

October 2016

**Supporting Statement  
Importation of Mangoes from India  
OMB NO. 0579-0312**

**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 is responsible for preventing plant pests and noxious weeds from entering the United States, preventing the spread of plant diseases 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-Fruits and Vegetables” (7 CFR 319.56, referred to 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 that are new to or not widely distributed within the United States.

Under these regulations, APHIS allows the importation into the continental United States of mangoes from India under certain conditions. As a condition of entry, the mangoes would have to undergo irradiation treatment and be accompanied by a phytosanitary certificate with additional declaration providing specific information regarding the treatment and inspection of the mangoes and the orchards in which they are grown. In addition, the mangoes would be subject to inspection at the port of first arrival. This action allows for the importation of mangoes from India into the continental United States while continuing to provide protection against the introduction of quarantine pests.

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

**Phytosanitary Certificate (Foreign Government and Business) 7 CFR 319.56.46(e)**

Each consignment of fruit must be accompanied by a phytosanitary certificate issued by the National Plant Protection Organization (NPPO) of India with two additional declarations confirming that: (1) the mangoes received one of the pre-harvest or post-harvest mitigation options described in §319.56-46(b); and (2) the mangoes were inspected during preclearance activities and found free of *Cytosphaera mangiferae*, *Macrophoma mangiferae*, and *Xanthomonas campestris* pv. *mangiferaeindicae*. APHIS requires that some plants or plant products are accompanied by a phytosanitary inspection certificate that is completed by plant health officials in the originating or transiting country. APHIS uses the information on the certificate to determine the pest condition of the shipment at the time of inspection in the foreign country. This information is used as a guide to the intensity of the inspection APHIS conducts when the shipment first arrives in the United States. Without this information, all shipments would need to be inspected very thoroughly, thereby requiring considerably more time.

**Monitoring Inspections (Foreign Government and Business) 7 CFR 319.56.46(c)**

Each consignment of mangoes must be inspected by APHIS and the NPPO of India as part of the required inspection activities at a time and in a manner determined by mutual agreement between APHIS and the NPPO of India. Each shipment of fruit shall be jointly inspected by APHIS and the NPPO of India, and be accompanied by a phytosanitary certificate issued by the NPPO of India certifying that the fruit received the required irradiation treatment and includes two additional declarations.

**Trust Fund Agreement (Foreign Government and Business) 7 CFR 305.9(e)(2)(ii)**

Irradiated articles may be imported into the United States in accordance with this section only if the NPPO of the country in which the irradiation facility is located or a private export group has entered into a trust fund agreement with APHIS. That agreement requires the NPPO or the private export group to pay, in advance of each shipping season, all costs that APHIS estimates it will incur in providing inspection and treatment monitoring services at the irradiation facility during that shipping season. Those costs include administrative expenses and all salaries (including overtime and the Federal share of employee benefits), travel expenses (including per diem expenses), and other incidental expenses incurred by APHIS in performing these services. The agreement will describe the general nature and scope of APHIS services provided at irradiation facilities covered by the agreement, such as whether APHIS inspectors will monitor operations continuously or intermittently, and it will generally describe the extent of inspections APHIS will perform on articles prior to and after irradiation. The agreement requires the NPPO or private export group to deposit a certified or cashier's check with APHIS for the amount of those costs, as estimated by APHIS. If the deposit is not sufficient to meet all costs incurred by APHIS, the agreement further requires the NPPO or the private export group to deposit with APHIS a certified or cashier's check for the amount of the remaining cost, as determined by

APHIS, before any more articles irradiated in that country may be imported into the United States. After a final audit at the conclusion of each shipping season, any overpayment of funds would be returned to the NPPO or the private export group or held on account until needed, at the option of the NPPO or the private export group.

**Operational Workplan (Foreign Government) 7 CFR 305.9(e)(2)(i)**

Prior to commencing importation into the United States of articles treated at a foreign irradiation facility, APHIS and the NPPO of the country from which articles are to be imported must jointly develop a preclearance workplan that details the activities that APHIS and the foreign NPPO will carry out in connection with each irradiation facility to verify each facility's compliance with the requirements of this section. Typical activities to be described in this workplan may include frequency of visits to the facility by APHIS and foreign plant protection inspectors, methods for reviewing facility records, and methods for verifying that facilities are in compliance with the requirements for separation of articles, packaging, labeling, and other requirements of this section. This facility preclearance workplan will be reviewed and renewed by APHIS and the foreign NPPO on an annual basis.

**Compliance Agreement – PPQ Form 519 (Business) 7 CFR 305.9(c)(2)**

If irradiation of imported articles is conducted outside of the United States, the operator of the irradiation facility must sign a Compliance Agreement with APHIS and the NPPO of the country in which the facility is located. In this agreement, the facility operator must agree to comply with the requirements of this section, and the NPPO of the country in which the facility is located must agree to monitor that compliance and to inform the Administrator of any noncompliance.

