

March 2018

Supporting Statement
Importation of Campanula Spp. Plants for Planting in Approved Growing Media
from Denmark to the United States
APHIS Docket Number: 2016-0051
OMB Number: 0579-0463

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 (USDA), 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 plant pests and noxious 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.

These regulations are enforced by Plant Protection and Quarantine (PPQ), a program within APHIS.

Regulations contained in Title 7, CFR Part 319, implement the intent of this Act by prohibiting or restricting the importation of certain plants and plant products into the United States, to prevent the introduction of plant pests. The regulations contained in “Subpart--Nursery Stock, Plants, Roots, Bulbs, Seeds, and Other Plant Products,” Sections 319.37, restrict, among other things, the importation of living plants, plant parts, and seeds for propagation.

APHIS published a final rule amending the regulations governing the importation of plants for planting to authorize the importation of Campanula spp. plants for planting from Denmark in approved growing media into the United States, subject to a systems approach. The systems approach consists of measures that are currently specified in the regulations as generally applicable to all plants for planting authorized importation into the United States in approved growing media. This final allows for the importation of Campanula spp. plants for planting from Denmark in approved growing media, while providing protection against the introduction of plant pests.

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.

7CFR 319.37.8 (e)(2) - Written Compliance Agreement with APHIS (Foreign Government) - Articles imported under this paragraph must be grown in compliance with a written agreement for enforcement signed by the plant protection service of the country where grown and APHIS, PPQ. Articles must be developed from mother stock that was inspected and found free from evidence of quarantine pests by an APHIS inspector or foreign plant protection service inspector no more than 60 days prior to the time the article is established in the greenhouse (except for articles developed from seeds germinated in the greenhouse).

7CFR 319.37.8 (e)(2) (i) - Written Compliance Agreement with the Business (business) (Foreign Government) – Articles grown in compliance with a written agreement between the grower/business and the plant protection service of the country where the article is grown, in which the grower agrees to comply with the provisions of this section and to allow inspectors, and representatives of the plant protection service of the country where the article is grown, access to the growing facility as necessary to monitor compliance with the provisions of this section.

7CFR 319.37.8 (e)(2)(viii) - Inspections (business) (Foreign Government) – Articles must be inspected in the greenhouse and found free from evidence of quarantine pests by an APHIS inspector or an inspector of the plant protection service of the exporting country, no more than 30 days prior to the date of export to the United States.

7CFR 319.37.8 Phytosanitary Certificates (business) (Foreign Government) - All shipments would require a phytosanitary certificate with an additional declaration stating that the plants have been inspected and found to be free of quarantine pests and were produced in accordance with the proposed requirements.

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.

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 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 for this program is the minimum needed to protect the United States nursery stock and other plant resources from the potential introduction of plant pests and plant diseases into the United States. APHIS has determined 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.

If APHIS did not collect this information or if this information was collected less frequently, APHIS could not verify that imported nursery stock does not present a significant risk of introducing plant pests and plant diseases into the United States. The establishment of certain plant pests in the United States could cause substantial losses to American agriculture.

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 would require this collection to be conducted in a manner inconsistent with the general information collection guidelines in 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 held productive consultations with the following individuals concerning the information collection activities associated with this program:

Jørgen Søggaard Hansen, Chief Plant Health Officer
Department of Seed and Plant Health
Ministry of Environment and Food
The Danish AgriFish Agency
Nyropsgade 30, 1780 København V
+45 45 26 38 20
jsh@naturerhverv.dk

Aurelio Posadas
P.O. Box 847
Elk Grove, CA 95759
Phone: 916-709-3484
aureliop@elkgrove.net

Craig Regelbrugge, Senior Vice President
AmericanHort®,
525 9th St NW, Suite 800
Washington, DC 20004
202-789-2900
CraigR@AmericanHort.org

APHIS' proposed rule (Docket No. APHIS 2016-0051) was published in the Federal Register on Tuesday, June 20, 2017, with a 60-day comment period. During that time, APHIS received two comments from interested members of the public. The first was from a person representing a state Department of Agriculture that objected to the new rule, concerned about the lack of measures against potential movement of additional pests. The second commenter used an alias and also opposed the rule but for nonspecific reasons. Both comments are analyzed in depth and addressed in the final rule notice. APHIS is adopting the proposed rule as the final rule without change.

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, the calculated average number of permits requested, and discussions with field and industry personnel.

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

The total annualized cost to respondents is computed by multiplying the average wage by the total number of hours needed to complete the work. ($\$29.00 \times 155 = \$4,495.00$)

The estimated average hourly wage of \$29.00 was provided by importers and APHIS officials in Denmark.

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 zero 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.

The annual cost to the Government is \$1,837.00 (see APHIS 79).

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

This is a new 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 collected.

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.

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 in the Act.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.