions of the Order. The 2696 respondents differ from the number of respondents completing the forms identified on the AMS Form 71, due to the fact that not all of the domestic manufacturers and

importers have to fill out the forms listed, but all domestic manufacturers and importers have to keep the books and records to show they have either paid the assessment or are exempt from paying the assessment.

The information required under this program is gathered through the following forms, and is used by USDA's AMS, and the Board as described below:

a) Background Information Form AD-755 (OMB 0505-0001) (Section 1222.41): This form contains questions to ascertain the nominee's qualifications for consideration of appointment to the Board by the Secretary of Agriculture. The form questions include: personal identification information, including name, social security number, date of birth, and address; length of time engaged in manufacturing paper and paper-based packaging; quantity of short tons manufactured; length of time engaged in importation of paper and paper-based packaging, and the number of short tons imported; employment information; professional affiliation(s); education; income sources for amounts over \$10,000; and criminal history. The form is to be completed by all Board nominees including manufacturers and importers. This information is provided to the Board and forwarded to USDA for use in the nomination process. Upon approval of this collection, a change of worksheet will be submitted to increase the burden of 0505-0001 by 12 hours.

b) Application for Exemption from Assessments (PAP-AAE) (Section 1222.53): Manufacturers or importers who manufacture or import less than a predetermined quantity per year could claim an exemption from assessments. This form requires handling and importation data, supporting documentation, and certification. The form requests the minimum information necessary for proof that manufacturers and importers should be exempt from assessments under the Order.

c) Production/Import Quarterly Report (PAP-PIQ) (Section 1222.52): Manufacturers and importers are required to report to the Board on a reporting period determined by the Board information necessary for the Board to perform its duties. For manufacturers, the information may include: the total quantity of paper and paper-based packaging manufactured during the reporting period; deduction of total quantity of paper and paper-based packaging exempted during the period; and the manufacturer's tax identification number. For importers, the information may include: the total quantity of paper and paper-based packaging imported during such reporting period; paper and paper-based packaging imported during the reporting period including quantity, date, country of origin, and port of entry; and the importer of record tax identification number.

Importer Report (No form) is a report submitted to the Board by the U.S. Customs Service (Customs), from information obtained at the port of entry. The report requires information regarding the total quantity of product imported during the reporting period and a record of each importation of such product during such period, giving quantity, date, and port of entry. Assessments are reported on the Importer Report on a calendar month basis and accompany the payment to the

applicable Board. Under the Order, U.S. Customs collects assessments on imported paper and paper-based packaging and remit the funds to the Board. If Customs does not collect the assessment from the importer, then the importer is responsible for paying the assessment directly to the Board.

Recordkeeping Requirements (Section 1222.71) are required to maintain and make available information for inspection by the Board and USDA. Each manufacturer and importer subject to the 1996 Act and Order shall maintain appropriate records to carryout the requirements of theses regulations. Recordkeeping requirements will help provide for the effective operation of the Order, and its conformance with the 1996 Act.

d) Nomination for Appointment Form (PAP-NOM) (Section 1222.41). This form is to be used to nominate manufacturers and importers to serve on the Board. For regional manufacturer and importer representatives, the nomination form may be used to nominate persons to Board positions. Once all of the nominations for each position of the Board have been received, the Board will put the names on the ballot and send to eligible manufacturers and importers to vote. Once the votes are tallied from the ballots those receiving the most votes are nominated to the Board and forwarded to USDA for consideration by the Secretary of Agriculture.

e) Nomination for Appointment Ballot (PAP-BAL) (Section 1222.41). This form is to be used by manufacturers and importers to vote on nominees to the Board. Once the votes are tallied from the ballots, those receiving the most votes are nominated to the Board, and those nominees will be forwarded to USDA for consideration by the Secretary of Agriculture.

Background Statement (No Form) is information provided by manufacturers and importers outlining their qualifications and desire to serve on the Board.

f) Organic Exemption Request Form AMS-15 (OMB No. 0581-0093) (Section 1222.53). Under the Order, the form is to be completed by manufacturers and importers requesting exemption from paying assessments. Manufacturers and importers requesting exemption must produce or import products that meet the requirements for a “100 percent organic” label under the National Organic Program (7 CFR Part 205), and are not part of a split operation. The form also includes a certification statement.

g) Application for Refund of Assessments Paid (PAP-AFR) (Section 1222.53). Under the Order, the form is to be completed by organic importers and other importers requesting reimbursement for the assessments collected by the U.S. Customs Service or exempt domestic manufacturers of paper and paper-based packaging. Importers requesting reimbursement must show the port of entry, entry date, number of trees and the amount of assessments collected to be

reimbursed. In addition, the applicant must give name address, telephone number, tax identification number for proof payment of assessments for which they are requesting reimbursement.

