2017 SUPPORTING STATEMENT
Voluntary Labeling Program for Biobased Products
Under Title IX, Section 9002
OMB 0503-0020

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Section 9002(h) of the Farm Security and Rural Investment Act (FSRIA) of 2002, as amended by the Food, Conservation, and Energy Act (FCEA) of 2008 and the Agricultural Act of 2014, requires the Secretary of Agriculture to implement a voluntary labeling program that would enable qualifying biobased products to be certified with a "USDA Certified Biobased Product" label. The voluntary labeling program is required to be consistent, where possible, with the guidelines implementing the preferred procurement of biobased products by Federal agencies (referred to hereafter as the Federal preferred procurement program), which is also authorized under section 9002 of FSRIA. A brief overview of the statutory requirements for the Federal preferred procurement program (part of the BioPreferred Program) is presented below. The BioPreferred Program is currently implemented by USDA's Office of Procurement and Property Management (OPPM).

Under the Federal preferred procurement program, Federal agencies are required to purchase, with certain exceptions, biobased products that are identified, by rulemaking, for preferred procurement. For biobased products, which are grouped in product categories, to qualify for the Federal preferred procurement program, the statute requires that the Secretary consider information on the availability of products, the economic and technological feasibility of using these goods, and the life-cycle costs of using such items. In addition, the Secretary is required to provide to Federal agencies information on the availability, price, performance, and environmental and public health benefits of the biobased products and is required to recommend the level of biobased material to be contained in the procured product, where appropriate. This information must also be provided in rulemaking to identify product categories and the products within them for Federal preferred procurement.

2. Indicate how, by whom, how frequently, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Under the voluntary labeling program, manufacturers and vendors must complete an application for each stand-alone biobased product or biobased product family for which they wish to use the label. A stand-alone product is one that is marketed or sold under a single product name, while a product family is a group of products that share the same formulation and biobased content (within 3%) yet are marketed differently depending on factors such as brand names or uses. The

application process is electronic and is accessible through the voluntary labeling program website. When the voluntary labeling program was being developed, a paper application form (numbered 2904-1) was created. However, that form was eliminated once the electronic application process was implemented. In addition, manufacturers and vendors whose applications have been conditionally approved must provide certain information for OPPM to post on the voluntary labeling program Web site. For each product approved by the Agency for use of the label, the manufacturer or vendor must keep that information for each certified product up-to-date. Finally, manufacturers and vendors must interact with OPPM as a result of the planned audit activities for the program.

- **Applications**

A one-time application for certification is required to be submitted at the beginning of the certification process. OPPM reviews all applications for completeness and provides an opportunity for applicants to correct and/or modify the application if deficiencies are found. The information requested for inclusion in the application are: (1) contact information (of the manufacturer or vendor and preparer of application) and (2) product identification information, including brand name(s), the applicable designated item category or categories or equivalent, and the biobased content of the product. As stated previously, one application is required for each stand-alone product or product family for which certification is sought. In addition, the applicant is required to certify to certain information. The information in these areas is described in more detail below along with the CFR citation that specifies the information to be submitted. Note that the CFR citations have changed since the original OMB approval of the information collection. In August 2011, following the transfer of the BioPreferred Program from the Office of the Chief Economist to OPPM, the voluntary labeling program's regulations were moved to Section 3202, a section that is assigned to OPPM.

- Contact Information (§ 3202.5(a)(1)). With each application, the applicant must provide its company name and mailing address. In addition, the application requires including the name of the application's preparer, as well as the preparer's mailing address (if different from that of the manufacturer or vendor), email address, and telephone number.

  This information is necessary to communicate with the applicant regarding any issues with the application, notifying the applicant as to whether the application is deficient, and notifying the applicant whether the application has been approved for the third-party testing and final certification stage of the process.

- Brand name(s) (§ 3202.5(a)(1)). As products may be marketed under different brand names, the application requests that all brand names for the product be identified. Thus, the application requires the applicant to identify the stand-alone product or product family for which certification is sought by providing the brand name(s) for the stand-alone product or products within a product family.

