**SUPPORTING STATEMENT JUSTIFICATION FOR**
**STAKEHOLDER INPUT ON FEDERAL OUTREACH TO CONTROL LISTERIA MONOCYTOGENES AT RETAIL**

## 1. Circumstances Making Collection Of Information Necessary:

This is a request for a new information collection on outreach efforts related to retail best practices to control *Listeria monocytogenes (Lm)* in retail delicatessens

The Food Safety and Inspection Service (FSIS) has been delegated the authority to exercise the functions of the Secretary as provided in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 et seq.), and the Egg Products Inspection Act (EPIA) (21 U.S.C. 1031 et seq.). These statutes mandate that FSIS protect the public by ensuring that meat, poultry, and egg products are safe, wholesome, unadulterated, and properly labeled and packaged.

FSIS intends to collect information from stakeholders from industry, State and public health and agriculture departments with responsibilities for retail food safety, local health departments, and grocers to gather information on FSIS outreach efforts related to retail best practices to control *Listeria monocytogenes (Lm)* in retail delicatessens. The purpose of this information collection is to enhance Federal outreach and interagency coordination to control *Lm* at retail.

## 2. How, By Whom and Purpose Information Is To Be Used:

The following is a discussion of the information collection activities.

To gather feedback to enhance Federal outreach and interagency coordination to control *Lm* at retail, FSIS, in collaboration with the Food and Drug Administration (FDA) and the Centers for Disease Control and Prevention (CDC), will conduct focus groups with a sample of stakeholders from industry, state and local public health and agriculture departments, and retail delicatessens. In the focus groups, a sample of stakeholders will be invited to provide input on the awareness and usefulness of existing outreach materials and tools related to best practices for controlling *Lm* in delicatessens, how they currently receive this type of information (e.g., from FSIS, FDA, CDC, State Health department, Cooperative Extension), and how those channels of communication could be improved.

The Interagency Retail Lm Work Group (FSIS, FDA and CDC) is collaborating and has identified specific criteria for participants in each of the 30 focus groups. Key leadership personnel from FSIS, FDA and CDC are working with officials from the Association for Food and Drug Officials (AFDO), Association of State and Territorial Health Officials (ASTHO),

American Frozen Food Institute (AFFI), Federal Marketing Institute (FMI), National Grocers Association (NGA), National Environmental Health Association (NEHA), National Association of County and City Health Officials (NACCHO), and National Association of State Departments of Agriculture (NASDA) to identify appropriate participants. Each association was selected based on the role of their member, which aligns with the criteria for the focus groups. Once the appropriate participants are identified, FSIS will send a letter requesting their participation.

**3. Use Of Improved Information Technology:**

To provide information to interpret the study findings, the focus groups will be digitally recorded, and the audio-recordings will be transcribed. No electronic copies of the questions will be provided to the participants before the focus group discussions.

**4. Efforts To Identify Duplication:**

FSIS has determined that this information collection will not duplicate any other information collections. There is no other available information that can be used or modified.

**5. Methods To Minimize Burden On Small Business Entities:**

Data requested of small businesses will be the same as for large ones. FSIS estimates that 80 small businesses will participate in the focus group studies.

**6. Consequences If Information Were Collected Less Frequently:**

To conduct the information collections less frequently will reduce the effectiveness of FSIS inspection programs.

**7. Circumstances That Would Cause The Information Collection To Be Conducted In A Different Manner:**

- **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.**

The information collection activities in this submission are consistent with the guidelines in 5 CFR 1320.6.

**8. Consultation With Persons Outside The Agency:**

In accordance with the Paperwork Reduction Act, FSIS published a 60-day notice, *Notice of Request for a New Information Collection (*Stakeholder Input on Federal Outreach to Control *Listeria Monocytogenes* at Retail*)* on November 20, 2018, (83 FR 58525). The Agency received no relevant comments. FSIS also contacted John Luker (518-457-5382; Association of Food and Drug Officials), Abraham Kulungara (571-527-3154; Association of State and Territorial Health Officials), Haley Oliver (765-491-4775, Purdue University/Cooperative Extension), and Donald Schaffner (848-932-5411, Rutgers University) to request input on the Agency's burden estimate. All four individuals agreed with the Agency's burden estimate of 90 minutes to participate in a focus group. Therefore, the Agency is making no change to the estimated time for completion.

**9. Payment or Gifts to Respondents:**

Respondents will not receive any gifts or payments.

**10. Confidentiality Provided To Respondents:**

No assurances other than routine protection provided under the Freedom of Information Act have been provided to respondents.

**11. Questions Of A Sensitive Nature:**

The applicants are not asked to furnish any information of a sensitive nature.

**12. Estimate of Burden**

The total burden estimate associated with this information collection is 240 hours. The total number of respondents is 240.

The Agency estimates that 240 focus group participants will respond 1 time annually, taking 105 minutes each, to supply the information regarding FSIS outreach efforts related to retail best practices to control *Listeria monocytogenes (Lm)* in retail delicatessens for a total of 420 hours.

***Listeria monocytogenes* at retail focus groups**

| Type of Establish-Ment | No. of Respon-dents | No. of Responses per Respondent | Total Annual Responses | Time for Response in Mins. | Total Annual Time in Hours |
|---|---|---|---|---|---|
| Stakeholders | 240 | 1 | 1 | 105 | 420 |

The cost to the respondents is estimated at $78.73 annually. The Agency estimates that it will cost respondents $44.99 an hour, including fringe benefits, in fulfilling these paperwork requirements. Respondents will spend an annual total of 1.75 hours and $78.73. The hourly rate for the respondents was attained from the Department of Labor Bureau of Labor and Statistics wage data, May, 2017.

**13. Capital and Start-up Cost and Subsequent Maintenance**

There are no capital and start-up costs and subsequent maintenance burdens.

**14. Annual Cost To Federal Government:**

The cost to the Federal Government for these information collection requirements is $79,632.30 annually. The costs arise primarily from the time spent by FSIS staff developing and administering the focus group questions, as well as analyzing and reporting the data. The Agency estimates a cost of $44.99 per hour, including fringe benefits, for the FSIS staff.

**15. Reasons For Changes In Burden:**

This is a new information collection.

**16. Tabulation, Analyses And Publication Plans:**

FSIS will present the results to public health partners, such as local, state, and federal agency employees.

**17. OMB Approval Number Display:**

FSIS will display the OMB approval number on the focus group questions and any documents shared relating to this data collection.

**18. Exceptions to the Certification:**

There are no exceptions to the certification.