

SUPPORTING STATEMENT
Importation of Citrus from Peru, Expansion of Citrus Growing Area
OMB NO. 0579-0433

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 is responsible for preventing plant pests and noxious weeds from entering the United States, preventing the spread of plant diseases not widely distributed into 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 319.56 through 319.56-81, referred to below 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 and plant diseases.

APHIS currently allows the importation of citrus fruit to the United States from the entire country of Peru, utilizing a systems approach that mitigates the plant pest risk associated with citrus fruit produced in all other areas of Peru. This action would allow the importation of citrus fruit from the entire country of Peru while continuing to provide protection against the introduction of plant pests into the continental United States.

APHIS is asking the Office of Management and Budget (OMB) to approve for an additional three years, the use of these information collection activities, associated with its effort to prevent the spread of plant pests and diseases into the continental 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, under certain conditions, the importation of fresh commercial citrus fruits from approved areas of Peru into the United States.

7 CFR 319.56.41(f) Phytosanitary Certificate (business) (foreign government)

Each consignment of fruit must be accompanied by a phytosanitary certificate issued by the National Plant Protection Organization (NPPO) of Peru stating that the fruit has been inspected and found free of *Ecdytolopha aurantiana*.

7 CFR 319.56.41(c) Grower Registration and Agreement (business) (foreign government)

The production site, where the fruit is grown, must be registered for export with the NPPO of Peru, and the producer must have signed an agreement with the NPPO of Peru whereby the producer agrees to participate in and follow the fruit fly management program established by the NPPO of Peru.

7 CFR 319.56.41(d)(2) Recordkeeping (foreign government)

The NPPO of Peru, or its designated representative, must keep records that document the fruit fly trapping and control activities in areas that produce citrus for export to the United States. All trapping and control records kept by the NPPO of Peru, or its designated representative, must be made available to APHIS upon request.

7 CFR 319.56.41(d)(1) Fruit Fly Management Program with Trapping and Control of Fruit Fly Inspection (business) (foreign government)

The NPPO of Peru's fruit fly management program must be approved by APHIS, and must require that participating citrus producers allow APHIS inspectors access to production areas in order to monitor compliance with the fruit fly management program. The business employees escort the inspectors throughout the inspection. The fruit fly management program must also provide for the following:

In areas where citrus is produced for export to the United States, traps must be placed in fruit fly host plants at least 6 weeks prior to harvest at a rate mutually agreed upon by APHIS and the NPPO of Peru. If fruit fly trapping levels at a production site exceed the thresholds established by APHIS and the NPPO of Peru, exports from that production site will be suspended until APHIS and the NPPO of Peru conclude that fruit fly population levels have been reduced to an acceptable limit. Fruit fly traps are monitored weekly; therefore, reinstatements of production sites will be evaluated on a weekly basis.

7 CFR 319.56.41(a) Application to Import Plants or Plant Products (PPQ Form 587) (business)

All fruits and vegetables whether commercial or noncommercial consignments, must be imported under permit issued by APHIS, and must be imported under the conditions specified in the permit, and must be imported in accordance with all applicable regulations in 319.56.3.

7CFR319.56.41(d)(1) Reinstatement of production sites (foreign government)

If fruit fly trapping levels at a production site exceed the thresholds established by APHIS and the NPPO of Peru, exports from that production site will be suspended until APHIS and the NPPO of Peru conclude that fruit fly population levels have been reduced to an acceptable limit. Fruit fly traps are monitored weekly; therefore, reinstatements of production sites will be evaluated on a weekly basis.

7 CFR 319.56.41(g) Port of first arrival sampling Inspection (business)

Citrus fruits imported from Peru are subject to inspection by an inspector at the port of first arrival into the United States in accordance with §319.56-3(d). At the port of first arrival, an inspector will sample and cut citrus fruits from each consignment to detect pest infestation. If a single live fruit fly in any stage of development or a single *E. aurantiana* is found, the consignment will be held until an investigation is completed and appropriate remedial actions have been implemented.

7 CFR 319.56(d)(1) Emergency Action Notification (PPQ Form 523) (business)

If a single live fruit fly in any stage 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.

