

**Supporting Statement**  
**Importation of Fresh Pummelo Fruit from Thailand Into the United States**  
**Docket No. APHIS-2016-0034**  
**OMB No. 0579-XXXX**

**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 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” of Title 7, Code of Federal Regulations (CFR) 319.56, 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 with the United States.

APHIS is proposing to amend the regulations to allow the importation of fresh pummelo fruit from Thailand into the continental United States. As a condition of entry, the fruit must be imported in commercial consignments and be subject to a systems approach that would include an irradiation treatment; washing, brushing, disinfesting, and submerging in surfactant at the packinghouse; and inspection at the United States port of entry. Information collection activities include the preparation and issue of phytosanitary certificates by the National Plant Protection Organization of Thailand certifying the conditions of this rule are met; notices of arrival submitted by the importer to United States port officials to schedule inspection; and, if a consignment requires remedial action for clearance and release following the inspection, a response from the importer to a port-issued emergency action notification. These actions would allow for the importation of fresh pummelo fruit from Thailand while continuing to provide protection against the introduction of plant pests into the continental United States.

APHIS is asking Office of Management and Budget (OMB) to approve its use of these information collection activities, associated with its efforts to prevent the spread of plant pests and plant diseases into the United States, for 3 years.

**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 will use the following information collection activities to allow for the importation of fresh pummelo fruit from Thailand into the continental United States while continuing to provide protection against the introduction of quarantine pests.

**Phytosanitary Certificate; (7 CFR 319.56-83(d)); (Business)(Foreign Government)**

Each consignment of fresh pummelo fruit will be accompanied by a phytosanitary certificate issued by the National Plant Protection Organization (NPPO) of Thailand. The phytosanitary certificate ensures the fresh pummelo fruit was inspected by the NPPO following irradiation and packinghouse processing, and certifies the fruit meets U.S. requirements for export to the United States. If the fresh pummelo fruit is irradiated in Thailand, the phytosanitary certificate will contain an additional declaration attesting to irradiation of the fresh pummelo fruit in accordance with part 305 of the regulations. If the fresh pummelo fruit will be irradiated upon arrival into the continental United States, an additional declaration on the phytosanitary certificate will not be required. Additional declarations provide assurances regarding joint inspection and proper administration of treatments.

**Notice of Arrival (PPQ Form 368); (7 CFR 319.56-83(e)); (Business)**

Importers of 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.

**Emergency Action Notification (PPQ Form 523); (7 CFR 319.56-83(e)); (Business)**

PPQ Form 523 is prepared by a Federal official and issued to a broker, shipper, market owner, or other stakeholder responsible for a certain consignment failing specific import requirements and requiring remedial action. The form describes the reasons for refusal of entry into the United States and basic explanations of required remedial actions. Receipt and consignment disposition would be annotated by the stakeholder before further port clearance procedures would resume.

**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 or if foreign countries will automate phytosanitary certificates.

An online fillable version of the Notice of Arrival (PPQ Form 368) may be obtained from the APHIS forms website at [https://www.aphis.usda.gov/aphis/resources/forms/ct\\_ppq\\_forms](https://www.aphis.usda.gov/aphis/resources/forms/ct_ppq_forms) and

then faxed or emailed to APHIS at the port. E-Permit account holders may complete the form online at [https://www.aphis.usda.gov/aphis/resources/permits/sa\\_plants/ct\\_ppq\\_epermits](https://www.aphis.usda.gov/aphis/resources/permits/sa_plants/ct_ppq_epermits). The Emergency Action Notification (PPQ Form 523) is initiated by Federal officials.

APHIS works closely with CBP 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. CBP 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.

**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.**

APHIS estimates that 50 percent of the business respondents are considered 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.**

APHIS is the only federal agency responsible for preventing the incursion or interstate spread of plant pests, diseases, and noxious weeds. Failing to collect this information would restrict trade with Thailand and severely limit APHIS' ability to ensure fruit and vegetable imports are not carrying dangerous plant pests. Consequently, the introduction of insect pests and disease into the United States could result in significant damage to American fruit crops and severe economic losses for the United States fruit industry.

**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;**

An Emergency Action Notice (PPQ Form 523) may be issued by a Federal official to a broker, shipper, market owner, or other stakeholder responsible for a certain consignment being quarantined. The form describes the reasons for quarantine and basic explanations of required remedial actions. Recipients of PPQ Form 523 typically have 48 hours to decide on actions to be taken, and seven days to complete them.

- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, governmental 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 other 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 held productive consultations with the following individuals concerning the information collection activities associated with its program to import fresh pummelo fruit from Thailand.

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Ms. Vanida Khumnerdetch, Minister (Agriculture)  
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APHIS' proposed rule (Docket No. APHIS-2016-0034) was published in the Federal Register on March 29, 2018 with a 60-day comment period. APHIS received 7 comments from the public. The comments voiced concerns about the risks of importing plant pests via fruit shipments into the United States and the potential economic and ecological effects on Thai agriculture. None of the comments were specifically about activities in this information collection.

**9. Explain any decisions to provide any payment or gift to respondents, other than remuneration 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. 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 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.**

Respondents are the National Plant Protection Organization (NPPO), a grower, and a U.S. importer. APHIS estimates the total annualized cost to the above respondents to be \$364. APHIS arrived at this figure by multiplying the total hours of burden by the estimated average hourly wage of the above respondents ( $14 \times \$26 = \$364$ ). The hourly wage of \$26.00 was provided by the IS attaché in Thailand.

**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 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 \$408.00 (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.**

This is a new program. APHIS is proposing to amend the fruits and vegetables regulations to allow, under certain conditions, the importation of fresh pummelo fruit from Thailand into the United States. This rule, if approved, will result in an estimated 14 burden hours.

**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 collection, explain the reasons that display would be inappropriate.**

PPQ Form 368 and PPQ Form 523 are used for multiple information collections which have different expiration dates. APHIS requests that an expiration date not be annotated on these forms.

**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.