

SUPPORTING STATEMENT
Importation of Hass Avocados from Mexico
OMB No. 0579-0129

August 2017

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 pests and noxious weeds from entering the United States, preventing the spread of pests and weeds new to the United States or not known to be widely distributed in the United States, and eradicating those imported pests and weeds when eradication is feasible.

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 Part 319.56-1 through 319.56-76, referred to as the regulations) prohibit or restrict the importation of fruits and vegetables into the United States from certain parts of the world to prevent the introduction and dissemination of plant pests that are new to or not widely distributed within the United States.

APHIS allows fresh Hass avocados grown in approved orchards in Mexico to be imported into the United States under certain conditions. APHIS collects information to ensure that fresh Hass avocados from Mexico do not harbor insect pests (including avocado stem weevils, seed weevils, and seed moths) that, if introduced into the United States, could inflict severe damage upon United States agriculture.

APHIS collects information from a variety of individuals, both within and outside of the United States, who are involved in the importation of Hass avocados into the United States.

APHIS is asking OMB to approve, for 3 additional years, its use of these activities in connection with APHIS’ efforts to ensure that fresh Hass avocados imported from Mexico do not harbor insect pests (including avocado stem weevils, seed weevils, and seed moths) 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 activities to ensure that fresh Hass avocados imported from Mexico do not harbor insect pests:

Trust Fund (Foreign Government) - 7 CFR 319.56-30(b)

The avocados may be imported only if the Mexican avocado industry association representing Mexican avocado growers, packers, and exporters has entered into a trust fund agreement with APHIS for that shipping season in accordance with §319.30(b).

Application for Permit to Import Plants or Plant Products (PPQ Form 587) (Business) - 7 CFR 319.56-3

Importers of Mexican Hass avocados must obtain a permit from APHIS before importing the fruit. The permit allows APHIS to inform the permittee of the requirements and conditions for importing Mexican Hass avocados. The permit also allows APHIS to restrict importation to areas of the United States where climatic conditions preclude the establishment of insect pests from Mexico.

Operational WorkPlan (Foreign Government) - 7 CFR 319.56-30(c)

The Mexican National Plant Protection Organization (NPPO) must provide an annual workplan to APHIS that details the activities that the Mexican NPPO will, subject to APHIS' approval of the workplan, carry out to meet the requirements of section 319.56-30(2)(c). APHIS will be directly involved with the Mexican NPPO in the monitoring and supervision of those activities.

Marking of Field Boxes with Orchard Registration Number (Business) - 7 CFR 319.56-30 (c)(2)(iv)

Harvested avocados must be placed in field boxes or containers of field boxes that are marked to show the registration number of the orchard.

Field Record to Accompany Fruit from Orchard to Packing House (Business) - 7 CFR 319.56-30 (c)(2)(v)

The avocados must be protected from fruit fly infestation during their movement from the orchard to the packinghouse and must be accompanied by a field record indicating that the avocados originated from a certified orchard.

Fruit Must be Stickered with Sanidad Vegetal Registration Number for Packing House (Business) - 7 CFR 319.56-30 (c)(3)(vi)

Prior to being packed in boxes, each avocado fruit must be cleaned of all stems, leaves, and other portions of plants and labeled with a sticker that bears the Sanidad Vegetal registration number of the packinghouse.

Box Marking w/Grower, Packinghouse, etc. (Business) - 7 CFR 319.56.30 (c)(3)(vii)

The avocados must be packed in clean new boxes, or clean plastic reusable crates. The boxes or crates must be clearly marked with the identity of the grower, packinghouse, and exporter.

Phytosanitary Certificate with Declaration (Foreign Government and Business) - 7 CFR 319.56-30 (d)

All consignments of avocados must be accompanied by a phytosanitary certificate issued by the Mexican NPPO with an additional declaration certifying that the conditions specified in this section have been met.

Training for Personnel for Trapping (Foreign Government and Business)

7 CFR 319.56-30(c)

The personnel conducting the trapping and pest surveys must be hired, trained, and supervised by the Mexican NPPO or by the State delegate of the Mexican NPPO.

Approved Municipality List (Foreign Government) - 7 CFR 319.56-30(c)(1)(i)

The municipality must be listed as an approved municipality in the operational workplan provided to APHIS by the Mexican NPPO.

Municipality Surveys (Foreign Government) - 7 CFR 319.56-30(c)(1)(ii)

The municipality must be surveyed at least semiannually (once during the wet season and once during the dry season) for a period of at least 5 years and found to be free from the avocado pests listed in the operational workplan. Thereafter, the municipality must be surveyed at least once per year provided the municipality remains pest free.