- Biobased content and testing information (§ 3202.5(a)(1)). The application requires the applicant to document the product's biobased content as determined by a third-party testing entity that is ISO 9001 conformant. The coordination of product testing is

currently performed by Safety Equipment Institute (SEI), a subsidiary of ASTM International, under a contract with USDA.

This information is necessary to ensure that the biobased content meets the applicable minimum biobased content for the product and that a qualified, independent, third-party testing entity coordinated the testing and final certification results.

- Product category (§ 3202.5(a)(1)). The application requires the applicant to identify whether the product (1) meets or exceeds the requirements for a product category that has been identified as eligible for the Federal preferred procurement program, (2) is a finished product that does not meet or exceed the requirements for a product category identified for Federal preferred procurement, or (3) is an intermediate ingredient or feedstock that does not meet or exceed the requirements for a product category identified for Federal preferred procurement. If the product meets or exceeds the requirements for a product category identified for Federal preferred procurement, the application requires the applicant to specify all relevant product category(ies).

  To qualify for the third-party testing and final certification stage of the application process, it is necessary that a product's estimated biobased content meets or exceeds the applicable minimum biobased content for that type of product. The applicable minimum biobased content is dependent upon which of the three aforementioned groups of products that the product for which certification is being sought best fits. Therefore, this information is necessary to determine the applicable minimum biobased content that should be used to evaluate the product for final certification.

- Intended uses of the product (§ 3202.5(a)(1)). The application requires the applicant to identify the intended uses of the product.

  This information is necessary because it is sometimes challenging to determine what a product's intended use is from the product name alone. OPPM needs this information to confirm if the product meet or exceeds the requirements of a product category(ies) that are eligible for Federal preferred procurement and whether the applicant has accurately identified the appropriate product category(ies) for its product. Knowledge of which product categories that are eligible for Federal preferred procurement, if any, that the product best fits is required to identify the applicable minimum biobased content for the product.

- Certifying statements (§ 3202.5(a)(2)). The applicant must certify that the product for which use of the label is sought is a biobased product, as defined in 7 CFR § 3202.2 and that it meets the country of origin requirements specified in 7 CFR § 3201.4(b)(3).

  These statements are necessary to ensure that the product is an eligible product for the voluntary labeling program.

- Commitments (§ 3202.5(a)(3)). The applicant must also sign a statement in the application that commits the applicant as follows:

The commits to submitting to OPPM certain specified information (as described later under Web site Information), which OPPM will post to the voluntary labeling program Web site, and to providing OPPM with up-to-date information for posting on this Web site.

These actions are necessary to help ensure that consumers purchasing a product with the label have access to sufficient information to make reasoned purchasing decisions. Further, the information that is posted on the voluntary labeling program Web site and made available to eligible requestors is important to help isolate certified biobased products from non-certified biobased products, a key purpose of the voluntary labeling program.

- Reformulated Products (§ 3202.5(d)(3)). Circumstances may arise in which a manufacturer or vendor may make changes to a certified product during the term of an existing certification. If any of these changes are significant enough, the existing certification will no longer be valid for the product under the revised conditions and the manufacturer or vendor, as applicable, and its designated representatives would be required to discontinue affixing the label to the product and would be prohibited from initiating any further advertising of the product using the label. The circumstances under which this would occur are if:
    - the product formulation is revised such that the biobased content of the product is lower than the percentage that is reported in the most recent application; or
    - the product formulation is revised such that the biobased content of the product is greater than the percentage that is reported in the most recent application and the manufacturer wishes to report the higher percentage on the label.

  When such circumstances arise, OPPM considers a product under such revised conditions to be a reformulated product and the manufacturer or vendor, as applicable, must submit an amended application for certification using the procedures specified in § 3202.5.

  Amended applications are requested under the above identified circumstances because it is important to the integrity of the voluntary labeling program that the label be used only on those products that meet or exceed their applicable minimum biobased content requirements.

  The frequency under which a manufacturer or vendor would seek re-certification under the circumstances described above depends upon the frequency with which such changes occur.

