

**SUPPORTING STATEMENT-OMB NO. 0579-0432**  
**REQUIREMENTS FOR EXPORTATION OF LIVE ANIMALS, HATCHING EGGS, AND**  
**ANIMAL GERMPLASM FROM THE UNITED STATES**

**January 2016**

**A. Justification**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

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.

The export of agricultural commodities, including animals and animal products, is a major business in the United States and contributes to a favorable balance of trade. As part of its mission to facilitate the export of U.S. animals and products, the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS), maintains information regarding the import health requirements of other countries for animals and animal products exported from the United States. Disease prevention is the most effective method for maintaining a healthy animal population and for enhancing APHIS' ability to compete in the world market of animal and animal product trade.

To effectively carry out disease prevention activities and account for the health requirements of our trading partners, APHIS has promulgated regulations in 9 CFR part 91, "Inspection and Handling of Livestock for Exportation" ("the regulations"). The regulations contain requirements for the inspection and handling of cattle (including American bison), horses, captive cervids, sheep, goats, and swine (referred to below as livestock) intended for export from the United States.

APHIS is seeking approval from OMB to carry out several new activities, added by changes to CFR part 91, that will support the safe and proper movement and humane treatment of livestock, as well as prevent disease and protect animal health.

**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.**

APHIS will use the following information collection activities to support the safe and proper movement and humane treatment of livestock, as well as prevent disease and protect animal health.

**9 CFR 91 - U.S. Origin Health Certificate, VS 17-140 and VS 17-140A**

The U.S. Origin Health Certificate is used in connection with the exportation of animal semen, animal embryos, hatching eggs, other embryonic eggs, and gametes to foreign countries, and is completed by an authorized APHIS veterinarian using the following information obtained from owners/exporters (for-profit or hobby farmer) of the animals:

- The species of each animal.
- The breed of each animal.
- The sex of each animal.
- The age of each animal.
- The individual identification of the animals as required by § 91.5 of this part.
- The importing country.
- The consignor.
- The consignee.
- A certification that an accredited veterinarian inspected the livestock and found them to be fit for export.
- A signature and date by an accredited veterinarian.
- An endorsement by the APHIS veterinarian responsible for the State of origin.

In addition to the minimum requirements listed above, the export health certificate (especially those issued for animals other than livestock, animal semen, animal embryos, hatching eggs, other embryonated eggs, and gametes) must meet any other information or issuance requirements specified by the importing country.

When presented for endorsement, the health certificate must be accompanied by reports for all laboratory tests specifically identified on the certificate. The laboratory reports must either be the originals prepared by the laboratory that performed the tests or must be annotated by the laboratory that performed the test to indicate how the originals may be obtained.

The information collected is used to establish that the commodities are moved in compliance with USDA regulations and to verify to the consignor and consignee that the commodities being offered for export are healthy. The collection of this information helps prevent unhealthy commodities from being exported from the United States, thereby preventing the international dissemination of animal diseases. The collection of this information is also necessary to satisfy the import requirements of the receiving countries, thereby facilitating trade between the United States and other regions of the world.

### **9 CFR 91.5 - Identification of Livestock Intended for Export (Official ID)**

Livestock intended for export must be identified in accordance with 9 CFR part 86. If the importing country requires an additional form of identification, the livestock must also bear that form of identification. Horses may be identified by an individual animal tattoo alone, without an accompanying description of the horse, if allowed by the importing country.

### **9 CFR 91.6 - Statements of Cleaning and Disinfection**

Livestock moving with an export health certificate from the premises of export to a port of embarkation or land border port must be accompanied by a statement from the veterinarian who issued the export health certificate that the conveyance or container in which the livestock are transported was cleaned and disinfected before loading with a disinfectant approved by the Administrator or was not previously used to transport animals. Such livestock may be unloaded only

into a facility which has been cleaned and disinfected in the presence of an APHIS representative or an accredited veterinarian before such unloading with a disinfectant approved by the Administrator. A statement certifying to such action must be attached to the export health certificate by the APHIS representative or accredited veterinarian.

### **9 CFR 91.12 - Ship Initial Qualification Report**

The owner or operator of the ocean vessel transporting livestock, animals other than livestock, or animal semen, animal embryos, hatching eggs, other embryonated eggs, or gametes, must present the following documentation to APHIS before its initial inspection for certification and when requested by APHIS before subsequent inspections for recertification to ensure safe transport:

- General information about the vessel, including year built, length and breadth, vessel name history, port of registry, call sign, maximum and average speed, fresh water tank capacity and fresh water generation rate, and feed silo capacity (if the vessel has a silo);
- A notarized statement from an engineer concerning the rate of air exchange in each compartment of the vessel;
- The species of livestock that the vessel would transport;
- Scale drawings that provide details of the design, materials, and methods of construction and arrangement of fittings for the containment and movement of livestock; provisions for the storage and distribution of feed and water; drainage arrangements; primary and secondary sources of power; and lighting;
- A photograph of the rails and gates of any pens;
- A description of the flooring surface on the livestock decks;
- The following measurements:
  - The width of the ramps;
  - The clear height from the ramps to the lowest overhead structures;
  - The incline between the ramps and the horizontal plane;
  - The distance between footlocks on the ramps, the height of side fencing on the ramps;
  - The height of the ship's side doors through which livestock are loaded;
  - The width of alleyways running fore and aft between livestock pens;
  - The distance from the floor of the livestock pens to the beams or lowest structures overhead.

