2016 SUPPORTING STATEMENT
SPECIALTY CROP MARKETING ORDERS
PECANS GROWN IN ALABAMA, ARKANSAS, ARIZONA, CALIFORNIA, FLORIDA, GEORGIA, KANSAS, LOUISIANA, MISSOURI, MISSISSIPPI, NORTH CAROLINA, NEW MEXICO, OKLAHOMA, SOUTH CAROLINA AND TEXAS
OMB No. 0581-0291
(REFERENDUM FINAL RULE)

NOTE TO REVIEWER: The proposed rule package and 60 day notice contained burden for the referendum procedures and the marketing order forms. This submission and its ~~S~~supporting s~~S~~tatement seeks the Office of Management and Budget's (OMB) approval only of burden for ~~a~~the producer ballot to be used during an upcoming referendum conducted by the Agricultural Marketing Service (AMS). The vote will determine pecan producers' level of support on whether to implement a Federal marketing order for pecans. If the results of the referendum show producer support for the marketing order AMS will subsequently submit another revised package to include the additional marketing order forms and burden for OMB's approval~~consideration if the results of the referendum show producer support for the marketing order~~.

A. JUSTIFICATION

1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION.

Under the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. § 601 *et seq.*; Act), the U.S. Department of Agriculture (USDA) has authority to promulgate and oversee marketing orders to regulate the handling of an agricultural commodity placed in interstate or foreign commerce. Marketing orders are proposed and voted in by producers, and apply to handlers who place the product in commercial channels. Section 608d(1) of the Act provides that information necessary to determine the extent to which a marketing order has effectuated the declared policy of the Act shall be furnished at the request of the Secretary of Agriculture (Secretary).

In May 2015, the American Pecan Board submitted a request for public hearing to USDA on a marketing order regulating the handling of pecans grown in Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Louisiana, Missouri, Mississippi, North Carolina, New Mexico, Oklahoma, South Carolina and Texas. If implemented following an extensive rulemaking and public-comment process, the marketing order for pecans would help the industry address several challenges including: a lack of organized representation of industry-wide interests in a single organization; a lack of accurate data to assist the industry in its analysis of production, demand and prices; a lack of coordinated domestic promotion or research activities; and a forecasted increase in production as a result of new plantings. AMS would oversee the marketing order through the American Pecan Council (Council) made up of industry-nominated and

USDA-appointed members, and any administrative rules and regulations issued under the proposed program.

USDA published a Recommended Decision and Opportunity to File Written Exceptions thereto by November 27, 2015. No exceptions were filed. That document also announced USDA's intent to request approval of new information collection requirements to implement the program. Written comments on the proposed information collection requirements were due by December 28, 2015. None was filed.

~~The marketing order would authorize data collection, research and promotion activities, and grade, size, quality, pack and container regulation. It is intended to increase demand, stabilize grower prices, create sustainable handler margins, and provide a consistent supply of quality pecans for consumers.~~

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.

The initial process of determining pecan producers' level of support for the marketing order involves a referendum that AMS will facilitate by mailing a Grower Referendum Ballot (FV-313) to all eligible producers. ~~AMS will seek OMB's approval on additional forms if producers favor the marketing order and the Council that will locally administer it.~~ Initially, AMS ~~would~~ will make the following form available to industry members to collect information and data:

a) Grower Referendum Ballot; FV-313 (§ 986.94): Growers would use this ballot to vote whether they favor establishment of the marketing order and, once every 5 years, whether they want the marketing order to continue in effect.

AMS will seek OMB's approval on additional forms if producers favor the marketing order and the Council that will locally administer it. The marketing order would authorize data collection, research and promotion activities, and grade, size, quality, pack and container regulation. It is intended to increase demand, stabilize grower prices, create sustainable handler margins, and provide a consistent supply of quality pecans for consumers.

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.

Upon approval, this form will be used to submit information directly to USDA that supervises the industry's administration of the proposed marketing order. The marketing order's approval would cause the establishment of the Council, an industry commodity entity that operates under Federal authority and oversight. Once established, the Council would devise handling regulations that would necessitate the creation of additional forms intended to track compliance with those regulations.

USDA's use of the initial form would be handled through postage mail to afford opportunities to as broad a population as possible to participate. The availability and submission of future forms electronically would be at the discretion of the Council once it is established. Among similar boards and committees that USDA supervises, most forms are transmitted by fax and mail to accommodate a wide population of responding growers and handlers. It is USDA's intent to eventually make the forms available online for "fillable" purposes.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION, SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN ITEM 2 ABOVE.

Information collections would be periodically reviewed by USDA and the Council to ensure that they are understood by industry members, are easy to complete, and place as small a burden as possible on the respondents.