- **Web site Information (§ 3202.5(c)(1) – (c)(4))**

Manufacturers and vendors are responsible for providing certain information for OPPM to post publically on the voluntary labeling program Web site regarding products that have been certified to use the label prior to the use of the label on the certified products (§ 3202.5(c)(1)-(c)(4)). The information to be posted publically on the Web site include the company's name,

the company's address, the product's name, the product's description including details on how to use it and any unique features, the product's certified biobased content, the product categories in which the product belongs, and a link to the applicant's Web site (if available). Information such as the applicant's name, email address, and phone number are stored in the program's database and are inaccessible to the public.

This information is necessary to allow those who would purchase the product under the Federal preferred procurement program to: (1) identify what biobased products are available, (2) compare the biobased contents of similar products to assist in selecting those with the highest biobased content, and (3) provide an additional resource via the company's Web site if the purchasing agent has questions regarding a particular product.

Finally, it is important that manufacturers and vendors keep the information provided to OPPM for public posting on the voluntary labeling program Web site up-to-date so that those who would purchase such products have the correct information when making purchasing decisions. The frequency of updating the voluntary labeling program Web site depends on how frequently a manufacturer or vendor makes changes to its product(s). Additionally, the applicant should ensure that his/her contact information is current so that OPPM may easily communicate with him/her should any questions arise regarding the certified product(s).

- **Records (§ 3202.9)**

The labor burden associated with this program includes estimates of the time necessary for manufacturers and vendors to keep records of the documentation that OPPM believes is needed to demonstrate compliance with the requirements of the rule. The following paragraphs describe the recordkeeping activities that have been included in the estimates of the total labor burden.

Manufacturers and vendors are required to maintain records associated with (1) the results of all tests, and any associated calculations, performed to determine the biobased content of the product, (2) the date of the certification by OPPM, the dates of changes in formulation of certified biobased products, and the dates when the biobased content of certified biobased products were tested, and (3) documentation of analyses performed by manufacturers to support claims of environmental or human health benefits, life cycle cost, sustainability benefits, and product performance made by the manufacturer.

For each certified product, records must be maintained for at least 3 years beyond their creation or as long as necessary to support the most recently approved application for the certified product, whichever is greater.

The requirement to keep records of biobased content testing is needed to allow OPPM to audit manufacturers and vendors to ensure that a certified product is in compliance with its applicable minimum biobased content and that the biobased content on the label is accurate.

The requirement to keep supporting documentation that the product for which certification is sought meets the definition of biobased product is needed to ensure that only products meeting the specified definition of a biobased product are certified.

Finally, the requirement to keep the various date records is needed to ensure that the label is being affixed to a product(s) during an active certification period. Changes in formulation and biobased contents can trigger the requirement to seek a new certification and, thus, affect the applicable certification period of a product.

- **Oversight and Monitoring (§ 3202.10)**

OPPM conducts oversight and monitoring of manufacturers, vendors, designated representatives, and other entities involved with the voluntary labeling program to ensure compliance. This oversight includes, but is not limited to, conducting facility visits of manufacturers and vendors who have certified products, and of their designated representatives. Manufacturers, vendors, and their designated representatives are required to cooperate fully with all OPPM audit efforts for the monitoring of compliance with the voluntary labeling program regulations. In addition, OPPM conducts biobased content testing of certified products to ensure compliance. Finally, manufacturers, vendors, and their designated representatives must allow Federal representatives access to the records required for inspection and copying during normal Federal business hours.

This is necessary to ensure that manufacturers and vendors are complying with the requirements of the program, which in turn helps ensure the integrity of the voluntary labeling program.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques 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.

The application process is designed to be completed electronically through the voluntary labeling program Web site. Doing so streamlines the process and avoids the preparation and transmittal of paper forms.

To obtain certification, manufacturers and vendors of certified biobased products are required to provide certain product and manufacturer or vendor information for OPPM to post publically to the voluntary labeling program Web site, as described earlier. This provides Federal agencies an electronic means to identify available biobased products for the Federal preferred procurement program. Every effort is being made to further streamline the processes with which OPPM interacts with manufacturers and vendors to reduce the cost and time burden on the participants in the voluntary labeling program.

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.

