

January 2016

**SUPPORTING STATEMENT
Importation of Citrus from Peru
OMB NO. 0579-0289**

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 is responsible for preventing plant pests and noxious weeds from entering the United States, preventing the spread of plant diseases not widely distributed into the United States, and eradicating those imported pests and noxious weeds when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 – *et seq.*), the Secretary of Agriculture 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” (7 CFR 319.56, referred to below 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 and plant diseases.

APHIS’ fruits and vegetables regulations allow the importation, under certain conditions, of fresh commercial citrus fruit (grapefruit, limes, mandarin oranges or tangerines, sweet oranges, and tangelos) from approved areas of Peru into the United States. Based on the evidence in a recent pest risk analysis, APHIS believes these articles can be safely imported from Peru, provided certain conditions are met.

This collection provides for the importation of citrus from Peru into the United States while continuing to protect the United States against the introduction of plant pests.

APHIS is asking the Office of Management and Budget (OMB) to approve, for an additional 3 years, the use of these information collection activities, associated with its effort to prevent the spread of plant pests and diseases into the continental United States.

2. Indicate how, by whom, and for what purpose the information is 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 allow, under certain conditions, the importation of fresh commercial citrus fruits from approved areas of Peru into the United States.

319.56-41(g) Foreign Phytosanitary Certificate (foreign government) (business) – Each consignment of fruit must be accompanied by a phytosanitary certificate issued by the National Plant Protection Organization (NPPO) of Peru stating that the fruit has been inspected and found free of *Ecdytolopha aurantiana*.

319.56-41(d) Grower Registration and Agreement (business) – The production site, where the fruit is grown, must be registered for export with the NPPO of Peru, and the producer must have signed an agreement with the NPPO of Peru whereby the producer agrees to participate in and follow the Fruit Fly Management Program established by the NPPO of Peru.

319.56-41(e)(2) Records (foreign government) – The NPPO of Peru, or its designated representative, must keep records that document the fruit fly trapping and control activities in areas that produce citrus for export to the United States. All trapping and control records kept by the NPPO of Peru, or its designated representative, must be made available to APHIS upon request.

319.56-41(e) Trapping and Control of Fruit Fly Population (business) - In areas where citrus is produced for export to the United States, traps must be placed in fruit fly host plants at least 6 weeks prior to harvest at a rate mutually agreed upon by APHIS and the NPPO of Peru. If fruit fly trapping levels at a production site exceed the thresholds established by APHIS and the NPPO of Peru, exports from that production site will be suspended until APHIS and the NPPO of Peru conclude that fruit fly population levels have been reduced to an acceptable limit.

319.56-41(e) Fruit Fly Management Program (foreign government) - The NPPO of Peru's Fruit Fly Management Program must be approved by APHIS, and must require that participating citrus producers allow APHIS inspectors access to production areas in order to monitor compliance with the fruit fly management program.

319.56-41(e) (1) Reinstatement of Grower Production Site (foreign government) - Fruit fly traps are monitored weekly; therefore, reinstatements of production sites will be evaluated on a weekly basis.

319.56-41(a) and 319.56-3(b) Application for Permit to Import Plants or Plant Products (PPQ 587) (business) - The fruit must be imported under permit issued by APHIS, and must be imported under the conditions specified in the permit.

305.6(a) Certification of Cold Treatment Facilities (business) - The fruit, except for limes (*C. aurantiifolia*), must be cold treated for *Anastrepha fraterculus*, *A. obliqua*, *A. serpentina*, and *Ceratitis capitata* (Mediterranean fruit fly) in accordance with Part 305 of this chapter.

305.6 Recertification of Cold Treatment Facilities (business) - All facilities or locations used for refrigerating fruits or vegetables in accordance with the cold treatment schedules in the PPQ Treatment Manual or in another treatment schedule approved in accordance with §305.2 must be certified by APHIS. Recertification is required every 3 years, or as often as APHIS directs, depending on treatments performed, commodities handled, and operations conducted at the facility.

305.6 Numbered Seals (business) - Only the same type of fruit in the same type of package may be treated together in a container; no mixture of fruits in containers may be treated. A numbered seal must be placed on the doors of the loaded container and may be removed only at the port of destination by an official authorized by APHIS after cold treatment has been done.

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.

PPQ Form 587 (Application for Permit to Import Plants or Plant Products) and the instruction sheet are downloadable at:

http://www.aphis.usda.gov/plant_health/permits/downloads/forms/ppqform587.pdf and they are also housed within the e-Permits system. This form will eventually be converted into the Certification, Accreditation, Registration, Permitting, and Other Licensing (CARPOL) system.

