

**SUPPORTING STATEMENT
IMPORTATION OF PAPAYAS FROM PERU
OMB NO. 0579-0410**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The Plant Protection Act (PPA, 7 U.S.C. 7701 et seq.) authorizes the Secretary of Agriculture to restrict the importation, entry, or interstate movement of plants, plant products, and other articles within the United States to prevent the introduction of plant pests or their dissemination. The Animal and Plant Health Inspection Service (APHIS) Plant Protection and Quarantine (PPQ) Program enforces the Act by regulating the importation of fruits and vegetables into the United States. These regulations are found in Section 319.56 of the Code of Federal Regulations (CFR) under “Subpart—Fruits and Vegetables”.

Under §319.56–25, papaya fruit from Peru may be imported into the United States only under certain conditions to ensure it is free of insect plant pests and disease. Verification is obtained through information collection activities that include registration, inspection, certification, and recordkeeping.

APHIS is requesting the Office of Management and Budget (OMB) to approve, for an additional 3 years, the use of these information collection activities to prevent the introduction of dangerous plant pests into the United States.

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.

APHIS uses the following information activities to verify that papaya fruit being imported into the United States from Peru is free of plant pests and disease.

Grower Registration; (7 CFR 319.56-25(b)); (Foreign Government (New))(Business)

Papaya fruit must be produced and packed by growers registered with the Peru National Plant Protection Organization (NPPO). Registration allows for inspection of fruit crops and provides traceability of fruit origin.

Phytosanitary Certificate; (7 CFR 319.56-25(i)); (Foreign Government)(Business (New))

All consignments of papaya fruit must be accompanied by a phytosanitary certificate issued by the Peru NPPO that includes a declaration stating the fruit was grown, packed, and shipped in accordance with the provisions §319.56–25.

Application for Permit to Import Plants or Plant Products (PPQ Form 587); (7 CFR 319.56-3); (Business) (New)

Importers may be required to obtain permits from APHIS before shipping to the United States papaya fruit that may not be in full compliance with 7 CFR 319.56-25. Permits allow APHIS to inform applicants of importation requirements imposed on the fruit at its country of origin and any special conditions the consignments must meet when arriving at United States ports.

Notice of Arrival (PPQ Form 368); (7 CFR 319.56-3d(1)); (Business) (New)

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 319.56-3d(2)); (Business) (New)

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 are annotated by the stakeholder before further port clearance procedures may resume.

Trapping Records; (7 CFR 319.56-25, 25(g)); (Foreign Government)

Beginning at least 1 year before harvest begins and continuing through the completion of harvest, fruit fly traps must be maintained in the fields where the papayas were grown. The NPPO must keep records of fruit fly finds for each trap, update the records each time the traps are checked, and make the records available to APHIS inspectors upon request. The records must be maintained for at least 1 year.

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 considerations of using information technology to reduce burden.

The Peru NPPO documents grower registrations and issues phytosanitary certificates. APHIS has no influence over other nations with regard to automating phytosanitary certificates but they may follow APHIS or international guidelines for format and content. APHIS enters phytosanitary certificate information into the electronic APHIS Agricultural Quarantine Activity System (AQAS) upon receipt at the United States port of entry.

The Notice of Arrival (PPQ Form 368) and Application for Permit to Import Plants or Plant Products (PPQ Form 587) 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.

The Emergency Action Notification (PPQ Form 523) is initiated by U.S. Federal officials and signed by the importer/broker as appropriate.

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 of the purpose described in item 2 above.

The mission to prevent the spread of plant pests in the United States is exclusive to USDA APHIS and the information it collects 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 50 percent of the business respondents to be small entities. The information APHIS collects is the minimum needed to protect the United States from destructive plant pests while ensuring increased variety of fruits and vegetables imported from other countries.

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.

This information collection is critical to APHIS' mission of preventing plant pests from entering the United States. Introduction of a plant or insect pest into the country could cause inestimable damage to United States crops and severe economic losses for United States agriculture and food industries.

