

## **SUPPORTING STATEMENT JUSTIFICATION FOR STATE MEAT AND POULTRY INSPECTION PROGRAMS**

### **1. Circumstances Making Collection of Information Necessary:**

This information collection requests a new information collection related to the State Meat and Poultry Inspection Programs.

The Food Safety and Inspection Service (FSIS) has been delegated the authority to exercise the functions of the Secretary as provided in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 et seq.). These statutes mandate that FSIS protect the public by ensuring that meat and poultry products are safe, wholesome, unadulterated, and properly labeled and packaged.

FSIS will collect information from federally-assisted State Meat and Poultry Inspection programs to ensure that their programs operate in a manner that it at least equal to FSIS's Federal inspection program in the protection of public interest; comply with requirements of Federal Civil Rights laws and regulations; meet necessary laboratory quality assurance standards and testing frequencies; and have the capability to perform microbiology and food chemistry methods that are "at least equal to" methods performed in FSIS laboratories.

### **2. How, By Whom and Purpose For Which Information is to be Used:**

The following is a discussion of the required information collection and recordkeeping activities.

Under a cooperative agreement with FSIS, states may operate their own MPI programs provided they meet and enforce requirements "at least equal to" those imposed under the FMIA and PPIA. Twenty-seven (27) states have MPI programs that operate under a cooperative agreement with FSIS and are subject to the comprehensive state review process. There are nine review components that make up the comprehensive state review process.

For each of the first six (1-6) components, State MPI programs will submit annual self-assessment documentation to FSIS to demonstrate that the State MPI program is meeting the "at least equal to" Federal inspection requirements. Each component of the annual self-assessment will include a written narrative statement and documentation demonstrating that the program continuously meets the criteria to be "at least equal to" the Federal inspection program. State MPI programs will also submit sufficient documentation to demonstrate that the program either follows current FSIS

statutes, regulations, applicable FSIS Directives and Notices, and has implemented any changes necessary to maintain the “at least equal to” status or the State MPI program has an effective, analogous program that would also be “at least equal to.”

The annual self-assessment submission will also include one or more narratives describing the internal controls used by the State MPI program that: (1) provide assurances and can measure the effectiveness of the program under the “at least equal to” criteria; (2) demonstrate how non-conformances will be addressed by corrective actions; and (3) demonstrate how the State MPI program will be maintained throughout the next 12 months.

For Component 7 of the comprehensive State review process, States will submit documentation of their laboratory quality assurance programs and methods. States will document their laboratory quality assurance program activities on the FSIS Form 5720-14, State Meat and Poultry Inspection Program Laboratory Quality Management System Checklist. States will submit copies of new or revised laboratory analytical methods accompanied by a FSIS Form 5720-15, Laboratory Method Notification Form.

For Component 8 of the comprehensive State review process, States will submit documentation of their Civil Rights compliance. In order to assess the 27 states’ compliance with these provisions, FSIS plans to annually request information on the States’ Civil Rights programs and controls in FSIS Form 1520.1 – Civil Rights Compliance of State Inspection Programs.

### **3. Use of Improved Information Technology:**

Under the E-Gov Act, individuals may submit the forms electronically. FSIS makes available electronic versions (PDF fillable) of the FSIS Forms 5720-14, 5720-15 and the 1520.1. The forms can be filled out on the computer and then either emailed or printed off and submitted to the appropriate office.

### **4. Efforts to Identify Duplication:**

FSIS has determined that this information collection will not duplicate any other information collections. The required records are not available from other sources, either within government or from non-government sources. There is no similar information that can be used or modified.

### **5. Methods to Minimize Burden on Small Business Entities:**

There are no small businesses affected by this information collection. None of the respondents are small businesses.

## **6. Consequences If Information Were Collected Less Frequently:**

To conduct the information collections less frequently will reduce the effectiveness of the meat and poultry products inspection program.

## **7. Circumstances that Would Cause the Information Collection to be Conducted in a Manner:**

- **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.**

There are no circumstances that would cause the guidelines above not to be met by this information collection.

## **8. Consultation with Persons Outside the Agency:**

In accordance with the Paperwork Reduction Act, FSIS published a 60-day notice in the Federal Register on January 5, 2017 (82 FR 1310) requesting comments regarding this information collection request. The Agency received

two comments in response to the Federal Register notice. One comment was not relevant to the collection. FSIS has provided a response to the other comment received from NASFMID. Prior to publication of the Federal Register notice, FSIS requested comments from four State Meat and Poultry Inspection Program Directors. After FSIS received the comments, FSIS determined that the initial estimates were low, so FSIS adjusted them to include the highest estimates from the State Directors. (Nick Wagner, 614-728-6260; Kris Mazurczak, 217-782-6684; Nicole Neeser, 651-201-6225; and Mendel Miller, 605-773-3321). FSIS also requested comments from four additional State personnel on the specific laboratory forms. The FSIS estimate was consistent with the estimates reported by the commenters. (Sarah DeDonder, 785-296-7020; Bryanne Shaw, 651-201-6571; Beth Melton, 417-895-6861; and Brenda Keavey, 304-558-2208 ext. 4000).

**9. Payment or Gifts to Respondents:**

Respondents will not receive any gifts or payments.

**10. Confidentiality Provided to Respondents:**

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. Questions of a Sensitive Nature:**

The respondents are not asked to furnish any information of a sensitive nature.

**12. Estimate of Burden**

The total burden estimate for the information collection requirements associated with this information collection is 6,887 hours.

Components 1-6	5,400 hours
Component 7	83 hours
Component 8	270 hours
On-site submissions	1,134 hours

Components 1-6:

The Agency estimates that 27 State Program Directors will once a year spend 187 hours to complete the Comprehensive Self-Assessment submission for a total of 27 responses and 5,049 hours.