To receive certification to use the label, manufacturers and vendors must submit information on the biobased content of the product. Some of the products for which certification is being sought will have already undergone this test as a part of the process of identifying product categories

and their associated products as eligible for Federal preferred procurement. Further, some of the manufacturers and vendors may have already posted some of the information required under the voluntary labeling program to the voluntary labeling program Web site as a part of the Federal preferred procurement program of the BioPreferred Program. The requirements of the voluntary labeling program allow manufacturers and vendors to use this information that has already been developed. Therefore, we do not anticipate any duplication of information under the voluntary labeling program.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The voluntary labeling program is a voluntary program in which all manufacturers and vendors, including small businesses that have biobased products, may participate. In a 2011 study of about 60 percent of the manufacturers and vendors participating in the BioPreferred Program, 97 percent reported to have less than 500 employees and only 3 percent reported to have greater than 500 employees. Thus, based on this sample and using a maximum of 500 employees as the criterion for defining a small business, OPPM estimates that about 97 percent of the companies that could choose to participate in the voluntary labeling program are classified as small businesses.

One potential burden related to participation in the voluntary labeling program is that which is associated with the graphic redesign of a product's packaging (§ 3202.7). Manufacturers and vendors that have received certification to use the label will need to redesign the graphics on their product's packaging for each certified product to incorporate the "USDA Certified Biobased Product" label. If manufacturers and vendors redesign the graphics on their product's packaging outside of the planned schedule, then the cost to incorporate the "USDA Certified Biobased Product" label could be attributable to the voluntary labeling program. However, there are few, if any, incremental costs associated with incorporating the label if done as a part of the manufacturer's or vendor's planned schedule for graphic redesign of its packaging or for the initial design of a newly certified product. Because the voluntary labeling program is voluntary, manufacturers and vendors have the opportunity to schedule incorporation of the label into their next scheduled product packaging redesign and avoid this cost.

Another potentially large burden is associated with biobased content testing. While biobased content testing is necessary to participate in the voluntary labeling program, its cost is relatively low (about $400) when compared to the overall cost of new product development. In addition, OPPM allows manufacturers to perform only one test in situations where a single product formulation is marketed under multiple brand names.

6. Describe the consequence 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.

OPPM only collects the minimum information and test results for individual products necessary to determine the eligibility of the products for certification to display the USDA Certified Biobased Product label. An initial application is necessary to make this determination. Failure

to collect this information would result in many ineligible products using the label, thereby rendering the program useless.

Failure to require manufacturers and vendors to provide up-to-date information on each certified product for OPPM to publically post on the voluntary labeling program Web site could result in purchasers making poor purchase decisions and in inefficiencies in making purchasing decisions (e.g., trying to purchase a product that has been renamed).

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**

Under the voluntary labeling program, two situations occur under which a manufacturer or vendor is required to supply information to OPPM.

One is where a change is made to a product's formulation that results in a change in the biobased content of the product to such an extent that submittal of a new application is required. However, it is highly unlikely that such changes would occur quarterly.

The second is the requirement to provide OPPM with up-to-date product information. Again, this action is only required when information changes and, though likely to occur more frequently than formulation changes, is highly unlikely to occur more often than quarterly.

OPPM does not anticipate either of the above circumstances to result in reporting of information on any one product more often than quarterly, and anticipates a much longer time frame for each product.

- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

Under the voluntary labeling program, no routine written responses are required in fewer than 30 days after receipt of the request. However, there are special situations related to violations of the program rules in which a manufacturer or vendor is expected to supply a response within 30 days. These are: (1) submittal of a new application when OPPM testing determines that the biobased content of a product is less than reported in the most recently approved application but is still equal to or greater than its applicable minimum biobased content(s) (§ 3202.8(b)(1)(ii)), (2) suspension of a certification for biobased content violations (§ 3202.8(c)(1)(i)), and (3) appeals (§ 3202.6(a)(1)).

Manufacturers or vendors who receive a notice of violation for other types of violations must correct the violation(s) within 90 days from receipt of the notice of violation.

- **requiring respondents to submit more than an original and two copies of any document;**

OPPM does not require more than an original of any document submitted by manufacturers and vendors seeking certification.

- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

Under the voluntary labeling program, manufacturers and vendors are required to keep certain records to support the information presented in their applications (§ 3202.9(a)(1) through (3)). The program requires that these records are kept for 3years after their creation or as long as necessary to support the most recently approved application for the certified product, whichever is greater (§ 3202.9(b)).

