

March 2017

**Supporting Statement
Importation of Unshu Oranges from Japan
OMB No. 0579-0173**

NOTE: This information collection is being combined with OMB No. 0579-0418 (Importation of Fresh Unshu Oranges from Japan into the United States). Once this information collection is approved, 0579-0418 will be discontinued.

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 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, either independently or in cooperation with the States, 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) 319.28 (Citrus Fruit), 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. Restrictions on the importation of Unshu oranges, as well as their distribution within the United States, prevent a significant risk of introducing citrus canker or other destructive plant diseases or pests. Citrus canker is a disease that affects citrus and is caused by the infectious bacterium *Xanthomonas campestris* pv *citri* (Hasee) Dye. The strain of citrus canker that occurs in Japan infects twigs, leaves, and fruit in a wide spectrum of citrus species. Implementing this renewal necessitates the use of information collection activity in the form of a certificate and a permit.

APHIS is asking OMB to approve, for an additional 3 years, its use of these information collection activities associated with its effort to prevent the spread of plant pests and diseases into the continental 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 Unshu oranges, as well as their distribution within the United States, while preventing a significant risk of introducing citrus canker or other destructive plant diseases or pests.

319.28(b)(2) Fruit Fly Trapping (business) (foreign government) - In Unshu orange export areas on Kyushu Island, Japan, trapping for the citrus fruit fly (*Bactrocera tsuneonis*) must be conducted as prescribed by the Japanese Government's Ministry of Agriculture, Forestry, and Fisheries and USDA. If fruit flies are detected, then shipping will be suspended from the export area until negative trapping shows the problem has been resolved.

319.28(b)(7)(ii) Foreign Site Certificate of Inspection (PPQ Form 203) (business) (foreign government) - Each shipment of oranges handled in accordance with these procedures shall be accompanied by a certificate of the Plant Protection Service of Japan certifying that the fruit is apparently free of citrus canker disease.

319.28(b)(4) Packinghouse Registration (business) (foreign government) - The packinghouse in which the surface sterilization treatment is applied and the fruit is packed must be registered with the Japanese Government's Ministry of Agriculture, Forestry, and Fisheries.

319.28(b)(5) Phytosanitary Certificate (business) (foreign government) - Unshu oranges imported from Japan must be accompanied by a phytosanitary certificate issued by the Japanese Government's Ministry of Agriculture, Forestry, and Fisheries with an additional declaration that the Unshu oranges were packed and produced in accordance with 7 CFR 319.28.

305.5(a) Certification for Fumigation Facility (business) - To be eligible for importation into Arizona, California, Florida, Hawaii, Louisiana, or Texas, each shipment of oranges grown on Honshu Island or Shikoku Island, Japan, must be fumigated with methyl bromide in accordance with Part 305 of this chapter either after harvest and prior to exportation to the United States, or upon arrival at the port of entry in Arizona, California, Florida, Hawaii, Louisiana, or Texas. Fumigation will not be required for shipments of oranges grown on Honshu Island or Shikoku Island, Japan, that are to be imported into States other than Arizona, California, Florida, Hawaii, Louisiana, or Texas. 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.

305.5(b) Monitoring (business) - 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 approves, adjusts, or rejects the treatment.

319.28(b)(7)(i) Box Markings (business) - Individual boxes in which Unshu oranges from Kyushu Island, Japan, are shipped must be stamped or printed with a statement specifying the States into which the oranges may be imported, and from which they are prohibited removal under a Federal quarantine.

319.28(b) Import Permit (PPQ Form 587) (business) (foreign government) - It is anticipated that any U.S. importer desiring to import Unshu oranges from Japan will already be in possession of a permit allowing that individual or company to engage in the importation of foreign fruits and vegetables. The prohibition does not apply to Unshu oranges (*Citrus reticulata* Blanco var. *unshu*, Swingle [*Citrus unshiu* Marcovitch, Tanaka]), also known as Satsuma mandarin, grown in Japan and imported under permit into any area of the United States except for those areas specified in the regulations, that each of the following safeguards is fully carried out.