Orchard and Grower Registration (Foreign Government and Business)

7 CFR 319.56-30(c)(2)

The orchard and the grower must be registered with the Mexican NPPO's avocado export program and must be listed as an approved orchard or an approved grower in the operational workplan provided to APHIS by the Mexican NPPO.

Orchard Surveys (Foreign Government and Business) - 7 CFR 319.56-30(c)(2)(i)

The orchard and all contiguous orchards and properties must be surveyed semi-annually for a period of at least 5 years and found to be free from the avocado pests listed in the operational workplan. Thereafter, the orchard and all contiguous orchards and properties must be surveyed at least once per year provided the orchard and all contiguous orchards and properties remain pest free.

Packinghouse Registration (Foreign Government and Business) - 7 CFR 319.56-30(c)(3)

The packinghouse must be registered with the Mexican NPPO's avocado export program and must be listed as an approved packinghouse in the operational workplan provided to APHIS by the Mexican NPPO.

Post-harvest Inspection (Foreign Government and Business) - 7 CFR 319.56-30(c)(3)(iv)

Prior to the culling process, a biometric sample, at a rate determined by APHIS, of avocados per consignment must be selected, cut, and inspected by the Mexican NPPO or its approved designee and found free from pests.

Container Seal (Foreign Government) - 7 CFR 319.56-30(c)(3)(viii)

The packed avocados must be placed in a refrigerated truck or refrigerated container and remain in that truck or container while in transit through Mexico to the port of export for consignments shipped by air or sea or the port of first arrival in the United States for consignments shipped by land. Prior to leaving the packinghouse, the truck or container must be secured by the Mexican NPPO with a seal that will be broken when the truck or container is opened. The seal may be broken and a new seal applied by the Mexican NPPO if the truck or container stops at another approved packinghouse for additional avocados meeting the requirements of this section to be placed in the truck or container. The seal on the refrigerated truck or refrigerated container must be intact at the time the truck or container reaches the port of export in Mexico or the port of first arrival in the United States. If, at the port of export for consignments shipped by air or sea, the

packed avocados are transferred into a non-refrigerated container, the boxes, bins, or crates must be covered with a lid, insect-proof mesh, or other material to protect the avocados from fruit-fly infestation prior to leaving the packinghouse. Those safeguards must be intact at the time the consignment arrives in the United States.

Pest Detection Investigation (Foreign Government and Business) - 7 CFR 319.56-30(e)

If any of the avocado pests listed in the operational workplan are detected during the pest surveys in a packinghouse, certified orchard or areas outside of certified orchards, or other monitoring or inspection activity in the municipality, the Mexican NPPO must immediately initiate an investigation and take measures to isolate and eradicate the pests. The Mexican NPPO must also provide APHIS with information regarding the circumstances of the infestation and the pest risk mitigation measures taken. In accordance with the operational workplan, depending upon the nature of the pest detection, affected orchards may lose their export certification, and avocado exports from that orchard may be suspended until APHIS and the Mexican NPPO agree that the pest eradication measures taken have been effective.

Port of Entry Inspection (Business and State) - 7 CFR 319.56-30(f)

The avocados are subject to inspection by an inspector at the port of first arrival, at any stops in the United States en route to an approved State, and upon arrival at the terminal market in the approved States. At the port of first arrival, an inspector may sample and cut avocados from each consignment to detect pest infestation.

Recordkeeping (Business) - 7 CFR 319.56-30

Participating facilities must maintain records regarding trap placement and Medfly captures. The information APHIS collects serves as the supporting documentation needed to confirm that Hass avocados have been produced in accordance with the conditions set forth in the regulations. These records must be maintained for a period of 1 year.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

PPQ Form 587 is posted on the following website:

<http://www.aphis.usda.gov/library/forms/pdf/PPQ587.pdf>

A trust fund can be automated by the government in which the articles are produced. Funds can also be transferred via computer to APHIS.

APHIS has no control or influence over when foreign countries will automate their phytosanitary certificate. However, APHIS is involved with the Government-wide utilization of the International Trade Data System (ITDS) via the Automated Commercial Environment (ACE) to improve business operations and further Agency missions. This will allow respondents to submit the data required by U.S. Customs and Border Protection and its Partner Government Agencies (PGAs), such as APHIS to import and export cargo through a Single Window concept. APHIS is also establishing a system known as e-File for CARPOL (Certification, Accreditation, Registration, Permitting, and Other Licensing) activities. This new system will strive to automate some of these

information collection activities. The system is still being developed and business processes continue to be identified and mapped.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose described in item 2 above.