Information provided by manufacturers and vendors for posting on the voluntary labeling program Web site is the kind of information that a company would normally have to provide customers in the normal course of business, for as long as would be typically required in the normal course of business and as such does not represent a new and unreasonable burden on manufacturers and vendors.

- **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;**

OPPM does not envision initiating any statistical surveys.

- **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

OPPM does not expect to conduct statistical surveys or require use of statistical data classifications.

- **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**

Product and manufacturer and vendor information posted on the voluntary labeling program Web site is publicly available to view, but only OPPM is able to change the posted information.

- **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.**

OPPM does not believe that any of the information required for the voluntary labeling program is considered confidential by respondents.

8. 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. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments.

OPPM published a Notice requesting comment on the extension of the previously approved information collection for the Voluntary Labeling Program (see 82 FR 16783, Thursday, April 6, 2017). The public comment period for the Notice lasted 60 days and one comment was received. The one public comment was from the Biobased Products Coalition (BPC) and can be summarized by the following quote from the submittal:

"The BPC supports this proposed collection of information as necessary to USDA's implementation of the statutorily-mandated "USDA Certified Biobased Product" voluntary labeling program. The BPC believes that USDA's burden estimate is reasonable."

The remainder of the comment presented BPC's support for the Voluntary Labeling Program as an important means of promoting awareness of biobased products in the marketplace.

- **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.**

During the development of the biobased products voluntary labeling program, OPPM had discussions with other agencies that have implemented labeling programs, such as the Environmental Protection Agency's and the Department of Energy's "ENERGY STAR" program. OPPM also had extensive discussions with the White House Council on Environmental Quality (CEQ), CEQ's Office of the Federal Environmental Executive (OFEE), the Office of Management and Budget, USDA's Agricultural Marketing Service, the Defense Logistics Agency, National Institute of Standards and technology (NIST), and the General Services Administration to seek their views on the biobased program and the requirements for the voluntary labeling rule. OPPM has also consulted with representatives of the Department of Agriculture's National Organic Program.

In 2013, OPPM also contacted several manufacturers and vendors of biobased products that have been certified to use the USDA Certified Biobased Product label to discuss their experiences with the application process. Representatives of companies including NatureWorks, Lenzing, General Mills, Earth Friendly Chemicals, Ecolab, Green Earth Technologies, and Seventh Generation provided positive feedback concerning their use of the online application process.

OPPM support staff routinely provides assistance via phone and email to manufacturers seeking to have their biobased products certified to display the label. During discussions with these manufacturers, OPPM requests feedback on the efficiency of the application process and how it could be improved. Many manufacturers have provided positive feedback during the past three years, including; Georgia Pacific, Evergreen Packaging, Proctor and Gamble, Natracare, Baril, Treleoni, Cintas/Santec, BioFiber Solutions International, and Seventh Generation. In addition,

as discussed above, the Biobased Products Coalition provided a public comment stating their support for the BioPreferred Program and their belief that the estimated burden is reasonable.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There is no intent to provide any payment or gift to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

OPPM does not believe that any of the information required for the voluntary labeling program is considered confidential by respondents.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly 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.

No such questions are asked of the manufacturers and vendors seeking to participate in the voluntary labeling program.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **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.**

In the past three calendar years that the voluntary labeling program has been in operation, the average number of respondents (applicants) was about 12.5 per month and the average number of responses (applications) was about 33.5 per month. Thus, each respondent submitted an average of about 3 responses. As will be shown in the following paragraphs, the total estimated burden for each individual application is three hours of the applicant's time at an estimated cost of $141.45. As discussed elsewhere, because the voluntary labeling program is voluntary, the burden to the applicant to participate in the program is also voluntary. It should also be noted that, as will be discussed in Item 15 below, OPPM has made significant strides in reducing the burden place on applicants since the program began. These burden reductions have resulted from simplifying and streamlining the application process so that one application often covers multiple similar products.

The total estimated annual average hour burden for the collection of information (completing applications, testing, providing information for the biobased Web site, and recordkeeping) under

this program over the next three years is estimated to be 1,350 hours (150 respondents per year times 3 applications per respondent = 450 applications per year times 3 hours per application = 1,350 hours).

