

SUPPORTING STATEMENT – OMB NO. 0579-0258
INTERSTATE MOVEMENT OF SHEEP AND GOATS; RECORDKEEPING FOR APPROVED
LIVESTOCK FACILITIES AND SLAUGHTERING AND RENDERING ESTABLISHMENTS

2015

Introduction

APHIS is merging the information collection 0579-0342, Recordkeeping for Approved Livestock Facilities, Slaughtering, and Rendering Establishments, into this package 0579-0258. These collections include the same regulations; therefore, it will be more efficient to have them consolidated into one collection. Collection 0579-0342 will be discontinued once this collection is approved.

The new name for this combined information collection is: **“Interstate Movement of Sheep and Goats; Recordkeeping for Approved Livestock Marketing Facilities and Slaughtering and Rendering Establishments”**

A. Justification

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 such animal or related material if necessary to prevent 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 enhancing the ability of the Animal and Plant Health Inspection Service (APHIS) to help U.S. producers compete in the world market of animal and animal product trade. APHIS' Veterinary Services (VS) program is responsible for carrying out this disease prevention mission. APHIS regulations governing the interstate movement of animals to prevent the dissemination of animal diseases within the United States are contained in Title 9 of the *Code of Federal Regulations*, Subchapter C, Interstate Transportation of Animals (Including Poultry) and Animal Products.

APHIS restricts the interstate movement of livestock within the United States to control diseases of concern. For example, APHIS restricts the movement of certain sheep and goats to control the spread of scrapie, a degenerative central nervous disease of sheep and goats. For APHIS' disease eradication program to be effective, its animal identification, recordkeeping, and other requirements must be carried out at livestock facilities that handle animals moving in interstate commerce. APHIS requires the livestock facilities to complete the Approval of Livestock Facilities Agreement and to keep records to become approved.

Disease surveillance also plays an important role in the APHIS mission of protecting the health of U.S. livestock and poultry populations, and testing animals for disease is an important surveillance tool. APHIS can use epidemiological data from tests to assess the prevalence of disease and to identify sources of disease. When testing is coupled with animal identification, APHIS can trace a positive animal's movements and identify other animals with which it may have come into contact.

To enhance APHIS surveillance capabilities, APHIS amended the regulations at 9 CFR 71.20 and 9 CFR 71.21 regarding the movement of livestock to require approved livestock marketing facilities to maintain certain records for 5 years (2 years if the records regard only swine or poultry). Previously, livestock marketing facilities had to keep certain records for 2 years, and there were no record retention requirements for slaughtering and rendering establishments. Requiring the retention of certain records for 5 years (2 years for swine and poultry) allows APHIS to trace the prior movements of diseased livestock or poultry further into the past than is currently possible and to find potentially infected or exposed livestock or poultry that might otherwise remain unidentified.

APHIS is requiring the operators of approved livestock marketing facilities to document their agreement to comply with the requirements of the regulations for approved livestock marketing facilities.

APHIS is asking OMB to reapprove, for 3 years, its use of the above information collection activities in connection with APHIS' efforts to approve facilities that handle livestock moving in interstate commerce. This collection combines burden from 0579-0258 and 0579-0342, Recordkeeping for Approved Livestock Facilities, Slaughtering, and Rendering Establishments, into a single collection.

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 restrict the interstate movement of livestock within the United States to control diseases of concern and approve livestock facilities that handle animals moving in interstate commerce and require the operators of approved livestock marketing facilities to document their agreement to comply with the requirements of the regulations for approved livestock marketing facilities and Slaughtering and Rendering Establishments.

Approval of Livestock Facilities Agreement - Business and State

To qualify a facility for APHIS approval to handle animals in interstate commerce, the individual legally responsible for the day-to-day operation of the facility must execute an Approval of Livestock Facilities Agreement with APHIS. This document requires the owner or operator of the facility to fill in the name of the facility, the address, and telephone number. The owner or operator must also indicate, by initialing the appropriate paragraphs of the agreement, the class or classes of livestock that will be handled at the facility. The owner or operator must sign the document, agreeing to follow its requirements. APHIS also requires the State animal health official to sign the agreement. Agreements are completed for new markets and changes in existing livestock market facilities (i.e., the owner or operator or species handled).

The Approval Agreement will be provided, completed, and signed by a VS official in the VS District in which the establishment is located. The appropriate VS field office will retain the original agreement.

Listing Agreement (VS 10-6) (Signature Only) – Business (From 0579-0342)

Authorized personnel at all approved livestock marketing facilities must sign and date an agreement to allow APHIS or its representatives to take blood and tissue specimens from livestock facilities and conduct records inspections at the establishment without cost to the United States. The facilities must also agree to allow APHIS or its representatives to record all internal and external animal identification devices for animals from which blood and tissue samples are collected.

The agreement will be provided, completed, and signed by a VS official in the VS District in which the establishment is located. The appropriate VS field office will retain the original agreement.