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 U.S. 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, 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 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 consulted with the following representatives to obtain their views on this information collection activity:

Senor Alberto Ruiz Flores
SENASA-Peru
Ave. La Molina No. 1915, Lima 12
La Molina, Lima, Peru
Phone 011-51-1-313-3300

Marisol don De Silva
Vice President,
Asociación de Exportadores de Perú
Ave. Javier Prado Este 2875
San Borja, Lima, Peru

Alejandro Hernandez
Director, Media
Asociación de Gremios Productores Agrarios del Perú
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On Friday, July 27, 2018, APHIS published in the Federal Register on page 35606 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 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 personal or sensitive nature.

12. Provide estimates of 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 83-1.

See APHIS Form 71.

- **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 is determined by multiplying the total burden hours (1,507) by the estimated hourly wage (\$18 per hour). APHIS estimates the annualized cost to respondents to be \$27,126.

Respondents are growers and importers of papaya from Peru, and agricultural officials with the Peruvian government. The estimated hourly wage was derived from discussions with APHIS’ International Services (IS) contacts regarding Peruvian agricultural labor wages.

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 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 the capital and start-up cost, maintenance costs, and purchase of services in connection with this program.

14. Provide estimates of annualized cost 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.

See APHIS 79. The estimated cost for the Federal Government is \$1,144.

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

	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	2,804		2,703			101
Annual Time Burden (Hours)	1,507		1,353			154

In this renewal, the number of respondents increased from 51 to 52, adding an import broker. The number of annual responses changed from 101 to 2,804 for a net increase of +2,703

responses, and the total burden hours changed from 154 to 1,507 for a net increase of +1,353 hours.

All of the increases are attributed to program changes. For the Grower Registration and Phytosanitary Certificate activities, either the NPPO or business was added as a respondent; and for the Trapping Record activity, the NPPO's inspection and recording of fly trap results on a weekly basis for one year (2,600 responses and 1,300 hours of burden) was added.

Three new activities were added, being inadvertently omitted in the previous submission and now added as potential violations of the Paperwork Reduction Act but annotated in ROCIS as program changes. They are Application for Permit (PPQ Form 587), Notice of Arrival (PPQ Form 368), and Emergency Action Notification (PPQ Form 523). Together, they add only 3 responses and 3 hours of burden to the information collection.

All of these changes are summarized in the two tables below.

CHANGES IN RESPONSES

<u>7 CFR</u>	<u>REASON</u>	<u>RESP</u>	<u>PREVIOUS RESPONSES</u>	<u>NEW RESPONSES</u>	<u>DIFFERENCE</u>	<u>TYPE OF CHANGE</u>
319.56-25(b)	Grower Registration	FG	0	50	50	Program
319.56-25(b)	Grower Registration	B	50	50	0	No change
319.56-25(i)	Phytosanitary Certificate	FG	0	50	50	Program
319.56-70(i)	Phytosanitary Certificate	B	50	50	0	No change
319.56-3	Import Permit	B	0	1	1	New; Program
319.56-3d(1)	Notice of Arrivals	B	0	1	1	New; Program
319.56-3d(2)	Emergency Action Notif	B	0	1	1	New; Program
319.56-25(g)	Trapping Records	FG	1	2,601	2,600	Program
			+ 101	+2,804	+2,703	

CHANGES IN BURDEN HOURS

<u>7 CFR</u>	<u>REASON</u>	<u>RESP</u>	<u>PREVIOUS BURDEN</u>	<u>NEW BURDEN</u>	<u>DIFFERENCE</u>	<u>TYPE OF CHANGE</u>
319.56-25(b)	Grower Registration	FG	0	25	25	Program
319.56-25(b)	Grower Registration	B	25	25	0	No change
319.56-25(i)	Phytosanitary Certificate	FG	0	25	25	Program
319.56-70(i)	Phytosanitary Certificate	B	25	25	0	No change
319.56-3	Import Permit	B	0	1	1	New; Program
319.56-3d(1)	Notice of Arrivals	B	0	1	1	New; Program
319.56-3d(2)	Emergency Action Notif	B	0	1	1	New; Program
319.56-25(g)	Trapping Records	FG	104	1,404	1,300	No change
			+ 154	+ 1,507	+1,353	

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 it 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, PPQ Form 523, and PPQ Form 587 are used for multiple information collections which have different expiration dates. APHIS requests that an expiration date not be annotated on these forms. However, APHIS is considering merging information collections and/or creating common 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 under the act.

B. Collections of Information Employing Statistical Methods.

Statistical methods are not used in this information collection.