

**Supporting Statement
Importation of Wooden Handicrafts from China
OMB No. 0579-0357**

March 2016

NOTE: This is a reinstatement of a previously approved information collection with changes.

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 (USDA), Animal and Plant Health Inspection Service (APHIS), is responsible for preventing plant diseases or insect pests from entering the United States, preventing the spread of plant pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests 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-Logs, Lumber, and Other Unmanufactured Wood Articles” (7 CFR 319.40-1 through 319.40-11, referred to as the regulations) govern the importation of various logs, lumber, and other unmanufactured wood products into the United States. Under §319.40-9 of the regulations, all related articles must be inspected at the port of first arrival. If a regulated article shows any signs of pest infestation, the inspector may require treatment, if an approved treatment exists, or refuse entry of the consignment.

In recent years, decorative wood items and craft products (wooden handicrafts) from China have been entering the United States in increasing quantities. Since 2002, APHIS has issued more than 300 emergency action notices for wooden handicrafts from China, including artificial trees manufactured from a composite of natural and synthetic materials, garden trellis towers, home and garden wood décor, and craft items.

APHIS’ regulations provide for the importation of wooden handicrafts from China under certain conditions. Trade in these handicrafts has resumed while continuing to protect the United States against the introduction of plant pests.

APHIS is asking OMB to approve the use of this information collection activity, for 3 years, associated with its efforts to prevent the spread of plant pests within the United States.

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 uses the following information activity to allow for trade in Chinese wooden handicrafts while continuing to protect the United States against the introduction of plant pests.

Identification Tags (Business) 319.40-5 (o)(2)

All individual packages of wooden handicrafts must be labeled with a merchandise tag containing the identity of the product manufacturer. The identification tag must be applied to each package in China prior to exportation and remain attached to the package until it reaches the location at which the wooden handicraft will be sold in the United States. The identification tag will serve as a means for APHIS to track shipments should a recall be required.

Fumigation Certificates (Business) 319.40-5 (o)(1)

All shipments of wooden handicrafts must present a treatment certificate on arrival to verify proper fumigant, concentrations, and duration were met.

Application for Permit to Import Timber or Timber Products - PPQ Form 585 (Business) 319.40-3

Each importer must have a timber and timber products permit to import wooden handicrafts from China.

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.

The tags and treatment certificates used in this information collection are designed and applied to the products by China. APHIS has no control or influence over when China will automate this process.

The PPQ Form 585 (Application for Permit to Import Timber or Timber Products) is available on the web as an electronic submission at <https://www.aphis.usda.gov/library/forms/pdf/PPQ585.pdf>.

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 (Certification, Accreditation, Registration, Permitting, and Other Licensing) 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. The PPQ 585 will eventually be available through CARPOL.

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 spread of plant diseases and plant pests within the United States 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 entering into the United States. APHIS has determined that 90 percent of the respondents are small 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.

Failing to collect this information would cause foreign countries to refuse any shipments from the United States that contained wooden handicrafts, a development that could cause a significant disruption in trade with foreign countries and result in serious economic consequences not only to U.S. exporters, but to many U.S. industries that export products to foreign countries.

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;**
- **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 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 regarding this program:

Mark Barford,
Executive Director
National Hardwood Lumber Assoc.
6830 Raleigh LaGrange
Memphis, TN 38134
901-377-1818 ext. 109

David McInerney
American Lumber Standard Committee
P.O. Box 210
Germantown, MD 20875
301-972-1700

Joseph O'Donnell
Manager of Government and Public Affairs
International Wood Products Association
4214 King Street
Alexandria, VA 22302
703-820-6696

On Tuesday, January 26, 2016, pages 4245 - 4246, 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 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 burden hour estimates.

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

Respondents are Chinese exporters of wooden handicrafts. APHIS estimates the total annualized cost to these respondents to be \$137,046. APHIS arrived at this figure by multiplying the hours of estimated response time by the estimated average hourly wage of the above respondents. (5,271 burden hours X \$26.00 estimated hourly wage = \$ 137,046 annualized cost/respondents)

These estimates were developed using historical data, the calculated average number of certifications requested, and discussions with the APHIS Chinese attache and APHIS field personnel.

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 to the Federal Government is \$1,269.00. (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	2,620,198	0	2,620,198	0	0	0
Annual Time Burden (Hr)	5,271	0	5,271	0	0	0
Annual Cost Burden (\$)	0	0	0	0	0	0

This reinstatement is a program change resulting in +361 respondents, +2,620,198 total annual responses, and +5,271 total burden hours.

APHIS is now accounting for two additional requirements: Fumigation Certificates and Application for Permits, which were inadvertently reported in previous collections. There is an increase in burden due to more businesses now participating in the program.

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 Form 585 is used in 3 information collections; therefore, APHIS has no plans to seek approval for not displaying 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 under the Act.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.