7 CFR 319.56(d)(1) Notice of Arrival (PPQ Form 368) (business)

Exporters in Peru who are importing citrus must inform the Plant Protection and Quarantine Officer at the U.S. port of entry in writing, of the impending arrival of the shipment. This pre-arrival notification must include the time and date the commodities are expected to arrive at the port in the United States; time schedule and route to be followed through the United States; and the serial numbers of the seals on the shipment containers. APHIS' notice of arrival requirement will help expedite the shipment's movement through the port of entry by ensuring that all the necessary information is on hand to process the shipment.

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 governmentwide 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 the United States Customs Border Protection and its Partner Government Agencies (PGAs), such as APHIS to import and export cargo, such as peppers through a Single Window concept.

PPQ Form 523 is used by Customs and Border Protection (CBP) to generate records and perform analysis necessary to carry out the program. This may include exporting records or portions of records to the International Trade Data System (ITDS) or the Automated Commercial Environment (ACE). The records may be used by designated employees of CBP and/or the State agricultural cooperators for the following purposes:

- (a) Generate the Emergency Action Notification (PPQ Form 523) for the purpose of notification of noncompliance and administrative instructions to

importers/shippers/property owners at ports of entry or domestic locations regarding available options for safeguarding their shipment/property against an identified agricultural risk.

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 is the minimum needed to protect the United States from destructive plant pests while increasing the number and variety of fruits and vegetables that be imported from other countries. APHIS has estimated that approximately 90% of 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.

If APHIS did not collect this information or if APHIS collected it less frequently, APHIS could not verify that fruit was treated, and verify that fruit flies, and other pests were destroyed by treatment, or that the treatment was adequate to prevent the risk of plant pests from entering the United States.

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;**

Fruit fly traps are monitored weekly; therefore, reinstatements of production sites will be evaluated on a weekly basis.

- **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;**

The NPPO of Peru, or its designated representative, must keep records that document the fruit fly trapping and control activities in areas that produce citrus for export to the United States. All trapping and control records kept by the NPPO of Peru, or its designated representative, must be made available to APHIS upon request for 5 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 citrus fruit from Peru.

Maria del Apriaso

Business Manager
Procitrus
Av. Nicolás Arriola N° 314 Oficina 903 Urb.
Santa Catalina La Victoria, Lima 13 – Perú
procitrus@procitrus.org
phone: (051) 224-9026 /(051)(226)1952

Alonxo Roman
Vice President
Agricola Hoja Redonda
Jr. Miró Quesada 247, piso 8 Lima 1 – Perú

Juana Concepcion Ricardez
Manager
Camposal
Av. El Derby 250, Piso 4
Urb. El Derby de Monterrico
Santiago de Surco

On Monday, October 29, 2018, page 54312, Volume 83, 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 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.

APHIS estimates the total annualized cost to these respondents to be \$41,493. APHIS arrived at this figure by multiplying the total burden hours (1,360) by the estimated average hourly wage (\$20.84) of the respondents. APHIS has also multiplied the result by 1.464 to include benefit costs. The hourly wage was provided by USDA's Agricultural Specialist in Peru.

According to DOL BLS news release USDL-18-1499 dated September 18, 2018 (see <https://www.bls.gov/news.release/pdf/ecec.pdf>), benefits account for 32% of employee costs, and wages account for the remaining 68%. Mathematically, total costs can be calculated as a function of wages, resulting in a multiplier of 1.464.

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.

See APHIS Form 79. Multiplying the total by 1.464 to include benefit cost, the estimated annualized cost to the Federal Government is \$43,850.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 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	854	0	-58	0	0	912
Annual Time Burden (Hr)	1,360	0	-974	0	0	2,334

Overall there has been a decrease of 58 annual responses and 974 annual burden hours due to program changes.

The business respondents for phytosanitary certificates were erroneously omitted from the last submission. Also omitted but now included are the respondents for emergency action notifications, port of first arrival inspections, and notices of arrival.

The last submission also included an overestimate of 2 responses per respondent for the grower registration and agreement submissions, which has been revised to 1 response per respondent, based on actual practice. The foreign government respondent for this activity was also omitted from the last submission but is now included.

Lastly, the number of grower site reinstatements reduced significantly due to the current enhanced methods of production.

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.

The PPQ Form 523, PPQ Form 587, and PPQ Form 368 are used in multiple APHIS information collections; therefore, it is not practical to include an OMB expiration date because of the various expiration dates for each information collection. APHIS is seeking approval to not display the OMB expiration date on this form; however APHIS is considering making this form a common 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.