The information APHIS collects is exclusive to its mission to prevent the introduction of plant pests and plant diseases into the United States. The information 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 infestation by avocado stem weevils, seed weevils, and seed moths. APHIS has determined 90 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 compromise APHIS' ability to ensure that fresh Hass avocados from Mexico are not harboring destructive insect pests that could cause millions of dollars in damage to U.S. agriculture. Failing to collect this information would also make it much more difficult to ensure that fresh Hass avocados from Mexico are shipped only to approved States, and not to areas in the southern and western United States where insect pests from Mexico could successfully establish themselves.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information 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 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 data 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 consulted with the following individuals regarding the importation of Mexican Hass avocados:

Robert Graham
Quality Control Manager
Ben-Bud Growers, Incorporated
9210 Glades Road
Boca Raton, FL 33434
Phone: 561-347-3120

Frank Algeria
District Manager
Calavo Growers Incorporated
1141A Cummings Road
Santa Paula, California 93060
Phone: 805-566-2132

Berenice Martinez
Field Operations Coordinator
West Pak Avocado Incorporated
38655 Sky Canyon Drive
Murrieta, Ca 92563
Phone: 951-296-5757

On Friday, June 16, 2017, pages 27677-27678, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plans to request a 3-year renewal of this collection of information. No comments were received from the public.

9. Explain any 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 the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden and an explanation of how the burden was estimated.

. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

See APHIS Form 71 for hour burden estimates. These estimates were developed using historical data, calculated averages of the number of permits requested, and discussions with importers and shippers of Hass avocados.

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

Respondents are Mexican plant health officials, shippers, and importers of Hass avocados. APHIS estimates the annualized cost to respondents to be \$10,784,510.28.

APHIS arrived at this figure by multiplying the total burdens hours by the average hourly wage of the above respondents. (447,119 X \$24.12 = \$10,784,510.28). The hourly wage was provided per discussions between Animal Plant Health officials and Mexican officials.

The hourly rate of \$24.12 was derived from the U.S. Department of Labor, Bureau of Labor Statistics May 2016 Report - Occupational Employment and Wages in the United States. See <http://www.bls.gov/news.release/pdf/ocwage.pdf>

13. Provide estimates of the total annual cost burden to respondents or recordkeepers resulting from the collection of information, (do not include the cost of any hour burden shown in item 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 no annual cost burden associated with capital and start-up costs, maintenance costs, and purchase of services in connection with this program.

14. Provide estimates of annualized cost to the Federal Government. Provide a description of the method used to estimate cost and any other expenses that would not have been incurred without this collection of information.

See APHIS Form79 for the annualized cost to the Federal Government which total \$127,296.46.

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

	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	72,111,797	0	2,026,237	5,253	0	70,080,307
Annual Time Burden (Hr)	447,119	0	339,912	1,649	0	105,558
Annual Cost Burden (\$)	0	0	0	0	0	0

Program Changes: There is a program change of -9 respondents and +2,026,287 responses resulting in an increase of +340,012 total burden hours due to APHIS now accounting for the following burden:

- (1) Phytosanitary Certificates (Business);
- (2) Training Programs for Personnel in Surveying (Foreign Government and Business);
- (3) Approval Municipality List (Foreign Government);
- (4) Municipality Survey (Foreign Government);
- (5) Orchard and Grower Registration (Foreign Government and Business);

- (6) Orchard Survey (Foreign Government and Business);
- (7) Packinghouse Registration (Foreign Government and Business);
- (8) Post Harvest Inspection (Foreign Government and Business);
- (9) Container Seal (Foreign Government);
- (10) Pest Detection Investigation (Foreign Government and Business);
- (11) Port Entry Inspection (Business and State);
- (12) Recordkeeping (Business). (This activity was listed but no burden was accounted for in the previous submission).

These burden items were erroneously omitted from the previous renewal and are now being reported as a violation.

Adjustments: There is an adjustment of +5,253 responses resulting in an increase of +1,649 burden hours. These adjustments are due an increase in the number of Import Permits (Business), Marking of Field Boxes (Business), and Phytosanitary Certificates (Foreign Government) which increased the number of responses and burden hours for this information. In addition, APHIS adjusted the hours per response time to prepare the Phytosanitary Certificates.

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 APHIS collects.

17. If seeking approval to not display the expiration date for OMB approval of the information collections, explain the reasons that display would be inappropriate.

PPQ Form 587 is used in 6 collections; therefore, it is not practical to include an OMB expiration date because of the various expiration dates for each collection. APHIS is seeking approval to not display the OMB expiration date on this form.

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 in the Act.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.