USDA would use this initial Federal form in this information collection to determine producers' level of support for establishing a pecan marketing order. Consequently, the information needs are unique to the Federal program and do not exist elsewhere. There would be no duplication in effort among the companion marketing orders.

5. IF THE COLLECTION OF INFORMATION HAS SIGNIFICANT IMPACT ON A SUBSTANTIAL NUMBER OF SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 15 OF THE PAPERWORK REDUCTION ACT SUBMISSION FORM), DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.

The information being collected has been reduced to the minimum requirements of the marketing order. The form requires a minimal amount of information, which can be supplied without data processing equipment or a trained statistical staff. The primary sources of data respondents use to complete the form are routinely available in their individual business transactions. Thus, the information collection and reporting burden is relatively small. Based on data provided by the Farm Service Agency, there is an estimated 5,500 pecan producers in the United States. Industry data indicate 48 percent are considered small businesses as defined by the Small Business Administration. Requiring the same reporting requirements for all eligible producers to vote will not significantly disadvantage any producer that is smaller than the industry average.

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 this information collection were not conducted, the Secretary would lose the ability to effectuate handling regulations proposed by a representative group in the pecan industry.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES THAT WOULD CAUSE AN INFORMATION COLLECTION TO BE CONDUCTED IN A MANNER:

- **REQUIRING RESPONDENTS TO REPORT INFORMATION TO THE AGENCY MORE OFTEN THAN QUARTERLY;**

The only form in this information collection does not require responses more often than once annually. USDA would use the form to collect producers' views of support for or opposition to the marketing order.

- **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 3 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.**

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR Section 1320.6.

8. IF APPLICABLE, PROVIDE A COPY AND IDENTIFY THE DATE AND PAGE NUMBER OF PUBLICATION IN THE FEDERAL REGISTER OF THE AGENCY'S NOTICE REQUIRED BY 5 CFR 1320.8(D), SOLICITING COMMENTS ON THE INFORMATION COLLECTION PRIOR TO SUBMISSION TO OMB. SUMMARIZE PUBLIC COMMENTS RECEIVED IN RESPONSE TO THAT NOTICE AND DESCRIBE ACTIONS TAKEN BY THE AGENCY IN RESPONSE TO THESE COMMENTS, SPECIFICALLY ADDRESS COMMENTS RECEIVED ON COST AND HOUR BURDEN.

On October 28, 2015, USDA published a "Recommended Decision and Opportunity to File Written Exceptions" to the proposed marketing order in the Federal Register (Vol. 80, No. 208, Page 66372-66412). While written exceptions were due by November 27, 2015, an additional 30 days was provided for the public to comment on the Information Collection aspect of the rulemaking action by December 28, 2015. USDA received no comments on either the information collection aspect of the proposed marketing order or the proposed marketing order, overall. USDA is preparing to publish a Secretary's Decision that will announce a producer referendum on the marketing order.

- **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 FORMAT (IF ANY), AND ON THE DATA ELEMENTS TO BE RECORDED, DISCLOSED, OR REPORTED.**

- **CONSULTATION WITH REPRESENTATIVES OF THOSE FROM WHOM INFORMATION IS TO BE OBTAINED OR THOSE WHO MUST COMPILE RECORDS SHOULD OCCUR AT LEAST ONCE EVERY 3 YEARS – EVEN IF THE COLLECTION OF INFORMATION ACTIVITY IS THE SAME AS IN PRIOR PERIODS. THERE MAY BE CIRCUMSTANCES THAT MAY PRECLUDE CONSULTATION IN A SPECIFIC SITUATION. THESE CIRCUMSTANCES SHOULD BE EXPLAINED.**

The pecan marketing order is based on the record of a public hearing held July 20 through July 21, 2015 in Las Cruces, New Mexico; July 23 through July 24, 2015 in Dallas, Texas; and, July 27 through July 29, 2015 in Tifton, Georgia. The hearing was

held to receive evidence on the proposed marketing order from growers, handlers, and other interested parties located throughout the proposed production area. Notice of this hearing was published in the Federal Register on July 2, 2015. Interested persons had until September 9, 2015 to file proposed findings and conclusion or written arguments or briefs based on the hearing evidence.

Use and content of the initial referendum form has been discussed with the following individuals internal to AMS' Specialty Crop Marketing Order and Agreement Division:

- Christian Nissen, Southeast Marketing Field Office, Winter Haven; Phone: (863) 324-3375
- Melissa Schmaedick, Rulemaking Branch, Moab, UT; Phone: (202) 557-4783
- Jen Varela, Southeast Marketing Field Office; Phone: (863) 324-3375
- Michelle Sharrow, Rulemaking Branch, Washington, D.C; (202) 720-2491
- Andrew Hatch, Program Services Branch, Washington, D.C.; Phone: (202) 720-6862
- Candice Spalding, Marketing Order and Agreement Division, Washington, D.C.; Phone: (202) 720-2491

9. EXPLAIN ANY DECISION TO PROVIDE PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEES.

Respondents are not provided with gifts or payments for providing information.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.