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.

PPQ Form 587 is automated and posted at www.aphis.usda.gov/ppq/permits/plantproducts/587-sls.pdf and also at www.aphis.usda.gov/library/forms.

PPQ Form 203 is automated and posted at www.aphis.usda.gov/library/forms.

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.

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 APHIS collects associated with this program is the minimum needed to

protect the United States from the incursion of citrus canker, fruit flies, and other plant diseases and pests from Japan. APHIS has determined 50 percent of the business 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 Unshu oranges from Japan are not carrying citrus canker. If citrus canker is introduced into citrus-producing areas of the United States, growers in these areas 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 held productive consultations with the following individuals concerning the information collection activities associated with this program:

Akemi Mitimoyota, Trade Representative
Fruit Tree Department
Shizuoka Prefectural Economic Federation of Agriculture Cooperative
3-8-1 Magari-kane, Suruga ward
Shizuoka city, JAPAN 422-8620
TEL: (81) 54-284-9984
(a-mitimoyota@kei.ja-shizuoka.or.jp)

Ms. Fujioka Nikura, Agricultural Cooperative of Oigawa
1-1 Midorino-oka, Fujieda-shi
Shizuoka, JAPAN 426-8661
TEL: (81) 54-638-0327
(nikura@oigawa.ja-shizuoka.or.jp)

Mr. Ori Yamasutko
Japan Fruit Growers Cooperative Association
Foreign Trade Section
3-2-1 Tokai, Ohta-ku
Tokyo, JAPAN 143-0001
TEL: (81) 3-5492-5826
(yamasutko@nichienren.or.jp)

On Monday, January 23, 2017, page 7785, 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 were received from the public.

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. However, the confidentiality of information is protected under 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.**

Respondents are Unshu orange growers on Kyushu and Honshu Islands, and full-time plant health officials employed by the Japanese Government's Ministry of Agriculture, Forestry, and Fisheries.

APHIS estimates the total annualized cost to respondents to be \$23,385.48. APHIS arrived at this figure by multiplying the hours of estimated response time (851 hours) by the estimated average hourly wage of the above respondents (\$27.48). The hourly wage was provided by USDA's Federal health officials in Japan and the Japanese Government's Ministry of Agriculture.

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) 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 \$3,171.00. (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 | 21,762 | 0 | -44,851 | 0 | 0 | 66,613 |
| Annual Time Burden (Hr) | 851 | 0 | -4,684 | 0 | 0 | 5,535 |

In this renewal, there is a total of 8 respondents, 21,762 annual responses, and 851 total burden hours. The burden figures went down considerably in this collection because all respondents had been counted more than once in the previous renewal. In addition, the entry for box markings was extremely high and inaccurate in the last renewal and now the number of respondents and the hours per response are much more accurate causing a considerable drop in burden figures.

The following burden was inadvertently omitted from the previous information collection but has now been captured in this renewal: (1) Fruit Fly Trapping (business and foreign government); (2) Packinghouse Registration (foreign government); (3) Phytosanitary Certificate (business); (4) Certification for Fumigation Facilities (business); and (5) monitoring (business).

Two additional items, Packinghouse Registration (business) and Phytosanitary Certificates (foreign government), were burden items from information collection 0579-0418, titled "Importation of Fresh Unshu Oranges from Japan" which is now being combined with this information collection. Once 0579-0173 is approved, 0579-0418 will be discontinued.

In addition, two burden items that were included in the last renewal for 0579-0173, Foreign Site Certificate of Inspection (foreign government) and Import Permits (foreign government), both

indicated the burden was on the State; however, that has now been corrected in this renewal to show the burden is actually on the foreign government.

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 587 is used in 11 information collections, and the PPQ Form 203 is in 3 information collections; therefore, it is not practical to include an OMB expiration date because of the various expiration dates for each information collection. Therefore, APHIS is seeking approval to not display the OMB expiration date on either of these forms.

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.