

**Supporting Statement
Importation of Eggplant from Israel
OMB Number 0579-0350**

April 2018

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 diseases not widely distributed in the United States, and eradicating those imported pests and noxious weeds when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701- *et seq.*), the Secretary of Agriculture is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests new to the United States or not known to be widely distributed throughout the United States.

The regulations in “Subpart-Fruits and Vegetables” (7 CFR Part 319.56-1 through 319.56-77, referred to as the regulation) 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’ fruits and vegetables regulations allow the importation of commercial shipments of fresh eggplant from Israel. As a condition of entry, the eggplant must be grown under a systems approach that would include requirements for pest exclusion at the production site, fruit fly trapping inside and outside the production site, and pest-excluding packinghouse procedures. The eggplant is also required to be accompanied by a phytosanitary certificate issued by the Israeli national plant protection organization (NPPO) with an additional declaration confirming that the eggplant had been produced in accordance with the requirements.

APHIS is asking the Office of Management and Budget to approve, for an additional 3 years, its use of this information collection activity associated with its efforts to prevent the spread of plant pests and plant diseases into the United States.

2. Indicate how, by whom, and for what purpose the information is 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 allow for the importation of commercial consignments of fresh eggplant from Israel into the United States while continuing to provide protection against the introduction of quarantine pests.

Trapping Records (Foreign Government) - 7CFR 319.56.49(b)(2)(iv)

Trapping records must be maintained by Israeli NPPO's and made available to APHIS for review upon request. These records are required to be kept for a period of 2 years.

Labeling of Boxes (business) - 7CFR 319.56.49(c)

The eggplant would have to be packed for shipment, within 24 hours of harvest in a pest-exclusionary packinghouse, to the continental United States in either (1) individual insect-proof cartons or boxes labeled with the specific place; or (2) non-insect-proof cartons or boxes would have to be placed in shipping containers that have identification labeling indicating the specific place of origin.

Inspection of Pest-Exclusionary Structures by Israeli NPPO's (foreign government and business) - 7CFR 319.56.49(a)(4)

The pest-exclusionary structures would also have to be inspected monthly for the six quarantine pests listed earlier by the Israeli NPPO or its approved designee, beginning 2 months before harvest and continuing for the duration of the harvest. Traps must be serviced at least once every 7 days. APHIS would have to be granted access in order to monitor or inspect the pest-exclusionary structures during this period as well. If, during these inspections, quarantine pests were found inside the pest-exclusionary structure, the Israeli NPPO would have to immediately prohibit that pest-exclusionary structure from exporting eggplants to the continental United States and notify APHIS of the action. The prohibition would remain in effect until the Israeli NPPO and APHIS agree that the risk has been mitigated.

Phytosanitary Certificate (foreign government and business) - 7CFR 319.56.49(e)

Each consignment of eggplant must be accompanied by a phytosanitary certificate of inspection issued by the Israeli NPPO with an additional declaration reading as follows: "The eggplant in this consignment has been grown in an approved production site and inspected and found free of the pests listed in 7 CFR 319.56-49."

Approved Pest-Exclusionary Structures (business) - 7CFR 319.56.49(a)

The eggplant must be grown in pest-exclusionary structures in approved production sites in the Arava Valley of Israel by growers registered with the Israeli NPPO. Initial approval of the production sites must be completed jointly by the Israeli NPPO and APHIS.

Grower Registration (business and foreign government) - 7CFR 319.56.49(a)

The eggplant must be grown in pest-exclusionary structures in approved production sites in the Arava Valley of Israel by growers registered with the Israeli national plant protection organization (NPPO). Initial approval of the production sites must be completed jointly by the Israeli NPPO and APHIS.

Pest Detection Notification (foreign government) - 7CFR 319.56.49(a)(4) and (b)(1)

If, during these inspections, any quarantine pests listed in the introductory text of this section are found inside a pest-exclusionary structure, the Israeli NPPO will immediately prohibit that pest-exclusionary structure from exporting eggplant to the continental United States and notify APHIS of the action.

Treatment Approval (foreign government) - 7CFR 319.56.49 (b)(2)(ii)

A treatment jointly approved by the Israeli NPPO and APHIS must be applied for the duration of the eggplant harvest in the areas of the Arava Valley where fruit fly host material occurs in backyards.

Emergency Action Notification PPQ Form 523 (business) - (7 CFR 319)

If a pest of development is found, the consignment will be held until an investigation is completed and appropriate remedial actions have been implemented. Inspectors will complete the PPQ form 523 when there is an interception of a pest and will fax it to the importer for signature and quarantine action or process it at the port.