Recordkeeping - Business

Owner or operators of livestock facilities approved by APHIS to handle sheep and goats moving interstate must maintain certain records (such as bills of sale and copies of movement permits or certificates) on animals handled at the facility, and make these records available for inspection by an authorized USDA. These records, which must be maintained for at least 5 years, will be of critical importance in trace back investigations. These records include such information as the identifying marks or tags on the animal (including tattoos or electronic implants); the animal's sex, year of birth, and breed; the date the animal entered the facility; the name and address of the person from whom the animal was acquired; and the animal's disposition.

Recordkeeping – Business (From 0579-0342)

Approved livestock marketing facilities and slaughtering and rendering establishments will be required to keep certain records regarding the movement of livestock for 5 years (2 years in the case of records regarding swine and poultry). Requiring the retention of certain records for 5 years, or 2 years for swine and poultry (through an addition to 9 CFR 71.21) allows APHIS to trace the prior movements of diseased livestock or poultry further into the past than is currently possible and to find potentially infected or exposed livestock or poultry that might otherwise remain unidentified.

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 Approval of Livestock Facilities Agreement is a document requiring only that the livestock facility operator initial certain paragraphs and sign the document. APHIS will review the procedures in making this process available electronically.

The Listing Agreement (VS 10-6) will be able to be completed in the new APHIS database CARPOL/eFile. CARPOL/eFile is currently being build and should be available for use during the phase in period starting December 2015 and going through December 2018.

Recordkeeping can be accomplished either by maintaining hard copies of records or electronically storing certain information such as the name and address of the individual from whom an animal was purchased; the animal's sex, year of birth, and breed; date the animal entered the facility; and the animal's final disposition. APHIS allows recordkeepers to store as much of this information electronically as possible.

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 that APHIS collects is not available from any other source. APHIS is the only Federal agency responsible for detecting and controlling contagious animal diseases in 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 APHIS will collect in connection with this program is the minimum needed to implement its animal disease surveillance program. APHIS estimates that 98% of the business respondents are small entities.

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.

Collecting this information less frequently or failing to require recordkeeping would make it impossible for APHIS to effectively operate its surveillance program. This would hamper APHIS' ability to detect disease in the U.S. animal population, to prevent disease spread within the United States, and to ultimately eliminate certain animal diseases from 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;**

Certain records must be maintained for a minimum of 5 years after the death of an animal or the departure of an animal from the livestock facility. This is because of the long incubation period for certain diseases, such as scrapie; the disease may not appear in a live animal until 5 years or longer after the death or departure of a transmitting animal, but would still have to be traced to that transmitting animal.

- **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 other 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 consultations with the following individuals associated with this program:

Chelsea Good, Vice President Government & Industry Affairs
Livestock Marketing Association
10510 NW Ambassador Dr.
Kansas City, MO 64153
800-821-2048

R. Scott Stuart, President and Chief Executive Officer
National Livestock Producers Association
13570 Meadowgrass Drive, Suite 201
Colorado Springs, CO 80921
Phone: 719-538-8843
Toll-free: 800-237-7193
Fax: 719-538-8847
Email: NLPA@NLPA.org

Jim Chambers, Owner/Operator
Rockingham Livestock Sales
1820 Dealton Ave.
P.O. Box 1856
Harrisonburg, VA 22801
540-434-6765

On Friday, January 23, 2015, pages 3547-3548, 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. No comments from the public 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 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-I.

See APHIS Form 71. Burden estimates were developed from discussions with marketing, slaughtering, and rendering facility personnel who would be completing the forms and maintaining records.

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

Respondents are owner or operators of facilities that handle livestock or poultry moving interstate and State animal health officials. APHIS estimates the total annualized cost to these respondents to be \$18,295.16. APHIS arrived at this figure by multiplying the hours of total burden hours (604) by the estimated average hourly wage of the above respondents (\$30.29).

Owners or operators of livestock facilities: \$35.20 [11-9011 Farm, Ranch, and Other Agricultural Managers]

Slaughters and meat packers: \$12.21 [51-3023 Slaughterers and Meat Packers]

State animal health authorities: \$43.46 [11-0000 Management Occupations]

The average hourly rate is derived from the U.S. Department of Labor; Bureau of Labor Statistics May 2014 Report – National Occupational Employment and Wage Estimates 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.

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.

Annual cost to the Federal Government is estimated at \$41,070 (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	4369	0	3955	-36	0	450
Annual Time Burden (Hr)	604	0	386	-19	0	237
Annual Cost Burden (\$)	0	0	0	0	0	0

There is a program change increase of +50 respondents, +3955 annual responses, and +386 total burden hours because APHIS is now merging the VS 10-6 and recordkeeping activities that were previously approved under information collection 0579-0342.

There is an adjustment decrease of -16 respondents and -36 responses resulting in a decrease of -19 total burden hours. This decrease is due to the number of approval livestock facilities agreements dropping from 150 businesses to 138, and from 50 State signatories dropping to 46 from the previously approved 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 it collects 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.

APHIS will display the expiration date.

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.