**Annual Comprehensive Self-Assessment  
(21 U.S.C. 661(c)(4) and 454(c)(4))**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State MPI Directors	27	1	27	11,220	5,049

The Agency estimates that 27 State Program Directors will once a year spend 8 hours to complete the Comparison Table for FSIS statutes to State statutes for a total of 27 responses and 216 hours.

**Comparison Table  
(21 U.S.C. 661(c)(4) and 454(c)(4))**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State MPI Directors	27	1	27	480	216

The Agency estimates that 27 State Program Directors will once a year spend 1 hour to complete the Laboratory Activity Table submission for a total of 27 responses and 27 hours.

**Laboratory Activity Table  
(21 U.S.C. 661(c)(4) and 454(c)(4))**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State MPI Directors	27	1	27	60	27

The Agency estimates that 27 State Program Directors will once a year spend 1 hour to complete the State MPI Establishment Count submission for a total of 27 responses and 27 hours.

**State MPI Program Establishment Count  
(21 U.S.C. 661(c)(4) and 454(c)(4))**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State MPI Directors	27	1	27	60	27

The Agency estimates that 27 State Program Directors will once a year spend 1 hour to complete the State MPI Employee Primary Roles submission for a total of 27 responses and 27 hours.

**State MPI Employee Primary Roles  
(21 U.S.C. 661(c)(4) and 454(c)(4))**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State MPI Directors	27	1	27	60	27

The Agency estimates that 27 State Program Directors will once a year spend 1 hour to complete the Compliance Activity Report submission for a total of 27 responses and 27 hours.

**Compliance Activity Report  
(21 U.S.C. 661(c)(4) and 454(c)(4))**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State MPI Directors	27	1	27	60	27

The Agency estimates that 27 State Program Directors will once a year spend 1 hour to complete the Summary of Statutory Authority per Business Type submission for a total of 27 responses and 27 hours.

**Summary of Statutory Authority per Business Type  
(21 U.S.C. 661(c)(4) and 454(c)(4))**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State MPI Directors	27	1	27	60	27

Component 7

The Agency estimates that 27 State Program Directors will once a year spend 113 mins to complete FSIS Form 5720-14 for a total of 27 responses and 51 hours.

**Laboratory Quality Assurance (FSIS Form 5720-14)  
(21 U.S.C. 661(c)(4) and 454(c)(4))**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State MPI Directors	27	1	27	113	51



The Agency estimates that 27 State Program Directors will once a year spend 25 mins to complete FSIS Form 5720-15 for a total of 27 responses and 11 hours.

**Laboratory Quality Assurance (FSIS Form 5720-15)  
(21 U.S.C. 661(c)(4) and 454(c)(4))**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State MPI Directors	27	1	27	25	11

The Agency estimates that 8 State Program Directors will once a year spend 113 mins to complete and submit an additional FSIS Form 5720-15 for a total of 11 responses and 21 hours.

**Laboratory Quality Assurance (FSIS Form 5720-15)  
(21 U.S.C. 661(c)(4) and 454(c)(4))**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State MPI Directors	11	1	11	113	21

Component 8:

The Agency estimates that 27 State Program Directors will once a year spend 60 mins to complete FSIS Form 1520.1 for a total of 27 responses and 270 hours.

**CIVIL RIGHTS (FSIS Form 1520.1)  
Title VI, Title IX, Section 504 of the Rehabilitation Act of 1973  
Age Discrimination Act of 1975**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State Directors & Human Resource Officials	27	1	27	60	270

On-site submissions:

The Agency estimates that 9 State Program Directors will once a year spend 126 hours to complete FSIS Form 5720-15 for a total of 9 responses and 1,134 hours.

**ON-SITE SUBMISSIONS  
(21 U.S.C. 661(c)(4) and 454(c)(4))**

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
State MPI Directors	9	1	500	7,560	1,134

The cost to the respondents is estimated at \$509,638 annually. The Agency estimates that it will cost respondents \$74 an hour in fulfilling these information collection requirements. Respondents will spend an annual total of 6,887 hours and \$509,638. The hourly rate for the respondents was attained from the Department of Labor Bureau of Labor and Statistics wage data, May, 2016.

**13. Capital and Start-up Cost and Subsequent Maintenance**

There are no capital and start-up costs and subsequent maintenance burdens.

**14. Annual Cost to Federal Government:**

The cost to the Federal Government for these information collection requirements is \$1,466,392 annually. The costs arise primarily from the time spent by FSIS reviewing the annual submissions and conducting the comprehensive State reviews. The Agency estimates a cost of \$47 per hour.

**15. Reasons for Changes in Burden:**

This is a new information collection consisting of a total of 6,887 burden hours.

**16. Tabulation, Analyses and Publication Plans:**

There are no plans to publish the data for statistical use.

**17. OMB Approval Number Display:**

FSIS will display the OMB approval number on any instructions it publishes relating to recordkeeping activities. The OMB approval number will appear on required FSIS forms. FSIS requests that it not be required to put the expiration date of the information collection of the forms. Being required to put the expiration date on the forms would place a burden of the Agency because 1) it would require FSIS to print new forms with the expiration date on them and would render the forms unusable in three years; 2) at the end of the approval period FSIS could not print up new forms until OMB gave a new expiration date causing unnecessary delay; and, 3) there is often a time lapse of several months between the date when the expiration expires and the time when OMB will finally give (usually) a three year approval to the extension or revision causing an almost impossible situation of attempting to having forms with the correct expiration date on them.

**18. Exceptions to the Certification:**

There are no exceptions to the certification. This information collection accords with the certification in item 19 of the OMB 83-I.