

**SUPPORTING STATEMENT JUSTIFICATION FOR
NUTRITION LABELING OF MAJOR CUTS OF SINGLE-INGREDIENT RAW MEAT OR
POULTRY PRODUCTS AND GROUND OR CHOPPED MEAT AND POULTRY PRODUCTS**

1. Circumstances Making Collection Of Information Necessary:

This information collection requests a renewal of a currently approved information collection of burden hours for the nutrition labeling of the major cuts of single-ingredient raw meat or poultry products and ground or chopped 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.

FSIS requires nutrition labeling of the major cuts of single-ingredient, raw meat and poultry products, unless an exemption applies. FSIS also requires nutrition labels on all ground or chopped meat and poultry products, with or without added seasonings, unless an exemption applies. Further, the nutrition labeling requirements for all ground or chopped meat and poultry products are consistent with the nutrition labeling requirements for multi-ingredient and heat processed products. (9 CFR 381.400(a), 9 CFR 317.300(a), 9 CFR 317.301(a), 9 CFR 381.401(a)).

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

The following is a discussion of the required information collection and recordkeeping activities.

Major Cuts of Single Ingredient Product

FSIS requires nutrition labeling on the major cuts of single-ingredient, raw meat and poultry products, either on their label or at their point-of-purchase, unless an exemption applies. If the manufacturer provides nutrition information on the label of individual packages of the major cuts of single-ingredient, raw meat or poultry products, the retailer is not required to provide the information at

the point-of-purchase. However, if the manufacturer does not provide the nutrition information on the label of these products, the retailer is required to provide the information at their point-of-purchase (9 CFR 317.300(a) & 381.400(a)).

FSIS estimates that all retailers would display point-of-purchase information for the major cuts of single-ingredient, raw meat and poultry products, because this is an inexpensive means of providing nutrition information for multiple products and because this rule will not require that manufacturers include nutrition labels on the major cuts of single-ingredient, raw meat and poultry products. There are a total of 37,455 burden hours associated with labeling major cuts of single-ingredient raw meat and poultry products.

Ground/Chopped Products

FSIS is requiring nutrition labels on all ground or chopped meat and poultry products, with or without added seasonings, unless an exemption applies. As part of routine duties, inspection program personnel will review these labels or labeling materials (9 CFR 317.301(a) & 381.401(a)).

Consumers will use this information to make better informed nutrition choices when purchasing these meat and poultry products.

There are a total of 28,607 burden hours relating to the nutrition labeling of ground or chopped meat and poultry products. The total burden for this collection is 66,062 hours.

3. Use Of Improved Information Technology:

Under the Government Paperwork Elimination Act, 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 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. For reasons of public health, the information collection must apply to all establishments slaughtering cattle. FSIS estimates that there are 50,000 small establishments.

6. Consequences If Information Were Collected Less Frequently:

To conduct the information collections less frequently will reduce the effectiveness of the meat inspection program.

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.**

Some establishments may submit nutrition labeling more than once a quarter. There are no other special circumstances that require the collection of information to be inconsistent with 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 (79 FR 6882;

February 5, 2014). There were 2 comments on the information collection that were not related to the information collection. The Agency also contacted a trade association (Lloyd Hontz, 202/639-5924) that solicited comments from a few of its members on this information collection. None had any comments to make.

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 estimated burden for this information collection is 66,062 burden hours. The burden estimates are broken down into two categories described in the pages that follow.

Major Cuts of Single Ingredient Product	37,455
Ground/Chopped Products	28,607
Total	66,062 hours

Of the burden for ground/chopped products, the annual burden for recordkeeping is estimated at 1,788 hours. The recurring burden for obtaining and replacing point of purchase information for major cuts of single ingredient product is 37,455 hours.

The number of respondents below represents the number of parent companies affected by the regulations rather than the number of individual establishments or retail stores because nutrition labels are designed for company wide use.