Notice of Arrival (PPQ Form 368) (Business) - (7 CFR 319; 7 CFR 352)

Businesses importing regulated articles must complete PPQ Form 368 (or equivalent Federal form depending upon port procedures) at or before the shipment's arrival into the United States. The form provides information needed by Federal inspectors or officers to identify and track shipments en route to the United States, and to schedule inspections and treatments at the appropriate ports of entry. Timely submission mitigates delays in the port clearance process.

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 the phytosanitary certificate, grower registration, pest detection notification, and treatment approval.

PPQ Form 523, Emergency Action Notification, is initiated and issued by Federal officials.

PPQ Form 368, Notice of Arrival, may be submitted by authorized users using e-Permits found at https://www.aphis.usda.gov/aphis/resources/permits/sa_plants/ct_ppq_epermits.

APHIS works closely with Customs and Border Protection and 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. ITDS will allow respondents to submit data required by U.S. Customs and Border Protection and its Partner Government Agencies (PGAs) to import and export cargo through a Single Window concept. APHIS is also developing a system known as e-File for CARPOL (Certification, Accreditation, Registration, Permitting, and Other Licensing) activities. It is still under development and will strive to efficiently automate some of these information collection activities.

All other documents submitted by the NPPO are prepared to national or international standards. They may be delivered to APHIS via mail or email. APHIS enters phytosanitary certificates into its ARM system at ports of entry.

All other documents submitted by individuals or businesses are created at the discretion of the individual or business. There are no specific formats for these activities. They may be mailed, faxed, emailed, or telephoned.

The methodology for marking and labelling containers is at the discretion of the business or government provided they comply with basic industry and APHIS guidelines.

The methodology for creating and maintaining records is at the discretion of the accumulating activity. Electronic records are encouraged but not mandated.

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 of preventing the entry of injurious plant pests, diseases, and noxious weeds 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 in connection with this program is the minimum needed to protect the United States from plant pests and diseases from entering into the United States. APHIS has determined that 1 respondent is a small entity.

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 eggplant from Israel is not carrying plant pests. If plant pests (such as Ceratitis capitata, and Helicoverpa armigera) 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;**

Eggplant must be packed within 24 hours of harvest in a pest-exclusionary packinghouse.

Traps must be serviced at least once every 7 days.

- **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.

There are no other special circumstances associated with this information collection.

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.

Since Israel does not plan to register eggplant growers for export to the United States at this time, APHIS was unable to obtain different contacts than those submitted in the last clearance process.

Arava Export Growers, LTD
 Moena Greene
 2, HaMa'ayan St.
 Modi'in Technology Park 7177871
 Israel
 Tel: +972-3-9728 100
 Fax: +972-3-9734114

Gilad Desert Produce, LTD
 Yuval Witt
 Kfar Kish, 19330, Israel
yuval@giladltd.co.il
 +972-5-24260719
 Shlomi Fogel

Carmel Agrexco
12 Homa st. Rishon Lezion, 7565512, Israel
Tel: +972-(0)3-563-0900 I
Fax: +972-3-563-0988

On Wednesday, February 14, 2018, page 6507, APHIS published in the Federal Register, a 60-day notice seeking public comments on APHIS' plans to request a 3-year extension of this collection of information. During that time, APHIS received no comments.

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

This information collection activity involves no payments (other than appropriate, program-related 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.

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

The annualized cost to respondents totaled \$558.00. APHIS arrived at this figure by multiplying the total hours (16) by the estimated average hourly wage of the respondents (\$31).
\$31 X 18 hours = \$558.00

\$31.00 is the hourly rate derived from APHIS International Services' discussions with the Israeli foreign officials.

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 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 capital and start-up costs, maintenance costs, and the 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 for the Federal Government is \$345.60. (See APHIS Form 79.)

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

ICR Summary of Burden:

	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		20,013 5366	0	7	20,001	0 0	5
Annual Time Burden (Hr)		18	0	10	3	0 0	5
Annual Cost Burden (\$)		0	0	0	0	0 0	0

There is a program change increase of +1 respondent and +7 responses resulting in an increase of +10 burden hours. This increase is due to APHIS now accounting for the following burden items:

1. Inspection of Pest-Exclusionary structures (Business)
2. Phytosanitary Certificate (Business)
3. Approved Pest Exclusionary Structure (Business and Foreign Government)
4. Pest Detection Notification (Foreign Government)
5. Treatment Approval (Foreign Government).
6. Emergency Action Notification (PPQ 523) (Business)

7. Notice of Arrival (PPQ 368) (Business)

There is an adjustment increase of +20,001 responses resulting in an increase of +3 burden hours. There was an increase in the number of labeling boxes being accounted for.

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

The Notice of Arrival (PPQ Form 368) and the Emergency Action Notice (PPQ Form 523) are associated with multiple information collections, each with different OMB approval expiration dates. It would not be practical to add an expiration date to the form.

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 forms associated with 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.