Section 608(d) of the Act provides that information acquired will be kept confidential. USDA employees would be the primary users of this initial set of forms, while authorized Council employees would be the primary users of the information of the subsequent set and USDA employees would be the secondary users. Information submitted to the Council would be accessible only by the Council managers and staff, and certain USDA employees in Washington, D.C. and Winter Haven, FL. Council members would be made aware of the penalties for violating confidentiality requirements.

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUDE, 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).

Questions of a sensitive nature are not found in this information collection.

12. PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION. THE STATEMENT SHOULD:

- **INDICATE THE NUMBER OF RESPONDENTS, FREQUENCY OF RESPONSE, ANNUAL HOUR BURDEN, AND AN EXPLANATION OF HOW THE BURDEN WAS ESTIMATED. UNLESS OTHERWISE DIRECTED TO DO SO, AGENCIES SHOULD NOT CONDUCT SPECIAL SURVEYS TO OBTAIN INFORMATION ON WHICH TO BASE HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL RESPONDENTS IS DESIRABLE. IF THE HOUR BURDEN ON RESPONDENTS IS EXPECTED TO VARY WIDELY BECAUSE OF DIFFERENCE IN ACTIVITY, SIZE, OR COMPLEXITY, SHOW THE RANGE OF ESTIMATED BURDEN AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDEN HOURS FOR CUSTOMARY AND USUAL BUSINESS PRACTICES.**

The number of respondents eligible to submit a ballot in the proposed rule package was initially estimated at 1,875 by using national, regional and state data contained in the National Agricultural Statistics Service's 2012 Census of Agriculture. USDA's subsequent receipt of a Farm Service Agency list showing 5,500 eligible producers is now being used to ensure all eligible voters have an opportunity to return a completed ballot.

Reg.	Form Name	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Hours per Response	Total Hours
986.94	Grower Referendum Ballot (FV-313)	5,500	~~0.2000~~1.0	~~1,100.00~~5,500	~~0.3300~~.333	~~366.30~~1,831.50

- **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.**

The respondents' estimated annual cost of providing information to USDA is approximately $~~11,975.52~~59,943.00. This total has been estimated by multiplying ~~366~~ 1,832 total burden hours by $32.72, the national mean hourly wage of Farm, Ranch, and Other Agricultural Managers, according to the U.S. Department of Labor Statistics. (National Compensation Survey: Occupational Employment and Wages, May 2014; http://www.bls.gov/oes/current/oes119013.htm.)

13. PROVIDE AN ESTIMATE 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 ESTIMATE 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. THE ESTIMATES SHOULD TAKE INTO ACCOUNT COSTS ASSOCIATED WITH GENERATING, MAINTAINING, AND DISCLOSING OR PROVIDING THE INFORMATION. INCLUDE DESCRIPTIONS OF METHODS USED TO ESTIMATE MAJOR COST FACTORS INCLUDING SYSTEM AND TECHNOLOGY ACQUISITION, EXPECTED USEFUL LIFE OF CAPITAL EQUIPMENT, THE DISCOUNT RATE(S), AND THE TIME PERIOD OVER WHICH COSTS WILL BE INCURRED. CAPITAL AND START-UP COSTS INCLUDE, AMONG OTHER ITEMS, PREPARATION FOR COLLECTING INFORMATION SUCH AS PURCHASING COMPUTERS AND SOFTWARE; MONITORING, SAMPLING, DRILLING AND TESTING EQUIPMENT; AND RECORD STORAGE FACILITIES.**

- **IF COST ESTIMATES ARE EXPECTED TO VARY WIDELY, AGENCIES SHOULD PRESENT RANGES OF COST BURDENS AND EXPLAIN THE REASONS FOR THE VARIANCE. THE COST OF PURCHASING OR CONTRACTING OUT INFORMATION COLLECTION SERVICES SHOULD BE A PART OF THIS COST BURDEN ESTIMATE. IN DEVELOPING COST BURDEN ESTIMATES, AGENCIES MAY CONSULT WITH A SAMPLE OF RESPONDENTS (FEWER THAN 10), UTILIZE THE 60-DAY PRE-OMB SUBMISSION PUBLIC COMMENT PROCESS AND USE EXISTING ECONOMIC OR REGULATORY IMPACT ANALYSIS ASSOCIATED WITH THE RULEMAKING CONTAINING THE INFORMATION COLLECTION, AS APPROPRIATE.**

- **GENERALLY, ESTIMATES SHOULD NOT INCLUDE PURCHASES OF EQUIPMENT OR SERVICES, OR PORTIONS THEREOF, MAKE: (1) PRIOR TO OCTOBER 1, 1995, (2) TO ACHIEVE REGULATORY COMPLIANCE WITH REQUIREMENTS NOT ASSOCIATED WITH THE INFORMATION COLLECTION OR KEEPING RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL BUSINESS OR PRIVATE PRACTICES.**

There is no capital/startup or ongoing operation/maintenance costs associated with this information collection.

