

**SUPPORTING STATEMENT**  
**Citrus Greening and Asian Citrus Psyllid;**  
**Quarantine and Interstate Movement Regulations**  
**OMB No. 0579-0363**

**December 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 (USDA), Animal and Plant Health Inspection Service (APHIS), is responsible for preventing plant diseases and insect pests from entering the United States, preventing the spread of pests and noxious weeds not widely distributed in the United States, and eradicating imported pests when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701, *et seq.*), the Secretary of Agriculture, either independently or in cooperation with the States, is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests (such as citrus canker) new to or widely distributed throughout the United States. APHIS' Domestic Quarantines (7 CFR Part 301) are issued under this authority.

In the "Domestic Quarantine Notices" in 7 CFR part 301 the subpart, "Citrus Greening and Asian Citrus Psyllid" (§§ 301.76 through 301.76-11, referred to as the regulations) provides the regulatory guidance for the presence of Citrus Greening and Asian Citrus Psyllid. The regulations quarantine the State of Florida, two parishes in Louisiana, and one county in South Carolina due to the presence of citrus greening. The regulations also quarantine Alabama, Florida, Georgia, Guam, Hawaii, Louisiana, Mississippi, Puerto Rico, Texas, three counties in South Carolina, and portions of three counties in California due to the presence of ACP, a vector of the bacterial pathogen that causes citrus greening.

The Huanglongbing disease of citrus, another name for citrus greening, is considered to be one of the most serious citrus diseases in the world. Citrus greening is a bacterial disease caused by strains of the bacterial pathogen "Candidatus Liberibacter asiaticus," that attacks the vascular system of host plants. The pathogen is phloem-limited which inhabits the food-conducting tissue of the host plant; causes yellow shoots, blotchy mottling, chlorosis; reduced foliage; and tip dieback of citrus plants. Citrus greening greatly reduces production, destroys the economic value of the fruit, and can kill trees. Once infected, there is no cure for a tree with citrus greening disease. In areas of the world where the disease is endemic, citrus trees decline and die within a few years and may never produce usable fruit.

This information collection is necessary to address the risk associated with the interstate movement of citrus nursery stock and other regulated articles from areas quarantined for citrus greening. APHIS is asking OMB to approve, for 3 additional years, the use of these information collection activities associated with its program to prevent the interstate movement of citrus greening and ACP into noninfested areas of 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 collection activity for the interstate movement of citrus nursery stock and other regulated articles from citrus greening quarantined areas:

**Limited Permit (PPQ Form 530), Additional Conditions for CG and ACP, and Emergency Conditions the Administrator may Impose (Business) - 7 CFR 301.76-5, 6, 7**

Limited permits are used to authorize movement of regulated articles that are not certifiable to specified destinations for process treatment or utilization. A limited permit is required in accordance with §301.76-7 (c) to secure the interstate movement of various plants. Regulated articles should be moved in compliance with any additional emergency conditions the Administrator may impose, under the Plant Protection Act, to prevent the spread of citrus greening and the Asian citrus psyllid.

**Federal Certificate (PPQ Form 540), Additional Conditions for CG and ACP, and Emergency Conditions the Administrator may Impose (Business) - 7 CFR 301.76-5(a), 6, 7**

Certificates are issued when an inspector or person operating under a compliance agreement finds that, because of certain conditions, a regulated article can be moved safely from a quarantined area without spreading the disease or pest. Regulated articles should be moved in compliance with any additional emergency conditions the Administrator may impose, under the Plant Protection Act, to prevent the spread of citrus greening and the Asian citrus psyllid.

**Compliance Agreement (PPQ Form 519) (Business) - 7 CFR 301.76-8**

This is a written agreement between APHIS and a person engaged in the business of growing, maintaining, processing, handling, packing, or moving host articles for interstate movement, in which the person agrees to comply with this subpart. For the purposes of this subpart, a memorandum of understanding is considered a compliance agreement.

**Labeling Requirements and Statement (Business) - 7 CFR 301.76-4(a) and 76-6(b)(3)**

All regulated nursery stock offered for commercial sale within an area quarantined for citrus greening must have an APHIS-approved plastic or metal tag with a statement "Limited Permit: USDA-APHIS-PPQ. Not for distribution in American Samoa, AZ, Northern Mariana Islands, and U.S. Virgin Islands or those portions of CA and SC not quarantined due to the presence of Asian Citrus Psyllid or citrus greening." This tag will alert consumers to Federal prohibitions regarding the interstate movement of the article when it is prominently and legibly displayed.

**Recordkeeping (Business) - 7 CFR 301.76-8**

Any person involved in the growing, maintaining, processing, handling, packing, treating, or moving of regulated articles must also agree to maintain and offer for inspection such records as are necessary to demonstrate continual adherence to the requirements of the regulations and the provisions of the compliance agreement. Records will be maintained for a minimum of 1 year.

**Tag Must be Attached to Consignee's Copy of Accompanying Waybill (Business)**  
**7 CFR 301.76-10(a)(3)**

Citrus trees must be accompanied by a copy of a limited permit attached to the consignee's copy of the waybill, and must be moved in accordance with the conditions of the limited permit directly to the port of export in a container sealed with an agricultural seal placed on it by an inspector.

