

**Supporting Statement**  
**Importation of Fresh Citrus Fruit from Uruguay,**  
**Including Citrus Hybrids and Fortunella spp., Into the Continental United States**  
**OMB No. 0579-0401**

January 2017

**NOTE: This is a reinstatement of a previously approved information collection, with change.**

**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, Animal and Plant Health Inspection Service (APHIS), 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 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” (Title 7, Code of Federal Regulations (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.

APHIS’ fruit and vegetables regulations allow, under certain conditions, the importation into the United States of commercial consignments of fresh citrus fruit from Uruguay. The conditions for the importation of citrus fruit from Uruguay include a variety of requirements for importation in commercial consignments, pest monitoring and pest control practices, orchard sanitation, and packinghouse procedures. The citrus fruit would also be required to be accompanied by a phytosanitary certificate issued by the National Plant Protection Organization (NPPO) of Uruguay with an additional declaration confirming that the fruit had been produced in accordance with the proposed requirements. This action would allow for the importation of fresh citrus fruit from Uruguay while continuing to provide protection against the introduction of injurious plant pests into the United States.

APHIS is asking the Office of Management and Budget (OMB) to approve its use of these information collection activities, for 3 years, 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 activities to verify that citrus fruit from Uruguay is grown in production areas that are registered and monitored by the NPPO and to verify consignments have been produced with a systems approach.

**Bilateral Workplan (foreign government) – 7 CFR 319.56.59(b)(1)**

The NPPO of Uruguay must provide a bilateral workplan to APHIS that details the activities that the NPPO of Uruguay will, subject to APHIS' approval of the workplan, carry out to meet all requirements. APHIS will be directly involved with the NPPO of Uruguay in monitoring and auditing implementation of the systems approach.

**Production Site Registration (foreign government and business) - 7 CFR 319.56.59(b)(2)**

This regulation requires that citrus fruit would have to be grown in production areas that are registered with and monitored by the NPPO of Uruguay.

**Phytosanitary Certificate (foreign government and business) - 7 CFR 319.56.59(h)**

Each consignment of citrus fruit must be accompanied by a phytosanitary certificate of inspection issued by the NPPO of Uruguay stating that the fruit in the consignment is free of all pests of quarantine concern and has been produced in accordance with the requirements of the systems approach in 7 CFR 319.56.

**Labelling Boxes (business) - 7 CFR 319.56.59(b)(4)**

Cartons in which citrus fruit is packed must be marked with the identity and origin of the fruit.

**Monitoring and Inspection (foreign government and business) - 7 CFR 319.56.59(c)(1)**

The NPPO of Uruguay must visit and inspect registered places of production monthly, starting at least 30 days before harvest and continuing until the end of the shipping season.

**Investigation and Appropriate Remedial Action (foreign government) - 7 CFR 319.56.59(c)(3)**

If the NPPO of Uruguay finds a production site or packinghouse is not complying with relevant requirements, no fruit from the site or packinghouse will be eligible for export to the United States until APHIS and the NPPO of Uruguay conduct an investigation and appropriate remedial actions have been implemented.

**Recordkeeping (foreign government) - 7 CFR 319.56.59(d)**

The NPPO of Uruguay would have to keep records of fruit fly detections for each trap and make records available to APHIS upon request. Records need to be maintained for at least 1 year.

**Registration of Packinghouses (foreign government and business) - 7 CFR 319.56.59(b)(2)**

All packinghouses that participate in the export program must be registered with the NPPO of Uruguay.

**Certified Facility (business) - 7 CFR 305.5(a)**

The fumigation treatment facility must be certified by APHIS. Facilities are required to be inspected and recertified annually, or as often as APHIS directs, depending upon treatments performed, commodities handled, and operations conducted at the facility.

**Monitoring (business) - 7 CFR 305.5 (b)**

Treatment must be monitored by an official authorized by APHIS to ensure proper administration of the treatment, including that the correct amount of gas reaches the target organism and that an adequate number and placement of blowers, fans, sampling tubes, or monitoring lines are used in the treatment enclosure. An official authorized by APHIS can approve, adjust, or reject the treatment.

**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 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 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.

**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.**

APHIS estimates that 90 percent of the business respondents are small entities.

**6. Describe the consequences of 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.**

APHIS is the only Federal agency responsible for preventing the incursion or interstate spread of plant pests, diseases, and noxious weeds. The information APHIS is collecting is its only source for the information and it is not being collected through other forms or reports. Failing to collect this information would cause millions of dollars in losses and cripple APHIS' ability to ensure that fresh citrus from Uruguay is not carrying plant pests.

**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;**

The NPPO of Uruguay must visit and inspect registered places of production monthly, starting at least 30 days before harvest and continuing until the end of the shipping season

- **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, governmental 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 held productive consultations with the following individuals concerning the information collection activities associated with this program:

Mayda Sotomayer, CEO  
Seald Sweet International  
1991 74th Ave  
Vero Beach, Florida 32966  
(T) 772-569-2244

Warren Lyles  
Sunkist Growers, Inc.  
14130 Riverside Dr.  
Sherman Oaks, CA 91423-2313  
(T) 818-986-4800

Bob Blakely, Vice President  
California Citrus Mutual  
512 North Kaweah Ave.  
Exeter, CA 93221  
(T) 559-592-3790

On Tuesday, November 8, 2016, pages 78566-78567, 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 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.**

The estimated annualized cost to respondents totals \$41,786.43. APHIS arrived at this figure by multiplying the total burden hours 1,351 by the estimated average hourly wage of respondents.

1,351 burden hours X \$30.93 estimated hourly wage = \$41,786.43

The hourly rate was derived from the most recent U.S. Department of Labor, Bureau of Labor Statistics Report - Occupational Employment and Wages in the United States. See <http://www.bls.gov/news.release/pdf/ocwage.pdf>.

**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 \$27,380. (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	3,087	0	3,087	0	0	0
Annual Time Burden (Hr)	1.351	0	1.351	0	0	0
Annual Cost Burden (\$)	0	0	0	0	0	0

The reinstatement of this information collection resulted in a program change increase of +16 respondents, 3,087 annual responses, and 1,351 total burden hours.

APHIS is now collecting the following information which was inadvertently omitted in the past: (1) Production Site Registration, (2) Phytosanitary Certificates, (3) Monitoring and Inspection, (4) Registration of Packinghouses, (5) Certified Facilities, and (6) Monitoring (businesses).

**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 collects.

**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.**

There are no USDA forms included in this information collection.

**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.