**Recordkeeping (Business) 7 CFR 305.9(k)**

An irradiation processor must maintain records of each treated lot for 1 year following the treatment date, and must make these records available for inspection by an inspector during normal business hours (8 a.m. to 4:30 p.m., Monday through Friday, except holidays). These records must include the lot identification, scheduled process, evidence of compliance with the scheduled process, ionizing energy source, source calibration, dosimetry, dose distribution in the product, and the date of irradiation.

**Orchard Mutual Agreement (Foreign Government and Business) 7 CFR 319.56.46(b)(2)**

The orchard of origin is inspected prior to the beginning of harvest as determined by the mutual agreement between APHIS, the NPPO of India, and the orchard and is found free of *Cytosphaera mangiferae* and *Macrophoma mangiferae*.

**Irradiation Treatment Package Labeling (Business) 7 CFR 305.9(f)(2)(i)(B)(iii)**

Packaging must be labeled in a manner that allows an inspector to determine treatment lot numbers, packing and treatment facility identification and location, and dates of packing and treatment. For imported articles that are treated prior to arrival in the United States, pallets that remain intact as one unit until entry into the United States may have one such label per pallet. Pallets that are broken apart into smaller units prior to or during entry into the United States, or that will be broken apart into smaller units after entry into the United States, must have the required label information on each individual carton.

### **Treatment Certification (Foreign Government and Business) 7 CFR 305.9(h)**

For each consignment treated in an irradiation facility outside of the United States, a phytosanitary certificate, with the treatment section completed and issued by the NPPO, must accompany the consignment.

### **Denial and withdrawal of certification (business) 7 CFR 305.9(m)(1)**

The Administrator will withdraw the certification of any irradiation treatment facility upon written request from the irradiation processor. The Administrator will deny or withdraw certification of an irradiation treatment facility when any provision of this section is not met. Before withdrawing or denying certification, the Administrator will inform the irradiation processor in writing of the reasons for the proposed action and provide the irradiation processor with an opportunity to respond. The Administrator will give the irradiation processor an opportunity for a hearing regarding any dispute of a material fact, in accordance with rules of practice that will be adopted for the proceeding. However, the Administrator will suspend certification pending final determination in the proceeding if he/she determines that suspension is necessary to prevent the spread of any dangerous insect. The suspension will be effective upon oral or written notification, whichever is earlier, to the irradiation processor. In the event of oral notification, written confirmation will be given to the irradiation processor within 10 days of the oral notification. The suspension will continue in effect pending completion of the proceeding and any judicial review of the proceeding.

### **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 has no control or influence over when foreign countries will automate their phytosanitary certificate. 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 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.

**(PPQ Form 519)** – This form is posted at: [www.aphis.usda.gov/library/forms/pdf/ppq519.pdf](http://www.aphis.usda.gov/library/forms/pdf/ppq519.pdf) and is fillable and printable.

**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 collected is the minimum needed to protect the United States from plant pests and diseases from entering into the United States. APHIS has determined that 95 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 cripple APHIS' ability to ensure that mangoes from India are not carrying plant pests. If plant pests (such as Sternochetus frigidus (F.) and Sternochetus mangiferae (F.)) were introduced into the United States, growers in would suffer hundreds of millions of dollars in losses.

**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 has recently held productive consultations with the following individuals concerning the information collection activities associated with this program:

Sh. Sanjay Lohiya  
Joint Secretary, Oil Seed, Crops & Commercial Crops  
Dept. of Agriculture and Cooperation  
Ministry of Agriculture, Government of India  
Krishi Bhawan  
Rajendra Prasad Road, New Delhi-110001  
Phone: 011-23381045

Dr. S.C. Dubey, Head of Division  
Division of Plant Quarantine  
National Bureau of Plant Genetic Resources  
Pusa Campus, New Delhi-100 012  
Phone: 91-9868414302

Shri. D.D.K. Sharma Addl.  
Plant Protection Adviser (Plant Quarantine)  
Plant Protection Adviser to the Govt. of India,  
Directorate of Plant Protection, Quarantine and Storage  
NH-IV, Faridabad – 121 001 (Haryana)  
Phone: 0129-2418506

On Wednesday, June 8, 2016, pages 36860-36861, 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 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 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.**

The estimated annualized cost to respondents totaled \$21,101.40.  
1,710 (burden hours) X \$12.34 (estimated average hourly wage) = \$21,101.40.

The estimated hourly wage was developed by using historical data through discussions with importers of mangoes from India and the APHIS International Services attaché in India.

**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 \$24,737 (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	93,719	0	93,719	0	0	0
Annual Time Burden (Hr)	1,710	0	1,710	0	0	0
Annual Cost Burden (\$)	0	0	0	0	0	0

The reinstatement of this information collection resulted in a program change of +75 respondents, +93,719 total annual responses, and +1,710 total burden hours. APHIS is now accounting for the following burden entries that were not included in the previous information collection: Orchard Mutual Agreements, Irradiation Treatment Package Labeling, Treatment Certification, and Denial/Withdrawal of Facility Certification.

**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 519 is used in 13 information collections; therefore, it is not practical to include an OMB expiration date because of the various expiration dates for each information 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.