**Cancellation of Certificates, Permits, and Compliance Agreements (Business) - 7 CFR 301.76-8**

The withdrawal of a certificate, limited permit, or compliance agreement is necessary if the inspector determines that the holder of the certificate, limited permit, or compliance agreement has not complied with all of the provisions for the use of the document or with all of the conditions contained in the document. This paragraph also contains provisions for notifying the holder of the reasons for the withdrawal and for holding a hearing if there is any conflict concerning any material fact in the event that the person wishes to appeal the cancellation.

**72-Hour Notification of Inspection (Business) - 7 CFR 301.76-9**

All regulated citrus trees treated with soil drenches or granular applications and foliar sprays prior to interstate movement from an area quarantined only for ACP but not for citrus greening, as well as all citrus trees intended for interstate movement for immediate export from an area quarantined for citrus greening, must be inspected by an inspector no more than 72 hours prior to movement.

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

If a single live plant pest or disease 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 owner/importer for signature and quarantine action.

**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.**

The Limited Permit (PPQ 530) and the Federal Certificate (PPQ 540) are not automated for several reasons. They are accountable forms with unique identifiers (serial numbers) that must be issued by a PPQ employee, or a person under Compliance Agreement with PPQ. APHIS needs to have strict control over the issuance of these forms, as it allows for the movement of regulated products that are subject to restrictions. The forms can only be issued after an inspection proves that the shipment meets the requirements for movement. In addition, movement may also require a treatment, which has to be determined by an inspector. Finally, the forms must accompany the shipment throughout transport from the inspection until destination.

An information technology system called Certification, Accreditation, Registration, Permitting, and other Licensing (**CARPOL**) is being developed and once it is operational, it can be used to generate APHIS' permits and certificates.

The Compliance Agreement (PPQ Form 519) is automated and posted at:  
<http://www.aphis.usda.gov/library/forms/pdf/ppq/519.dot>

APHIS is working with Customs and Border Protection (CBP) via the International Trade Data System (ITDS) Automated Commercial Environment (ACE) initiative to automate these certificates on our end. APHIS and CBP like receiving paper as it includes official seals, stamps, etc. to ensure legitimacy; however, APHIS intends to complete Partner Government Agencies (PGA) message sets to capture the information documented on the certificates. Collection of this data in message sets will support enhanced analysis for establishing importing policy in the future.

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.

- (a) The Emergency Action Notification (PPQ Form 523) is generated 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 incursion or interstate spread of plant pests 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 and plant diseases. APHIS has determined that approximately 75 percent of the respondents are small entities.

**6. Describe the consequences of 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, or if this information was collected less frequently, could cause a severe economic loss to the citrus 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;**

All regulated citrus trees treated with soil drenches or granular applications and foliar sprays prior to interstate movement from an area quarantined only for ACP but not for citrus greening, as well as all citrus trees intended for interstate movement for immediate export from an area quarantined for citrus greening, must be inspected by an inspector no more than 72 hours prior to movement. After inspection, documentation of findings must be provided to APHIS.

Any person whose compliance agreement has been canceled may appeal the decision, in writing, within 10 days after receiving written notification of the cancellation.

- **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 held productive consultations with the following citrus producer associations concerning the information collection activities associated with citrus greening and ACP:

Brazos Citrus Nursery  
Heidi Thompkins  
PO Box 167  
West Columbia, TX 77486  
(979) 345-2906

Star Nursery  
Delcia Arneus  
14039 Hwy 23  
Belle Chase, LA 70037  
(504) 656-7760

Atkins Nursery  
Drew Mitner  
3129 Reche Rd  
Fallbrook, CA 92028  
(760) 728-1610

On Friday, Oct 25, 2018, pages 53847-53848, 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 decision to provide any payment or gift to respondents, other than reenumeration 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 status, regulation, or agency policy.**

(SORN) APHIS-10: APHIS Comprehensive Electronic Permitting System (ePermits)  
FR Doc E8-9407[Federal Register: April 30, 2008 (Volume 73, Number 84)]

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 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 the above respondents to be \$106,163.13. APHIS arrived at this figure by multiplying the total burden hours (2,021) by the estimated average hourly wage of the respondents ( $\$35.88 + 16.65 = 52.53$ ).

$$2,021 \times \$52.53 = \$106,163.13$$

The hourly rate is derived from the U.S Department of Labor, Bureau of Labor Statistics May 2018 Report Occupational Employment and Wages in the United States. See [http://www.bls.gov/oes/2017/may/oes\\_nat.htm#b11-0000](http://www.bls.gov/oes/2017/may/oes_nat.htm#b11-0000)

$$\text{Benefits} = \text{wages} \times 46.4\% \quad (3588 \times 0.464 = \$16.88)$$

**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 estimate 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, 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 to the Federal Government is \$69,326.00. See APHIS Form 79 for details.

**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	15,904	0	1	1,466	0	14,437
		0	0	0	0	
Annual Time Burden (Hr)	2,021	0	1	230	0	1,790
	22	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 +1 respondent and +1 response resulting in an increase of +1 burden hour. This increase is due to APHIS now accounting for the Emergency Action Notifications (PPQ Form 523) which was erroneously left off previous collections and is counted as a violation.

There is an adjustment increase of +17 respondents and + 1,466 responses resulting in an increase of + 230 burden hours. The increase is due to additional respondents who submitted permits, certificates, compliance agreements, act as recordkeepers and labeling increases.

**16. For collections of information whose results are planned to be published, outline plans for tabulations 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 519, PPQ Form 530, PPQ Form 540, and PPQ Form 523 are used in multiple 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 these forms into 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.