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.

These forms, excluding the Referendum Ballot, were designed to ensure ease in understanding, and to minimize the burden on manufacturers and importers required to fill out the information, and to maximize the efficiency of a board's collection system. While a number of the forms could be made available electronically, many of the forms require additional documentation to be provided (i.e., proof of assessments paid, etc.) and a signature making these forms unavailable for electronic submission at this time.

Other applicable forms will be made available through USDA on each board's and/or program's websites in a .pdf file format. The respondent will be able to download and print off a copy to complete and mail or fax in to the Board.

Upon approval, the forms will be used to submit information directly to the Board, which administers the Order. The Board is not part of an executive agency, but is composed of industry members that operate under Federal authority and oversight. The source of funds to administer these forms is generated from assessments collected from manufacturers and importers. Though AMS is committed to complying with the e-Government Act, which requires Government agencies in general to provide the public the option of submitting information or transacting business electronically to the maximum extent possible, the availability and submission of forms electronically is at the Board's discretion.

There is no technology currently available that would eliminate or reduce the need for the information solicited on the Referendum Ballot, and completed ballots need to be mailed back to USDA through the traditional method of self-addressed envelopes to the designated Referendum Agent. The agents are officials of USDA.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN ITEM 2 ABOVE.

The information to be included on these forms is not available from other sources because such information relates specifically to individual manufacturers and importers who are subject to the proposed Order. The primary sources of information are books and records pertaining to manufacture of paper and paper-based packaging and imports of paper and paper-based packaging.

Information generated by State, Federal, and private sources would not generate information of a proprietary nature relative to manufacturers and importers who are subject to the provision of the Order. Such information is not detailed enough to be used for the specific purposes of determining the amount of paper and paper-based packaging manufactured or imported. Therefore, there is no practical method for collecting the required information without the use of these forms.

5. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 5 OF THE OMB FORM 83-1), DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.

The Small Business Administration defines, in 13 CFR part 121, small agricultural producers as those having annual receipts of no more than \$750,000 and small agricultural service firms (domestic manufacturers and importers) as those having annual receipts of no more than \$7.0 million. Under these definitions, the majority of manufacturers and importers that are affected are considered small entities. We have estimated the number of respondents for this collection is 2696, and we estimate that 4 are considered small businesses.

Information collection requirements have been reduced to the minimum requirements of the Order. The primary sources of information used to complete the required forms are readily available from normal business records maintained by manufacturers and importers. Such information can be supplied without data processing equipment or outside technical expertise.

Thus, the information collection and reporting burden is relatively small, and requiring the same reporting requirements for all manufacturers and importers does not significantly disadvantage any manufacturer or importer that is smaller than the industry average.

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.

The information will be collected through a mandatory research and promotion program designed to maintain, develop, and expand markets for paper and paper-based packaging. If the information collection herein were not collected, the Board could not carry out the coordinated promotion, research, and industry information program on paper and paper-based packaging, ensure compliance with the mandatory program or ensure proper assessment collection.

Collecting data less frequently also would limit the Secretary's ability to oversee the Order.

- 7. EXPLAIN ANY SPECIAL CIRCUMSTANCES THAT WOULD CAUSE AN 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 3 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 STATUE 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.**

There are no special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- 8. IF APPLICABLE, PROVIDE A COPY AND IDENTIFY THE DATE AND**

PAGE NUMBER OF PUBLICATION IN THE FEDERAL REGISTER OF THE AGENCY'S NOTICE, REQUIRED BY 5 CFR 1320.8(d), SOLICITING COMMENTS ON THE INFORMATION COLLECTION PRIOR TO SUBMISSION TO OMB. SUMMARIZE PUBLIC COMMENTS RECEIVED IN RESPONSE TO THAT NOTICE AND DESCRIBE ACTIONS TAKEN BY THE AGENCY IN RESPONSE TO THESE COMMENTS. SPECIFICALLY ADDRESS COMMENTS RECEIVED ON COST AND HOUR BURDEN.

A 60-day notice for comments was embedded in a proposed rule published in the Federal Register on January 2, 2013 (78 FR 188). No comments were received on the information collection.

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 FORMAT (IF ANY), AND ON THE DATA ELEMENTS TO BE RECORDED, DISCLOSED, OR REPORTED.