Table 1 presents a summary of the estimate of the hour burden.

TABLE 1. ESTIMATE OF HOUR BURDEN

Year	Description of Information Collection Activity	Number of Respondents	Number of Responses per Respondent	Total Annual Responses	Hours per Response	Total Hours
1	Complete application for certification, have product tested for biobased content, and provide information for posting to Web site	150	3	450	3	1,350
2	Complete application for certification, have product tested for biobased content, and provide information for posting to Web site	150	3	450	3	1,350
3	Complete application for certification, have product tested for biobased content, and provide information for posting to Web site	150	3	450	3	1,350
Total for 3-yr period		450		1,350	3	4,050
Average Annual Values		**150**		**450**	**3**	**1,350**

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

The average annualized total cost to all respondents for the collection of information over the next three years is estimated to be $85,735. This is based on an average annual total hour burden over the next three years of the program of 1,350 hours priced at $47.15 per hour (as discussed below) plus the $22,082 in annualized cost for the biobased content testing (see Item 13 below).

The hourly rate of $47.15 is based on U.S. Bureau of Labor Statistics data[a] that show that $857

[a] "Household Data Annual Averages," U.S. Bureau of Labor Statistics, accessed May 5, 2017, https://www.bls.gov/cps/cpsaat43.pdf.

was the median weekly employee earnings in 2016 for the manufacturing industry, which translates to a median hourly rate of $21.43 if a 40 hour work week is assumed. This $21.43 median hourly rate was increased by an overhead markup rate of 120 percent to yield a rate of $47.15 per hour, which is considered reasonable under the expectation that at least half the burden hours would likely be provided by employees earning less than this hourly rate and up to half the employees would be earning more. As such, each application is estimated to have a cost burden of $141.45 ($47.15 per hour times 3 hours per application).

Table 2 presents a summary of the estimated cost of the labor hour burden.

TABLE 2. ANNUALIZED COST OF LABOR HOUR BURDEN

Year	Description of Information Collection Activity	Total Annual Responses	Hours per Response	Total Hours	Labor Rate, $/Hr.	Total Annual Labor Hours Cost
1	Complete application for certification, have product tested for biobased content, and provide information for posting to Web site	450	3	1,350	47.15	$63,653
2	Complete application for certification, have product tested for biobased content, and provide information for posting to Web site	450	3	1,350	47.15	$63,653
3	Complete application for certification, have product tested for biobased content, and provide information for posting to Web site	450	3	1,350	47.15	$63,653
Total for 3-yr period		1,350	3	4,050	47.15	$190,959
Average Annual Values		**450**	**3**	**1,350**	**47.15**	**$63,653**

13. Provide estimates of the total annual cost burden to respondents or record keepers 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.

Manufacturers and vendors are required to incur a one-time initial cost associated with testing their products for biobased content. Each product is estimated to incur a cost of $400 for biobased content testing. Assuming a manufacturer or vendor maintains certification of a

product for at least 10 years, this one-time cost is annualized using a factor of 0.12268 (3.9% interest rate over 10 years). For the estimated 450 products for which applications are submitted each year, the average three-year annualized cost for these tests is estimated to be $22,082.

Table 3 presents a summary of the estimated capital and startup costs.

TABLE 3. SUMMARY OF CAPITAL/STARTUP COSTS

Biobased Content Testing	Year 1	Year 2	Year 3	3-Year Average
Number of Products Tested	450	450	450	450
Cost per Test	$400	$400	$400	$400
Total Biobased Content Testing Cost	**$180,000**	**$180,000**	**$180,000**	**$180,000**
Annualized Cost (over 10 yrs @ 3.9% interest)	**$22,082**	**$22,082**	**$22,082**	**$22,082**

Table 4 presents an overall summary of the burden estimate inputs and the estimated average annualized cost to respondents, using the estimates from Tables 1 through 3.

