

SUPPORTING STATEMENT - OMB NO. 0579-0144
IMPORTATION OF POULTRY MEAT AND OTHER POULTRY PRODUCTS FROM
SINALOA AND SONORA, MEXICO

A. JUSTIFICATION

May 2014

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Animal Health Protection Act (AHPA) of 2002 is the primary Federal law governing the protection of animal health. The law gives the Secretary of Agriculture broad authority to detect, control, or eradicate pests or diseases of livestock or poultry. The Secretary may also prohibit or restrict import or export of any animal or related material if necessary to prevent the spread of any livestock or poultry pest or disease.

The AHPA is contained in Title X, Subtitle E, Sections 10401-18 of P.L. 107- 171, May 13, 2002, the Farm Security and Rural Investment Act of 2002.

Disease prevention is the most effective method for maintaining a healthy animal population and for enhancing the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS), Veterinary Services' (VS) ability to allow United States animal producers to compete in the world market of animal and animal product trade.

APHIS currently has regulations in place that restrict the importation of poultry meat and other poultry products from Mexico due to the presence of Newcastle Disease (ND) in that country. However, APHIS allows the importation of poultry meat and poultry products from the Mexican States of Sinaloa and Sonora (if imported according to APHIS' requirements) because APHIS has determined that poultry meat and products from these two Mexican States pose a negligible risk of introducing ND into the United States.

To ensure these items are safe for importation, APHIS requires that certain data appear on the foreign meat inspection certificate accompanying the poultry meat or other poultry products from Sinaloa and Sonora to the United States. APHIS also requires that serially numbered seals be applied to containers carrying the poultry meat or other poultry products.

APHIS is asking the Office of Management and Budget (OMB) to approve, for an additional 3 years, its use of these information collection activities in connection with its efforts to ensure that poultry meat and poultry products from the Mexican States of Sinaloa and Sonora pose a negligible risk of introducing ND into the United States.

2. Indicate how, by whom, how frequently, 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 ensure that poultry meat and products from the Mexican States of Sinaloa and Sonora are safe for importation.

Foreign Meat Inspection Certificate (Business and Foreign Government)

Every shipment of poultry meat and other poultry products imported into the United States from Sinaloa or Sonora must be accompanied by a foreign meat inspection certificate completed by the exporters of poultry meat and other poultry products to the United States and signed by a full-time, salaried veterinarian of Mexico's Animal Health Protection Service. This is a Food Safety and Inspection Service (FSIS) requirement. However, certain information contained in this certificate is required by APHIS. It is this information for which APHIS must obtain OMB approval.

APHIS requires that this document certify that the poultry meat or other poultry products were (1) derived from poultry born and raised in commercial breeding establishments in Sinaloa and Sonora; (2) derived from poultry slaughtered in Sinaloa or Sonora in a federally inspected slaughter plant approved to export these commodities to the United States in accordance with FSIS regulations; (3) processed (if processed at all) at a federally inspected processing plant in Sinaloa or Sonora; and (4) kept out of contact with poultry from any other State within Mexico.

The certificate must also show the seal number that appears on the shipping container in which the poultry meat or other poultry products are transported.

Application of Seals to Containers (Foreign National Vets)

If the poultry meat or other poultry products are going to transit any State in Mexico other than Sinaloa or Sonora, a full-time salaried veterinarian of Mexico's Animal Health Protection Service must apply serially numbered seals to the containers carrying the poultry meat or other poultry products. These seals must be applied at the federally inspected slaughter or processing plant in Sinaloa or Sonora, and the seal numbers must be recorded on the foreign meat inspection certificate.

The certification statements and listing of seal numbers on the foreign meat inspection certificate provide controls that enable APHIS to ensure that the poultry meat or poultry products from Sinaloa and Sonora pose the most negligible risk possible for introducing ND into the United States.

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.

The Foreign Meat Inspection Certificate is a document required by FSIS and produced in the region of origin. The certification must physically accompany the shipment and requires an original signature from the authorizing veterinarian to be valid. Therefore, the certification statement is not a candidate for electronic submission. The seals must also accompany the shipment and so cannot be submitted electronically.

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 collected in connection with this program is not available from any other source. APHIS is the only Agency responsible for preventing the introduction of exotic animal diseases into the United States.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The information collected is the absolute minimum needed to ensure that poultry meat and other poultry products imported from Sinaloa and Sonora pose a negligible risk of introducing ND into the United States. The information APHIS requires on the foreign meat inspection certificate must be recorded and certified by Federal animal health authorities in Mexico, not by individual exporters, shippers, processing plant operators, or other entities involved with the exportation of poultry meat and other poultry products to the United States. Although 99 percent of the United States broiler farms meet the Small Business Administration size criteria for designation as small entities, this collection is not likely to have a significant economic impact on these farms. Normally the export certificate is completed/issued by the animal health official in Mexico.

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.

If the information was collected less frequently or not collected at all, it would significantly cripple APHIS' ability to ensure that poultry meat and other poultry products from Sinaloa or Sonora pose a minimal risk of introducing ND into the United States. This would make a disease incursion event much more likely, with potentially serious effects on the U.S. poultry industry.

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.

APHIS engaged in productive consultations with the following individuals concerning the information collection activities associated with this program.

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On Tuesday, June 17, 2014, pages 34487-34488, 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 a comment from an interested member of the public who thinks poultry imports from Mexico should be banned and the United States should eat what is grown in this country. This comment did not deal with paperwork burden.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration 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 or 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.

This information collection activity will ask 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. Burden estimates were developed from discussions with APHIS headquarters and field personnel, Federal animal health authorities in Mexico, owner/operators of slaughtering and processing plants in Sinaloa and Sonora, and personnel in Sinaloa and Sonora engaged in exporting and shipping poultry meat and other poultry products to the United States.

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

The public burdened by the burden in this collection are foreign Federal animal health authorities in Mexico and exporters of poultry meat and other poultry products from Mexico to the United States. APHIS estimates the total annualized cost to these respondents to be \$9,576.66. APHIS arrived at this figure by multiplying the total burden hours (386) by the estimated average hourly wage of the above respondents (\$30.00).

The hourly wage (\$24.81) was provided by USDA's Agricultural Specialist Animal Health Specialist in Mexico via Secretaría de Agricultura, Ganadería, Desarrollo Rural, Pesca y Alimentación (SAGARPA) animal health officials;

Exporter salaries were based on the figure for farmers, ranchers, and other agricultural managers (\$35.20) in the April 2014 Bureau of Labor Statistics Occupational Employment Statistics survey. See <http://www.bls.gov/news.release/pdf/ocwage.pdf>. This is a downward adjustment from the previous salary estimate based on updated information from SAGARPA.

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.

No annual cost burden is associated with capital and startup costs, operation and maintenance expenditures, and purchase of services.

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 annualized cost to the Federal government is estimated at \$19,907. (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.

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	386	0	0	106	0	280
Annual Time Burden (Hr)	386	0	0	106	0	280
Annual Cost Burden (\$)	0	0	0	0	0	0

In the previous collection the total number of respondents was 280, and currently there are 386 respondents. This is an adjustment increase of +106 respondents. There were previously 280 annual responses and now there are 386 responses which is an adjustment increase of +106 annual responses. There were also 280 burden hours and currently there are 386 hours. The difference is an adjustment increase of +106 hours. These current increases are due to the additional shipment/certificates of poultry meat and other poultry products being reported in this collection.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

APHIS has no plans to publish information collected in connection with this program.

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 forms associated with 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 of the Act.

B. Collections of Information Employing Statistical Methods

There are no statistical methods associated with the information collection activities used in this program.