Ms. Jan Poling, Vice President, General Counsel and Corporate Secretary, American Forest & Paper Association (AF&PA), telephone number (202) 463-2590; and Mr. Mick Jackson, Member of the Paper and Paper-Based Packaging Panel (Panel) and President and CEO of Verso Paper Corporation, telephone number (910) 369-4231 were contacted on their views of the information collection. (The AF&PA provides technical assistance to the Panel.)

CONSULTATION WITH REPRESENTATIVES OF THOSE FROM WHOM INFORMATION IS TO BE OBTAINED OR THOSE WHO MUST COMPILE RECORDS SHOULD OCCUR AT LEAST ONCE EVERY 3 YEARS (EVEN IF THE COLLECTION OF INFORMATION ACTIVITY IS THE SAME AS IN PRIOR PERIODS. THERE MAY BE CIRCUMSTANCES THAT MAY PRECLUDE CONSULTATION IN A SPECIFIC SITUATION, THESE CIRCUMSTANCES SHOULD BE EXPLAINED.

There are no obstacles to consulting with industry members who must submit information to the Board. Industry members are consulted on an ongoing basis on the information collection requirements.

9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEEES.

AMS does not provide 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.

Section 1205(m)(2) of the 1996 Act provides that information collected from books and records will be kept confidential by those individuals having access to such information. The 1996 Act also provides for a fine and/or imprisonment for employees of the Board or USDA convicted of violating this confidentiality provision.

All information collected will be treated as confidential, as indicated on the forms and in conformance with the Privacy Act and Freedom of Information Act. Other confidential information will be withheld from public review under the Freedom of Information Act and the Privacy Act, 5 USC 552.

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND 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.

Questions of a sensitive nature are not included on any form. The only private information required is on the Background Information Form that a nominee to the Board must fill out. These questions are asked to ascertain his/her qualifications to serve on the Board and include: personal identification information, including name, social security number, date of birth, and address; length of time engaged in the manufacturing of paper and paper-based packaging; quantity of short tons manufactured; length of time engaged in importation of paper and paper-based packaging and the short tons of paper and paper-based packaging imported; employment information; professional affiliation(s); education; income sources for amounts over \$10,000; and criminal history. The form would be completed by all Board nominees including manufacturers and importers. This information would be provided to the Board and forwarded to USDA for use in the nomination process. This information is provided to the Secretary for use in the selection process.

12. PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION.

THE STATEMENT SHOULD:

INDICATE THE NUMBER OF RESPONDENTS, FREQUENCY OF

RESPONSE, ANNUAL HOUR BURDEN, AND AN EXPLANATION OF HOW THE BURDEN WAS ESTIMATED. UNLESS DIRECTED TO DO SO, AGENCIES SHOULD NOT CONDUCT SPECIAL SURVEYS TO OBTAIN INFORMATION ON WHICH TO BASE HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL RESPONDENTS IS DESIRABLE. IF THE HOUR BURDEN ON RESPONDENTS IS EXPECTED TO VARY WIDELY BECAUSE OF DIFFERENCE IN ACTIVITY, SIZE, OR COMPLEXITY, SHOW THE RANGE OF ESTIMATED HOUR BURDEN, AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDEN HOURS FOR CUSTOMARY AND USUAL BUSINESS PRACTICES.

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 AMS Form 71.

PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE CATEGORIES. THE COST OF CONTRACTING OUT OR PAYING OUTSIDE PARTIES FOR INFORMATION COLLECTION ACTIVITIES SHOULD NOT BE INCLUDED HERE. INSTEAD, THIS COST SHOULD BE INCLUDED IN ITEM 14.

The respondents' estimated annual cost of providing information to the Board is \$72,204. An estimated number of 2696 respondents would provide information to the Board annually. This total has been estimated by multiplying 2188 hours by \$33, the average mean hourly earnings of professional, specialty and technical white collar occupations, and executive, administrative, and managerial white collar occupations by worker and establishment characteristics and geographic areas (metropolitan). Data for computation of this hourly wage were obtained from the U.S. Department of Labor Statistics' publication, "May 2011 National Occupation Employment and Wage Estimates in the United States," updated March 29, 2012. This publication can also be found at the following website: http://www.bls.gov/oes/2011/may/oes_nat.htm#b11-0000.

