

June 2017

**Supporting Statement
Importation of Pomegranates from Chile
Under a Systems Approach
OMB No. 0579-0375**

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 diseases or insect pests from entering the United States, preventing the spread of pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests when eradication is feasible. The Plant Protection Act authorizes the Department to carry out its mission.

Under the Plant Protection Act (7 U.S.C. 7701, *et seq.*), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, or movement of plants, and plant pests to prevent the introduction of plant pests into the United States or their dissemination within the United States.

The regulations in “Subpart-Fruits and Vegetables” (7 CFR 319.56 through 319.56-76), 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.

The importation of pomegranates from Chile into the continental United States is under a systems approach in which the fruit must be grown in a place of production that is registered with the Government of Chile, and certified as having a low prevalence of *Brevipalpus chilensis*. The fruit undergoes pre-harvest sampling at the registered production site. After the post-harvest process, the fruit is inspected in Chile at an approved inspection site. The phytosanitary certificate must accompany each consignment of fruit which includes an additional declaration stating that the fruit has been found free of *Brevipalpus chilensis*. This determination is based on field and packinghouse inspections.

APHIS is asking OMB to approve, for 3 additional years, its use of these information collection activities associated with its efforts to prevent the spread of fruit flies and other plant pests from entering into the United States.

2. APHIS uses the following information activities to prevent the spread of fruit flies and other plant pests from entering into the United States. Indicate how, by whom, 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.

APHIS uses the following information collection activities for the importation of pomegranates from Chile into the continental United States under a systems approach:

Phytosanitary Certificate w/Additional Declaration (Foreign Government and Business)
7 CFR 319.56.56(e)

Each consignment of fruit must be accompanied by a phytosanitary certificate issued by the National Plant Protection Organization (NPPO) of Chile that contains an additional declaration stating that the fruit in the consignment was inspected and found free of *B. chilensis* based on field and packinghouse inspections. Requiring a phytosanitary certificate ensures that the NPPO of Chile has inspected the fruit and certified that the fruit meets the conditions for export to the United States.

Production Site Registration (Foreign Government and Business) - 7 CFR 319.56.56(a)

The production site where the fruit is grown must be registered with the NPPO of Chile. Registration must be renewed annually.

Marking of Cartons with Registration Number (Business) - 7 CFR 319.56.56(c)

Harvested pomegranates must be placed in field cartons or containers that areas mark to show the official registration number of the production site. The registration number allows trace back to the production site if pest problems are found on fruit shipped to the United States.

List of Certified Low-prevalence Production Sites (Foreign Government)

7 CFR 319.56.56(b)

The NPPO of Chile is required to present a list of certified production sites to APHIS.

Low-Prevalence Production site Certification (Foreign Government and Business)

7 CFR 319.56.56(b)

The fruit must originate from a low-prevalence production site to be imported under the conditions in this section. Between 1 and 30 days prior to harvest, random samples of fruit must be collected from each registered production site under the direction of the NPPO of Chile. These samples must undergo a pest detection and evaluation method as follows: The fruit must be washed using a flushing method, placed in a 20-mesh sieve on top of a 200-mesh sieve, sprinkled with a liquid soap and water solution, washed with water at high pressure, and washed with water at low pressure. The process must then be repeated. The contents of the 200-mesh sieve must then be placed on a petri dish and analyzed for the presence of live *Brevipalpus chilensis* mites. If a single live *B. chilensis* mite is found, the production site will not qualify for certification as a low-prevalence production site. Each production site may have only one opportunity per season to qualify as a low-prevalence production site, and certification of low prevalence will be valid for one harvest season only. The NPPO of Chile will present a list of certified production sites to APHIS.

Phytosanitary Inspection (Foreign Government and Business) - 7 CFR 319-56-56(d)

Fruit must be inspected in Chile at an APHIS-approved inspection site under the direction of APHIS inspectors in coordination with the NPPO of Chile following any post-harvest processing. A biometric sample must be drawn and examined from each consignment. Pomegranates in any consignment may be shipped to the continental United States under the conditions of this section only if the consignment passes inspection.

Shipping Documents Identification (Business) - 7 CFR 319-56-56(d)(1)

Fruit presented for inspection must be identified in the shipping documents accompanying each lot of fruit to specify the production site or sites in which the fruit was produced and the packing shed

or sheds in which the fruit was processed. This identification must be maintained until the fruit is released for entry into the United States.

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 considerations 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 of the purpose described in item 2 above.

The information APHIS collects is exclusive to its mission of preventing the spread of plant pests 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 collects the minimum information needed to protect the United States from destructive plant pests while increasing the number and variety of fruits and vegetables that can be imported from other countries. APHIS has determined 40 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 pomegranates from Chile are not carrying plant pests. If plant pests (such as Brevipalpus chilensis) were introduced into the United States, growers 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 recently consulted with the following individuals in regards to this program:

Hortofruticola Sudamericana Ltda.
Antonio del Tomas Diaz
Parcela 30, El Lucero 30
Lampa, Chile
(56) 9-92269348

Exportadora Rio Blanco
Alberto Manez
La Gloria 88, Las Condes,
Santiago, Chile
(56) 2 443-5180

Asociacion de Exportadores de Chile A.G.,
David Monterrezanto
Cruz delsur 133, 2nd Piso, Las Condes
Santiago, Chile
(56) 2-472-4700

On Monday, April 24, 2017, pages 18892-18893, 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. APHIS received no comments from the public.

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

This information collection activity involves no 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 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 83-1.

See APHIS Form 71 for burden estimates.

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

APHIS estimates the total annual cost to respondents to be \$8,000. APHIS arrived at this figure by multiplying the total burden hours (480) by the estimated average hourly wage of the above respondents (\$17.50). The estimated average hourly salary is based on data from Chile’s global services gambit and input from APHIS’ International Services attache in Chile.

$$480 \times \$17.50 = \$8,000$$

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 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 the capital and start-up cost, maintenance cost, 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 to the Federal Government is \$6,088. (See APHIS Form 79.)

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 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	30,949	0	645	30,019	0	285
	678	0	594		0	3012
Annual Time Burden (Hr)	480	0	279	51	0	150
	199	0			0	2132
Annual Cost Burden (\$)	0	0	0	0	0	0
	0	0	0	0	0	

In this renewal, there is a program change of +2 respondents, +645 responses, and +279 burden hours. This increase is due to APHIS now accounting for the following burden which was inadvertently omitted in the last renewal package but is now being reported as a violation: (1) Phytosanitary Certificate w/additional declaration (business), (2) Production Site Registration (foreign gov't), (3) Low Prevalence Production Site Certification (business and foreign gov't), (4) Phytosanitary Inspection (business and foreign gov't), and Identifying Shipping Documents (business).

There is an adjustment increase of +30,019 resulting in an increase of +51 burden hours. This increase is due to the increase of the number of responses for foreign Phytosanitary Certificates (foreign gov't) and Marking of Cartons with registration numbers. The number of carton markings were underestimated in the previous information collection.

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 it 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 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 under the Act.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.