14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT. ALSO, PROVIDE A DESCRIPTION OF THE METHOD USED TO ESTIMATE COST, WHICH SHOULD INCLUDE QUANTIFICATION OF HOURS, OPERATIONS EXPENSES (SUCH AS EQUIPMENT, OVERHEAD, PRINTING, AND SUPPORT STAFF), AND ANY OTHER EXPENSE THAT WOULD NOT HAVE BEEN INCURRED WITHOUT THIS COLLECTION OF INFORMATION. AGENCIES ALSO MAY AGGREGATE COST ESTIMATES FROM ITEMS 12, 13, AND 14 IN A SINGLE TABLE.

The Federal Government's annual costs for providing oversight of, and assistance for, this information collection is estimated at $15,030.48 for the first year, and $15,481.40 for subsequent years, assuming higher overhead costs. A breakdown of the oversight costs for the first year is as follows:

Salaries/benefits/awards	$1,650.48
Travel	$3,000
Printing/Copying/Mailing/Postage	$500
Federal Register Services	$1,680
OGC (legal services)	$3,000
Supplies/equipment	$900
TOTAL	$10,730.48

15. EXPLAIN THE REASON FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEM 13 OR 14 OF THE OMB FORM 83-I.

Only the referendum ballot is being submitted at the this final rule stage for OMB's consideration and approval.The~~e~~is one form under consideration is new to the Federal forms package and, as a result, does not have previous burden numbers associated with them. AMS' previous forms package submitted at the proposed rule stage to OMB for approval of pecan marketing order information collection contained nine forms. ~~Only the referendum ballot is being submitted at the final rule stage for OMB's consideration.~~ If the referendum passes and the Order is implemented, AMS will submit additional forms and burden for OMB's approval at a later date.

16. FOR COLLECTIONS OF INFORMATION WHOSE RESULTS WILL BE PUBLISHED, OUTLINE PLANS FOR TABULATION AND PUBLICATION. ADDRESS ANY COMPLEX ANALYTICAL TECHNIQUES THAT WILL BE USED. PROVIDE THE TIME SCHEDULE FOR THE ENTIRE PROJECT, INCLUDING BEGINNING AND ENDING DATES OF THE COLLECTION OF INFORMATION, COMPLETION OF REPORT, PUBLICATION DATES, AND OTHER ACTIONS.

There are no plans to publish any information or data 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.

AMS requests approval not to display the expiration date on the form associated with this information collection because having to do so would 1) decrease the efficiency of the marketing order and agreement programs, 2) be financially prohibitive to some Committees or Boards, and 3) delay the use of such forms and cause confusion to the respondents.

Displaying an expiration date on the form in this information collection would decrease the efficiency of these marketing order and agreement programs. At the time the form expires, each Committee or Board would need to destroy otherwise-usable forms, counteracting the Administration's goal of increasing program efficiency. As the form is widely distributed, there is the possibility that a respondent could inadvertently complete an expired form before a new form was distributed, having a severe adverse legal impact if the validity of the form were ever challenged.

Some of the Committees and Boards are very small with small operating budgets, and rely heavily on financial discounts to function properly. As such, they order large quantities of this form at once to get lower printing prices, knowing that it will be in use for several years. Displaying expiration dates on the form could financially devastate them as they simply could not afford to reprint forms or pay more for the forms they order from the printer.

Finally, putting an expiration dates on the form would prevents it from being used once it reaches expiration while the new form is in the OMB-approval process. Committees and Boards mail forms to respondents in a timely manner to ensure accurate completion. If a Committee or Board needs to order additional forms during this process, it could not order the forms with a new expiration date, as there are no guarantees that a requested expiration date would be approved by OMB. This would delay the Committee's or Board's use of this form, and hinder the smooth operation of marketing order and agreement requirements. Displaying expiration dates on forms also confuses respondents, who may think that the expiration date applies to the time their information is due, rather than the validity of the actual form.

18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, "CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS," OF OMB FORM 83-I.

The Agency is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.

B. <u>COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS</u>

The collection of information does not employ statistical methods.