Major Cuts of Single Ingredient Product

FSIS estimates that obtaining point-of-purchase materials and making them available for consumers will take an average of 30 minutes for 74,910 retail establishments for a total of 74,910 responses and 37,455 hours.

**OBTAINING/DISPLAYING POINT OF PURCHASE MATERIALS
(9 CFR 317.300(a) & 381.400(a))**

Type of Establish- Ment	No. of Respon- dents	No. of Res- ponses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Recurring Time Requirement in Hours
Retail ests.	74,910	1	74,910	30	37,455

Ground/Chopped Products

FSIS estimates that 363 official establishments producing ground or chopped product will develop an average 6.6 labels to FSIS for approval; 255 grocery stores will develop 4.57 labels; and 11 warehouses will develop 1.33 labels. This will result in a total of 3,576 responses and 21,455 hours.

**DEVELOPMENT OF NUTRTION LABELS FOR GROUND/CHOPPED PRODUCTS
(9 CFR 317.301(a) & 381.401(a))**

Type of Establish- Ment	No. of Respon- dents	No. of Res- ponses per Respondent	Total Annual Responses	Time for Response in Hours	Total Annual Time in Hours
Establish- ment	363	6.6	2,396	6	14,375

Type of Establish- Ment	No. of Respon- dents	No. of Res- ponses per Respondent	Total Annual Responses	Time for Response in Hours	Total Annual Time in Hours
Grocery stores	255	4.57	1,165	6	6,992
Warehous e clubs	11	1.33	15	6	88
Total	629	5.68	3,576	6	21,455

FSIS estimates that it will take the same establishments identified above an average of 1.5 hours to prepare and submit the label for prior approval. This results in a paperwork burden of 5,364 hours.

**SUBMITTING LABEL APPROVAL--GROUND/CHOPPED PRODUCT
(9 CFR 317.301(a) & 381.401(a))**

Type of Establish- ment	No. of Respon- dents	No. of Res- ponses per Respondent	Total Annual Responses	Time for Response in Hours	Total Annual Time in Hours
Establish-	363	6.6	2,396	1.5	3,594
Grocery stores	255	4.57	1,165	1.5	1,748
Warehous e clubs	11	1.33	15	1.5	22
Total	629	5.68	3,576	1.5	5,364

Grocer stores and warehouse clubs are not required to submit labels to FSIS for review. All ground or chopped product will be subject to FSIS compliance review; therefore, producers of ground or chopped product, including retail facilities are required to maintain records to support the validity of nutrient declarations contained on product labels. FSIS estimates the average time for recordkeeping for 629 firms is 30 minutes annually for a total of 3,576 responses and 1,788 hours.

**GROUND/CHOPPED PRODUCT RECORDKREEPING
(9 CFR 317.301(a) & 381.401(a))**

Type of Establishment	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
Establishment	363	6.6	2,396	30	1,198
Grocery stores	255	4.57	1,165	30	583
Warehouse clubs	11	1.33	15	30	7
Total	629	5.68	3,576	30	1,788

The Agency estimates that it will cost respondents \$34.75 an hour in fulfilling labeling recordkeeping requirements. The hourly wage rate for obtaining and replacing point of purchase information at retail establishments is \$21.11. Based on these wage

rates and the hourly requirements identified above, the cost to the respondents is estimated at \$1,784,734 (34.75 x 28,606 + 21.11 x 37,455).

13. Capital and Start-up Cost and Subsequent Maintenance

There are no longer any capital and start-up costs.

14. Annual Cost To Federal Government:

The annual cost to the Federal Government for these information collection requirements is \$380,000 annually. The cost estimate includes records review time of FSIS inspection personnel (GS 7/9/11) and staff officers (GS 11/12). The Agency estimates a cost of \$38 per hour for inspector time.

15. Reasons For Changes In Burden:

There is no change in burden for this information collection.

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 approval number on any instructions it publishes relating to 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.