APHIS has no control or influence over when foreign countries automate phytosanitary certificates. However, APHIS is involved with the Government-wide utilization of the International Trade Data System (ITDS) via the Automated Commercial Environment (ACE) to improve business operations and further Agency missions. This will allow respondents to submit the data required by U.S. Customs and Border Protection and its Partner Government Agencies (PGAs), such as APHIS to import and export cargo, such as peppers, through a Single Window concept. APHIS is also establishing a system known as e-File for CARPOL activities. This new system will strive to automate some of these information collection activities. The system is still being developed and business processes continue to be identified and mapped.

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 entry of injurious plant pests, diseases, and noxious weeds and 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 is the minimum needed to protect the United States from destructive plant pests while increasing the number and variety of fruits and vegetables that can be imported from other countries. APHIS has no small entities involved with this information collection.

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 APHIS collected it less frequently, APHIS could not verify that fruit was treated, and verify that citrus canker, fruit flies, and other pests were destroyed by treatment, or that the treatment was adequate to prevent the risk of plant pests from entering 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;**

Fruit fly traps are monitored weekly; therefore, reinstatements of production sites will be evaluated on a weekly basis.

- **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 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.

In 2015, APHIS held productive consultations with the following individuals concerning the information collection activities associated with importing citrus fruit from Peru.

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On Friday, October 23, 2015, pages 64385-64386, APHIS published in the Federal Register a 60-day notice seeking public comments and stating plans to request a 3-year renewal for this information collection. During that time, no comments were received from the public.

9. Explain any decisions to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

This information collection activity involves no payments (other than appropriate, program-related 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-I.**

See APHIS Form 71 for hour burden estimates.

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

Peru and exporters of citrus from Peru to the United States complete the activities described in this information collection. APHIS estimates the total annualized cost to these respondents to be \$556,267. APHIS arrived at this figure by multiplying the total burden hours of 31,339 by the estimated average hourly wage of \$17.75 – (\$17.75 X 31,339 = \$556,267). The hourly wage was provided by USDA's Agricultural Specialist, International Services, in Peru.

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.

The estimated cost for the Federal Government is \$301,486. (See AHIS Form 79)

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

	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	4,245	0	0	154	0	4,091
Annual Time Burden (Hr)	31,338	0	0	-519	0	31,857
Annual Cost Burden (\$)	0	0	0	0	0	0

The following burden was inadvertently omitted from the previous submission but is now included as adjustments in this current renewal package: (1) foreign phytosanitary certificates (federal government), (2) fruit fly management program (foreign government), (3) reinstatement of grower production site (foreign government), (4) PPQ 587 (Application for Permit to Import Plants or Plant Products) (business), (5) certification of cold treatment facilities (business), (6) recertification of cold treatment facilities (business), and (7) numbered seals (business). Below is a chart showing all adjustments to justify new burden figures.

REGS	REASON	PREVIOUS BURDEN	NEW BURDEN	DIFFERENCE	TYPE OF CHANGE
319.56- 41(g)	Foreign Phytosanitary Certificates (foreign government) <i>(omitted from previous submission)</i>	0.00	58.00	58.00	Adj.
319.56- 41(g)	Foreign Phytosanitary Certificates (business) <i>(per response time re-evaluated)</i>	115.00	2.00	-113.00	Adj.
319.56- 41(d)	Grower Registration and Agreement (business)	30.00	30.00	0.00	Adj.
319.56- 41(e)(2)	Records (foreign government) <i>(decrease in record keepers)</i>	432.00	30.00	-402.00	Adj.
319.56- 41(e)	Trapping & Control of Fruit Fly Population (business) <i>(per respondents re-evaluated)</i>	31,280.00	31,200.00	-80	Adj.
319.56-	Fruit Fly Management	0	8.00	8	Adj.

41(e)	Program (foreign government) <i>(omitted from previous submission)</i>				
319.56-	Reinstatement of Grower	0.00	1.00	1.00	Adj.
41(e)(1)	Production Site (foreign government) <i>(omitted from previous submission)</i>				
319.56-	Application for Permit to Import Plants or Plant	0.00	5.00	5.00	Adj.
319.56.3	Products (business) PPQ				
(b)	587 <i>(omitted from previous submission)</i>				
305.6(a)	Certification of Cold Treatment Facilities (business) <i>(omitted from previous submission)</i>	0.00	2.00	2.00	Adj
305.6	Recertification of Cold Treatment Facilities (business) <i>(omitted from previous submission)</i>	0.00	1.00	1.00	Adj.
305.6	Numbered Seals (business)	0.00	1.00	1.00	Adj.

ADJ Total (rounded) =	31,857	31,338	-519	Adj.
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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 collected.

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.

The PPQ 587 (Application for Permit to Import Plants or Plant Products) is in nine other collections; 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 the provisions in the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not used in this information collection.