

Justification of Change Worksheet
Pistachios Grown in California, Arizona, and New Mexico
OMB No. 0581-0215
Marketing Order No. 983

February 2017

This change worksheet addresses modifications to FV-249 and discontinuation of FV-251, forms currently approved under OMB No. 0581-0215, Pistachios Grown in California, Arizona and New Mexico. Since the creation of the International Trade Data System (ITDS), the data collection process for aflatoxin testing for imported pistachios will become completely electronic. Currently, FV-249 is paper-based and is used for reporting failed Aflatoxin testing results. Since the Fruit and Vegetable Program has been changed to the Specialty Crops Program, the form indicator has changed from “FV” to “SC”. These changes will not affect the overall total burden hours of this collection package.

SC-249 – Imported Pistachios- Lot Notification. SC-249 will now be called “Notification of Aflatoxin Levels” and will be completely electronic. The pistachio regulations currently require that USDA or USDA-accredited laboratories complete form FV-249 for all lots of imported pistachios that fail to meet aflatoxin requirements and submit the form to USDA, Customs and Border Protection, and the importer who requested the aflatoxin test. Under this proposal, the form SC-249 would be submitted electronically, and the regulations would require the reporting of all aflatoxin test results (both “meets” and “fails”) to USDA. AMS has confirmed with CBP that it does not need to receive the SC-249, and importers already receive “meets” and “fails” test results from the laboratories in the form of aflatoxin test certificates; therefore, the laboratories would electronically submit this form only to USDA.

The new SC-249 form is an electronic spreadsheet, which will collect the same information from the aflatoxin testing facilities as the current paper form. The new electric form will collect information on the laboratory name, phone number, certificate number, Specialty Crop Inspection number, Customs entry number, importer, applicant, country of origin, commodity, date sampled, date received, date tested, date certificate issued, tester name, container number, total weight, unit of measure, inspection results, aflatoxin results, lot number, sample number, testing methodology. It has drop down choices for “meets,” “fails,” “destroyed,” location of testing site, and testing method. The test results will automatically be uploaded into the database to inform USDA.

Form FV-251 will be discontinued as AMS has determined that the information provided on this form is available from other sources and the reworked, exported, sold for non-human consumption or destroyed lots information is now in a drop down box on the new SC-249. A detailed explanation of these changes was contained in the Proposed Rule published in the Federal Register on December 6, 2016 (Vol. 81, No. 234, Pages 87849-87856).

With these changes, burden figures from FV-251 were incorporated into existing burden figures for SC-249. As a result, the total number of respondents decreased from 17 to 9; the estimated total number of responses per respondent increased from 4 to 7; the total annual responses increased from 58 to 63; and the burden hours decreased from 11.6 hours to 11.55 hours. However, due to rounding of burden from all forms in the collection, the total burden for this collection package remained the same at 470 hours.