### **9 CFR 91.12 - Vessel Pre-Inspection Report**

An APHIS representative will inspect ocean vessels before each voyage to ensure that the vessel has been adequately cleaned and disinfected, has sufficient food and water for the voyage, and continues to meet the required standards for ocean vessels. To ensure that APHIS has sufficient notice and information to conduct the inspection, APHIS requires that the owner or master of the ocean vessel submit the following information at least 72 hours before the vessel will be available for inspection:

- The name of the ocean vessel;
- The port, date, and time the ocean vessel will be available for inspection, and estimated time that loading will begin;
- A description of the livestock to be transported, including the type, number, and estimated average weight of the livestock;
- Stability data for the ship with livestock on board;
- The port of discharge; and
- The route and expected length of the voyage.

### **9 CFR 91.12 - Operator's Report**

The owner or operator of any ocean vessel used to export livestock (including vessels that use shipping containers) from the United States must submit a written report to APHIS within 5 business days after completing a voyage. The report must include:

- The name of the ocean vessel;
- The names and addresses of all exporters of livestock transported on the vessel;
- The port of embarkation;
- Dates of the voyage;
- The port where the livestock were discharged;
- The number of each species of livestock loaded;
- The number of each species of livestock discharged; and
- The number of each species that died and an explanation of any mortalities.

The report must also document any failure of any major life support system for the livestock, including, but not limited to, systems for providing feed and water, ventilation systems, and livestock waste management systems. Any such failure must be documented, regardless of the duration or whether the failure resulted in any harm to the livestock.

The report must include the name, telephone number, and email address of the person who prepared the report and the date of the report. The report must be submitted to APHIS by facsimile or email.

If an ocean vessel used to export livestock experiences any failure of a major life support system for livestock during the voyage, the owner or master of the ocean vessel must notify APHIS immediately by telephone, facsimile, or other electronic means.

### **9 CFR - Tagging**

In the event that an animal destined for export is not already "tagged", the custodian of the animal will affix a tag to the animal as a means of identification. Most, if not all, animals should already be tagged/identified.

**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.**

APHIS is in the process of designing an IT system for all APHIS Certifications, Accreditations, Registrations, Permits, and Other Licensees. VS 17-140, VS 17-140a, and Statements of Cleaning and Disinfection are slated to be included in said IT system and will become available electronically. In addition, APHIS is working on changing the current original signature requirements to include digital signatures.

The Ship Initial Qualification Report, Vessel Pre-Inspection Report, and Operator's Report may be submitted to APHIS by email.

Tagging and Identification of Livestock Intended for Export are physical activities that cannot be automated.

**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 in connection with the exportation of animals from the United States is exclusive to APHIS' mission of ensuring the health status of U.S. animals sent to other countries. It 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 ensure that U.S. exporters meet the minimum import requirements of other countries. APHIS estimates that 10% of the respondents to this information collection are considered small businesses/entities.

**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.**

Health certificates, animal identification, certifications of cleaning and disinfection, and vessel inspection reports are critical components of APHIS' export program. Without these information collection activities, APHIS would be unable to certify the health status of animals exported from the United States to other countries. Without this certification, the United States would be unable to compete in the world market of animal trade.

**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;**

**Vessel Pre-Inspection Report**

To ensure that APHIS has sufficient notice and information to conduct the inspection, APHIS requires that the owner or master of the ocean vessel submit information/notify APHIS at least 72 hours before the vessel will be available for inspection.

**Operator's Report**

The owner or operator of any ocean vessel used to export livestock (including vessels that use shipping containers) from the United States must submit a written report to APHIS within 5 business days after completing a voyage. In addition, if an ocean vessel used to export livestock experiences any failure of a major life support system for livestock during the voyage, the owner

or master of the ocean vessel must notify APHIS immediately by telephone, facsimile, or other electronic means.

- **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.**

APHIS engaged in productive consultations with the following individuals concerning its use of the information collections employed in the export of animals from the United States:

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APHIS' proposed rule (APHIS-2012-0049) was published in the Federal Register on Thursday, February 26, 2015 with a 60-day comment period. During that time, APHIS received 48 comments from exporters, brokers, non-profit animal welfare organizations, and private citizens. The comments included general comments on the proposed rule, comments regarding specific sections of the proposed rule, and comments regarding the Program Handbook. All of the aforementioned comments, by category, are addressed in the final rule. The proposed rule is being adopted as the final rule, with all changes discussed in the final rule. The final rule will be published in the Federal Register on Wednesday, January 20, 2016,

**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. However, the confidentiality of information is protected under 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.**

APHIS 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.

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

APHIS estimates the total annualized cost to these respondents to be \$615,830. APHIS arrived at this figure by multiplying the total burden hours (15,950 hours) by the estimated average hourly wage of the respondents (\$38.61). Respondents are the owners and facility operators of sheep, goats, and horses: \$35.20 per hour [median, farmers, ranchers, and facility managers/operators]; accredited veterinarians: \$46.22 per hour [median, accredited veterinarians]; and owners or masters of ocean vessels \$34.41 [median, owners or masters of an ocean vessel].

The average hourly rates are derived from the U.S Department of Labor; Bureau of Labor Statistics May 2014 Report–National Compensation Survey: Occupational Employment and Wages, May 2013. (See <http://www.bls.gov/oes/#tables>)

**13. Provide estimates of the total annual cost burden to respondents or record keepers 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, 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 \$693,041. (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.**

This is a new information collection resulting in 15,950 total burden hours.

**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 APHIS is collecting.



**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.**

VS Forms 17-140 and 17-140A are used in multiple information 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 of the Act.

**B. Collections of Information Employing Statistical Methods**

Statistical methods are not used in this information collection.