

**Supporting Statement
Importation of Longan from Taiwan
OMB No. 0579-0351**

June 2018

TERM OF CLEARANCE: When ICR is submitted for renewal, the agency should explain any changes in burden or in the forms due to the implementation of ITDS. (There is no change in burden, however ITDS 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 at a Single port.)

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 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 319.56 through 319.56-80, 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.

The fruit and vegetables regulations allow the importation of commercial shipments of fresh longan with stems from Taiwan into the United States. As a condition of entry, the longan will be subject to cold treatment and special port-of-arrival inspection procedures for certain quarantine pests. In addition, the fruit will have to be accompanied by a phytosanitary certificate stating that the fruit was inspected and found to be free of certain pests, and the individual cartons or boxes in which the longan are shipped would have to be stamped or printed with a statement prohibiting their importation into or distribution in the State of Florida.

APHIS is asking the Office of Management and Budget (OMB) 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 the import of commercial shipments of fresh longan with stems from Taiwan into the United States.

Phytosanitary Certificate w/Declaration (Foreign Government and Business) - 7CFR 319.56.13(b)(5)(xvii)

Must be accompanied by a phytosanitary certificate issued by the National Plant Protection Organization (NPPO) of the exporting country of origin (Taiwan) with an additional declaration stating that the fruit is free of *Conogethes punctiferalis*, *Cryptophlebia ombrodelta*, and *Rhipiphorothrips cruentatus*.

Inspections (Foreign Government and Business) - 7CFR 319.56-13(b)(5)(xvii)

Phytosanitary inspections would be required by NPPOs of Taiwan for all quarantine-significant pests.

Stamping of Boxes (Business) - 7CFR319.56-13(b)(2)(v)

Fresh longan from Taiwan would be prohibited from entering Florida. All individual cartons or boxes in which the longan were shipped must be stamped or marked with the following statement: "Not for importation into or distribution within FL."

Emergency Action Notification PPQ Form 523 (Business) - 7 CFR 319.77-5

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.

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 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. Phytosanitary Certificates are entered into the ITDS ACE system, used by CBP at the port of entry.

The Agricultural Quarantine Activity System (AQAS) records quarantine activities conducted by Department of Homeland Security (DHS), Customs and Border Protection (CBP), and APHIS PPQ employees at the ports of entry into the United States. AQAS also records trade-related activities conducted inside the US. AQAS aids the free flow of agricultural goods into the country by collecting agricultural risk data that ultimately help to minimize the impact of quarantine activities on trade. The Emergency Action Notification (EAN) PPQ Form 523 is generated by DHS and PPQ officers throughout the country when an actionable violation is detected related to prohibited pests and agricultural products found in cargo, market places, or domestic sites.

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 approximately 100 percent of the business considered 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 longan from Taiwan are not carrying plant pests. If plant pests (such as *Bactrocera cucurbitae* and *Conogethes punctiferalis*) 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;**
- **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 held productive consultations with the following individuals concerning the information collection activities associated with importing longan from Taiwan.

United Fresh Produce Association
Parker Linn
Government Relations Assistant
1901 Pennsylvania Ave., NW, Suite 1100
Washington, DC 20006
202-303-3423
plinn@unitedfresh.org

Fair Trade Certified
Ken Redding
Chief Commercial Officer
1500 Broadway, Suite 400
Oakland, CA 94612
510-663-5260, X388
info@transfairusa.org

Global Produce Sales

Ray Wheeler
1018 E. Oleander St.
Lakeland, FL 33801-20
863-682-7163

On Friday, April 20, 2018, page 17521, 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 from the public were received.

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. 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 estimated annualized cost to respondents is \$1,138.50. APHIS arrived at this figure by multiplying the total burden hours (33) by the estimated average hourly wage of the above respondents (\$34.50). (33 X \$34.50 = \$1138.50)

The average salary of foreign officials was estimated by APHIS/ International Services in their discussions with officials from Taiwan.

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 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 expense that would not have been incurred without this collection of information.

The estimated cost for the Federal Government is \$190.34. (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:

| | 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 | 12,037 | 0 | 19 | 0 | 0 | 12,018 |
| | | 0 | 0 | 0 | 0 | 12018 |
| Annual Time Burden (Hr) | 33 | 0 | 11 | 0 | 0 | 22 |
| | 22 | 0 | 0 | 0 | 0 | 22 |
| Annual Cost Burden (\$) | 0 | 0 | 0 | 0 | 0 | 0 |
| | 0 | 0 | 0 | 0 | 0 | 0 |

There is a program change increase of +19 responses resulting in an increase of +11 burden hours. The changes to this collection is due to APHIS now accounting for the following burden items:

(1) Phytosanitary Certificate w/Declaration (Business), (2) Inspection by NPPO's of Taiwan (Business), and Emergency Action Notifications (PPQ 523) (Business). This burden was erroneously left off of the previous collection and APHIS is reporting as a violation.

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.

PPQ Form 523 is included in several collections with varying dates of expiration. It would be impractical to include an expiration date for this collection, because it would negatively impact other collections that use 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.