

Supporting Statement
Importation of Fresh Mangoes from Australia
OMB No. 0579-0391

July 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, 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” (Title 7, Code of Federal Regulations (CFR) 319.56, 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 under certain conditions, the importation into the United States of commercial consignments of fresh mangoes from Australia. The conditions for the importation of fresh mangoes from Australia include requirements for pest exclusion at the production site, irradiation treatment, and port-of-entry inspections. The mangoes are also required to be accompanied by a phytosanitary certificate issued by the National Plant Protection Organization (NPPO) of Australia with an additional declaration confirming that the mangoes have been produced in accordance with the requirements. This action will allow for the importation of fresh mangoes from Australia while continuing to provide protection against the introduction of injurious plant pests into the United States.

APHIS is asking the Office of Management and Budget (OMB) to approve, for 3 additional years, 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.

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 activities to allow for the importation of fresh mangoes from Australia while continuing to provide protection against the introduction of injurious plant pests into the United States.

Phytosanitary Certificate (foreign) w/Declaration (business and foreign government) - 7 CFR 319.56-60(e)(1)

Consignments of mangoes from Australia would be required to be accompanied by a phytosanitary certificate with an additional declaration stating that the mangoes were grown in approved pest exclusionary structures and were inspected and found free from quarantine pests of concern to the United States and that the fruit received irradiation treatment.

Inspections (business and foreign government) - 7 CFR 319.56-60(d)

Prior to export from Australia, the mangoes must be inspected by the national plant protection organization (NPPO) of Australia and found free of *Cytosphaera mangiferae*, *Lasiodiplodia pseudotheobromae*, *Neofusicoccum mangiferae*, *Neoscytalidium novaehollandiae*, *Pseudofusicoccum adansoniae*, *Phomopsis mangiferae*, and *Xanthomomas campestris* pv. *mangiferaeindicae*. In addition, mangos must originate from an orchard that was inspected prior to the beginning of the harvest.

Inspections of Site (business and foreign government) - 7 CFR 319.56-60(c)(2)

Mangos must originate from an orchard that was inspected prior to the beginning of the harvest during the growing season and the orchard was found free of *C. mangiferae*.

Emergency Action Notification - PPQ Form 523 (business) - 7 CFR 319.56-3(d)(4)

If any pests are found, the entire consignment of fruit will be prohibited from import into the United States. If the pest is intercepted at the port of entry of the United States, an Emergency Action Notification (PPQ Form 523) will be submitted. Inspectors will complete the PPQ form 523 when there is an interception of a pest and will send it to the importer for signature and quarantine action.

Notice of Arrival (PPQ 368 or equivalent) (business) - 7 CFR 319.56-3(d)(1)

The importer must notify PPQ of the impending arrival of the shipment, and the port of entry at which the shipment will arrive. This notification alerts PPQ that a shipment is eminent and allows the scheduling of inspectors to inspect and process the shipment when it arrives. Inspection ensures the shipment is not harboring insect pests.

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. NPPO's also may enter their documents electronically using the APHIS Agricultural Quarantine Activity System (AQAS) upon receipt at the United States port of entry.

PPQ 523 (Emergency Action Notifications) are issued at the port of entry if there is a pest interception and is initiated by Federal officials.

The Notice of Arrival (PPQ Form 368) may be completed online by e-Permits account holders at website https://www.aphis.usda.gov/aphis/resources/permits/sa_plants/ct_ppq_epermits. Fillable versions of the forms also may be obtained from the APHIS forms website at https://www.aphis.usda.gov/aphis/resources/forms/ct_ppq_forms and then faxed or emailed to APHIS. Users also may obtain more information about the forms by visiting the PPQ permit information webpage at https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/permits/plants-and-plant-products-permits/ct_plantproducts.

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 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.

APHIS is the only Federal agency responsible for preventing the incursion or interstate spread of plant pests, diseases, and noxious weeds. The information APHIS is collecting is its only source for the information and is not being collected through other forms or reports.

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 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 this program:

Susan Finger, Director
Horticulture Innovative Australia
Level 7, 179 Elizabeth Street
Sydney NSW 2000
Phone: 02 8295 2335

Carla Sosa, Industry Relations Manager
National Mango Board
3101 Maguire Blvd, Suite 111
Orlando, FL 32803
Phone: 407- 629-7300
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Ian Wilkinson, Senior Policy Officer
Department of Agriculture and Food Western Australia
Food, Export and Investment
3 Baron-Hay Court
South Perth WA 6151
Phone: 08 9368 3333

On Friday, May 11, 2018, page 21999, 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 costs to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

Respondents are foreign officials in the National Plant Protection Organization of Australia as well as business from both Australia and the United States. The annualized cost to respondents is \$5,724.56.

APHIS arrived at this figure by multiplying the total burden hours by the estimated average hourly wage of the above respondents. $163 \times \$35.12 = \$5,724.56$. Information regarding salaries was received by the International Services attaches' for Australia and derived from the U.S. Department of Labor, Bureau of Labor Statistics May 2017 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 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 \$3,889.67 (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	257 5366	0	162	-5	0 0	100
Annual Time Burden (Hr)	163	0	115	-2	0 0	50
Annual Cost Burden (\$)	0 0	0	0	0	0 0	0

There is a program change increase of +162 responses resulting in an increase of +115 burden hours. The increase is due to APHIS now accounting for follow burden which, were erroneously omitted from the previous collection:

1. Phytosanitary Certificates (Business)
2. Inspections (Foreign Gov't and Business)
3. Inspections of Sites (Foreign Gov't and Business)
4. Notice of Arrival – PPQ -368 (Business)
5. Emergency Action Notifications – PPQ-523 (Business)

There is an adjustment decrease of -5 responses resulting in a decrease of -2 burden hours. This decrease is due to the adjustment of the number of Federal Government Phytosanitary Certificates received.

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 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.