TABLE 4. SUMMARY OF BURDEN ESTIMATE INPUTS

	Year 1	Year 2	Year 3
Number of respondents (manufacturers and vendors applying to use label)	**150**	**150**	**150**
Number of responses (applications) per respondents	3	3	3
Number of responses (applications)	**450**	**450**	**450**
Hours for all manufacturers and vendors to apply for certification (1.5 hours per response)	675	675	675
Hours required to provide information to OPPM for posting (1.0 hours per response)	450	450	450
Hours required for recordkeeping (0.5 hours per response)	225	225	225
Total annual hour burden	**1,350**	**1,350**	**1,350**
3-year average hour burden	**4,050**		
Labor cost per hour	$47.15		
Average annual labor cost	**$63,653**		
Average annualized cost for biobased content testing (see Item 13)	**$22,082**		
Average annualized cost to respondents	**$85,735**		

14. Provide estimates of annualized cost to the Federal government. Also, 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.

Under the guidelines for the BioPreferred Program, OPPM estimates the annualized cost to the Federal government of operating that Program and (including an associated model procurement program) will range from $3.0 to $3.5 million annually. This estimate is based on the costs of program operation, maintenance of the electronic information system, testing of biobased products, and operation of a model procurement program, all of which are mandated in section 9002 of FSRIA. The estimates of costs to the Federal government for the voluntary labeling program, including its associated audit program, are included in the estimated $3.0 to $3.5 million annual cost.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

OPPM estimates that the annual labor hour burden over the next three years will be significantly less than that which was originally estimated in the ICR approval request for the past three years. In the 2014 ICR approval request, the estimated number of respondents per year was 300. This represents a reduction of 150 respondents per year over the next three years. The estimated number of responses per year in the 2014 request was 1,200. In this current request, the estimated number of responses per year is 450. This is a reduction of 750 responses per year. In the 2014 request, the estimated annual labor hour burden was 3,600 hours. In this current request, the estimated annual labor hour burden is 1,350. This is a decrease of 2,250 burden hours per year compared to the previous submission. The rationale for the overall decrease in estimated burden is presented in the following paragraphs.

In 2010, when the original estimates were made, the voluntary labeling program was still under development and OPPM had no way to accurately predict to what extent the biobased industry would choose to pursue certifying products to display the label. Based on the past six years of experience in implementing the voluntary labeling program, OPPM now believes that the estimated number of applications and the overall burden estimates presented above in this document are much more accurate that the original estimates. Several additional factors also have contributed to this significant decrease in the estimated burden.

At the time the original approval was requested, it was anticipated that the program would rely to a significant degree on the submission of paper application forms. By the time the voluntary labeling program was actually rolled-out, an electronic system had been developed that allowed the entire application process to be completed through the BioPreferred Program's Web site. Implementing the electronic application process resulted in a significant reduction in the hour burden on respondents from the original estimate. Additionally, in 2014 the Program's Web site underwent a redesign and update to improve user interface. As a result, the electronic application process was streamlined to allow applicants to submit one application for a group of products that share the same formulation and biobased content (within 3%) yet are marketed differently depending on factors such as brand names or uses; this group of products is referred to as a product family. Allowing applicants to do so reduced the number of applications that the applicant previously would submit.

Therefore, OPPM has also lowered the estimated number of applications each manufacturer is expected to submit from four to three. OPPM has also reduced the cost of the biobased content

testing from $500 per sample to $400 per sample, based on information provided by the certified labs that perform the testing. In addition, OPPM has eliminated from the estimated program costs the cost attributed to graphic redesign of product packaging to include the USDA Certified Biobased Product label. Because of the reported frequency that most manufacturers make changes to their product packaging and because many of the biobased products that have received certification are new products, OPPM believes that the cost of packaging redesign should be considered a normal part of doing business and not a cost attributed to the voluntary labeling program.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

Collections of information are published in that they are posted to the voluntary labeling program Web site.

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.

OPPM is not seeking approval to not display the expiration date for OMB approval of the information collection.

18. Explain each exception to the certification statement identified in Item 19 "Certification for Paperwork Reduction Act."

There are no exceptions to the certification statement identified in Item 19 “Certification for Paperwork Reduction Act.”

19. How is this information collection related to the Customer Service Center?

This information collection is not related to the Customer Service Center, but is a statutory requirement of section 9002 of FSRIA, as amended by subsequent Farm Bill legislation, that established the Federal biobased Products Preferred Procurement Program.

B. Collections of information employing statistical methods

The collection of information under this program does not and is not expected to employ statistical methods.