13. PROVIDE AN ESTIMATE 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).

- **IF COST ESTIMATES ARE EXPECTED TO VARY WIDELY,**

AGENCIES SHOULD PRESENT RANGES OF COST BURDENS AND EXPLAIN THE REASONS FOR THE VARIANCE. THE COST OF PURCHASING OR CONTRACTING OUT INFORMATION COLLECTION SERVICES SHOULD BE A PART OF THIS COST BURDEN ESTIMATE. IN DEVELOPING COST BURDEN ESTIMATES, AGENCIES MAY CONSULT WITH A SAMPLE OF RESPONDENTS (FEWER THAN 10), UTILIZE THE 60-DAY PRE-OMB SUBMISSION PUBLIC COMMENT PROCESS AND USE EXISTING ECONOMIC OR REGULATORY IMPACT ANALYSIS ASSOCIATED WITH THE RULEMAKING CONTAINING THE INFORMATION COLLECTION, AS APPROPRIATE.

GENERALLY, ESTIMATES SHOULD NOT INCLUDE PURCHASES OF EQUIPMENT OR SERVICES, OR PORTIONS THEREOF, MADE: (1) PRIOR TO OCTOBER 1, 1995, (2) TO ACHIEVE REGULATORY COMPLIANCE WITH REQUIREMENTS NOT ASSOCIATED WITH THE INFORMATION COLLECTION, (3) FOR REASONS OTHER THAN TO PROVIDE INFORMATION OR KEEPING RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL BUSINESS OR PRIVATE PRACTICES.

There are no capital, startup, operation, or maintenance costs associated with this program. The primary sources of information will be books and records pertaining to manufacture or importation of paper and paper-based packaging that are normally maintained as part of usual and customary business practices.

- 14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT. ALSO, PROVIDE A DESCRIPTION OF THE METHOD USED TO ESTIMATE COST, WHICH SHOULD INCLUDE QUANTIFICATION OF HOURS, OPERATION EXPENSES (SUCH AS EQUIPMENT, OVERHEAD, PRINTING, AND SUPPORT STAFF), AND ANY OTHER EXPENSE THAT WOULD NOT HAVE BEEN INCURRED WITHOUT THIS COLLECTION OF INFORMATION. AGENCIES ALSO MAY AGGREGATE COST ESTIMATES FROM ITEMS 12, 13, AND 14 IN A SINGLE TABLE.**

There are no additional costs associated with this information collection. The Federal government's estimated annual cost for providing oversight and assistance for this information collection is estimated at \$122,363 the first year and for subsequent years it is estimated to be about \$85,600. AMS is reimbursed by the Board for all of its oversight costs. A breakdown of the oversight costs for the first year is the following:

Salaries/Benefits/FERS Contributions/Awards	\$95,326
Travel	\$5,000
Contracts/Services/Training	\$3,836

Printing/Copying/Mailing/Postage	\$3,638
Rent/Communication/Utilities/FTS	\$3,268
OGC (Legal Services)	\$10,000
Supplies/Equipment	<u>\$1,295</u>
TOTAL	\$122,363

15. EXPLAIN THE REASON FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14 OF THE OMB FORM 83-I.

There are no changes to the burden hours. See the AMS-71 form for the burden hours.

16. FOR COLLECTIONS OF INFORMATION WHOSE RESULTS WILL BE PUBLISHED, OUTLINE PLANS FOR TABULATION, AND PUBLICATION. ADDRESS ANY COMPLEX, ANALYTICAL TECHNIQUES THAT WILL BE USED. PROVIDE THE TIME SCHEDULE FOR THE ENTIRE PROJECT, INCLUDING BEGINNING AND ENDING DATES OF THE COLLECTION OF INFORMATION, COMPLETION OF REPORT, PUBLICATION DATES, AND OTHER ACTIONS.

There are no plans to publish any information or data collected. The information collected on these forms is not for publication or statistical use. However, if a referendum is held to determine whether to suspend, terminate, amend or continue the order, a press release will be published to announce the results to the industry.

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.

Displaying the expiration date for OMB approval of the information collection would cause confusion among respondents thinking their annual applications are good for the length of time noted in the expiration date, rather than expiring at the end of the marketing season. Additionally, the impact of the expiration date requirement on administrative and regulatory forms for the programs can adversely affect the operation and enforcement of statutes. Inadvertent use of a form with an expired date poses an opportunity for those looking for a means of disruption to challenge paying for services rendered, the validity of the collection of information, or legal requirement imposed by regulations or statutes. The Agency requests approval not to display the expiration date for OMB approval of the information collection.

18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, (CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS, OF OMB FORM 83-I.

The agency is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection does not employ statistical methods.