

**Supporting Statement
Importation of Potatoes from Mexico
OMB No. 0579-0413**

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, referred to below 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.

APHIS regulations concerning the importation of fruits and vegetables allows the importation of fresh potatoes (Solanum tuberosum L.) from Mexico into the United States. As a condition of entry, the potatoes have to be produced in accordance with a systems approach employing a combination of mitigation measures. The potatoes also have to be imported in commercial consignments only; produced by a grower who is registered within a certification program administered by the National Plant Protection Organization (NPPO) of Mexico; packed in packinghouses that are registered with the NPPO of Mexico; washed, cleaned, and treated with a sprout inhibitor; inspected after packing for quarantine pests; and, following inspection, transported from the packinghouse to the port of first arrival into the United States in a sealed means of conveyance.

The potatoes also have to be accompanied by a phytosanitary certificate that specifies the registration number of the packinghouse in which the potatoes were packed and declares that the conditions for importation have been met. Finally, the NPPO of Mexico has to provide a bilateral workplan to APHIS that details the activities that the NPPO of Mexico will carry out to meet these requirements, subject to APHIS’ approval. This action allows the importation of potatoes from Mexico while continuing to protect against the introduction of plant pests into the United States.

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

2. 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 to allow the importation of potatoes from Mexico while continuing to protect against the introduction of plant pests into the United States:

7CFR 319.56.66 (a) - Bilateral Workplan (Foreign Government) – The NPPO of Mexico must provide a bilateral workplan to APHIS that details the activities that the NPPO of Mexico will, subject to APHIS' approval of the workplan, carry out to meet the requirements of this section.

7CFR 319.56.66 (c) - Grower Certification Registration (business) (Foreign Government) – The potatoes must be produced by a grower who is registered within a certification program administered by the NPPO of Mexico. The program must require the producer to use only seed that has been certified by the NPPO of Mexico as free of *R. solanacearum* race 3 biovar 2, *R. bunodes*, *R. pepo*, *S. endobioticum*, and *T. solani* to produce the potatoes.

7CFR 319.56.66 (d) - Packinghouse Registration (business) (Foreign Government) - The potatoes must be packed for export in packinghouses that are registered with the NPPO of Mexico, and to which the NPPO of Mexico has assigned a unique identifying number.

7CFR 319.56.66 (g) - Inspection and Agricultural Seal (business) (Foreign Government) - Each consignment of potatoes shipped from Mexico to the United States must be transported following inspection from the packinghouse to the port of first arrival into the United States in a means of conveyance sealed with an agricultural seal affixed by an individual authorized by the NPPO of Mexico to do so.

7CFR 319.56.66 (h) - Phytosanitary Certificate (business) (Foreign Government) - Each consignment of potatoes shipped from Mexico to the United States must be accompanied by a phytosanitary certificate, issued by the NPPO of Mexico, and stating that the potatoes have been produced from seed certified free of R. solanacearum Race 3, R. bunodes, R. pepo, S. endobioticum, and T. solani, has been inspected for C. decolora, E. cognatus, N. aberrans, R. solanacearum Race 3, R. bunodes, R. pepo, and T. solani, has been tested for R. solanacearum Race 3, and based on this inspection and testing, has been found free of those pests. The phytosanitary certificate must also specify the number of the packinghouse in which the potatoes were packed.

7CFR 319.56.66 (c) – Surveys (business) (Foreign Government) - The potatoes are required to be grown in an enclosed environment or alternatively must require the field in which the

potatoes are grown to be surveyed for quarantine pests and tested for *R. solanacearum* race 3 biovar 2 at regular intervals in accordance with the bilateral workplan.

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.

The information APHIS collects is the minimum 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 estimated that all 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 potatoes from Mexico are not carrying plant pests. If plant pests were introduced into the United States, growers in 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 has recently consulted with the following individuals regarding this program:

Gerardo Garcia Menuat, Presidente
National Confederation of Potato Producers of Mexico
V́ctor Hugo 89-A oficina 13
Colonia Portales Delegation Benito
Júarez. Mexico DF, CP 03300
0155-5243-6217

Alejandro Taylor
Eagle Eye Produce, Potato and Onion Sales
1095 N. Woodruff Ave.
Idaho Falls, ID 83401
208-557-2528

Larry Aslum
Potatoes USA
4949 S. Syracuse St.
Suite 400
Denver, CO 80237
303-369-7783

On Friday, April 21, 2017, page 18732, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plan to request a 3-year renewal of this information collection. No comments from the public were received.

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. 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 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-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.

APHIS estimates the total annualized cost to respondents to be \$3,721.72. APHIS arrived at this figure by multiplying the total burden hours (236) by the estimated average hourly wage of the above respondents (\$15.77). $236 \times \$15.77 = \$3,721.72$.

The estimated average hourly wage was provided by the APHIS' International Services attaché in Mexico.

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 costs, and purchase of services in connection with this program.

14. Provide estimates of the 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 \$5,151.00 (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.

N

	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	205	0	174	0	0	31
	205	0	174	0	0	31
Annual Time Burden (Hr)	236	0	143	0	0	93
	236	0	143	0	0	

There are program change increases in this renewal due to burden activity inadvertently being omitted in the last renewal package. Surveys and inspections have now been included in this renewal causing an increase in burden hours from 93 to 236 and an increase in annual responses from 31 to 205. However, the number of respondents stayed the same at 19.

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.

There are no USDA forms included 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.

