

2020 SUPPORTING STATEMENT
SEED SERVICE TESTING PROGRAM
OMB NO. 0581-0140

A. JUSTIFICATION

- 1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION.**

The Agricultural Marketing Act (AMA) of 1946 and regulations 7 CFR 75, thereunder provide for the inspection and certification of quality of agricultural and vegetable seeds in order to bring about efficient, orderly marketing and to assist the development of new or expanding markets. Under the voluntary program, samples of agricultural and vegetable seeds submitted to the Agricultural Marketing Service (AMS) are tested for certain quality factors such as purity, germination, and noxious-weed seed content. The items for which the seed is tested are designated by the company requesting the service. A Seed Analysis Certificate-Sample Inspection or ISTA Orange International Seed Lot Certificate is issued by AMS giving the test results. For the issuance of ISTA Orange International Seed Lot Certificates, Seed Regulatory and Testing Division (SRTD)-Authorized International Seed Testing Association (ISTA) Samplers sample and submit seed samples to AMS. Most of the samples submitted represent seed scheduled for export. Many importing countries require a Seed Analysis Certificate-Sample Inspection or an ISTA Orange International Seed Lot Certificate on seed from the United States shipped into their country. The Seed Regulatory and Testing Division of AMS, which tests the seed and issues the certificates, is the only Federal seed testing facility that can issue the Seed Analysis Certificate-Sample Inspection.

- 2. INDICATE HOW, BY WHOM, HOW FREQUENTLY, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED FOR REVISIONS, EXTENSIONS, AND REINSTATEMENTS OF A CURRENTLY APPROVED COLLECTION. INDICATE THE ACTUAL USE THE AGENCY HAS MADE OF THE INFORMATION RECEIVED FROM THE CURRENT COLLECTION.**

Application for Service (Request Process)

Companies are seed firms who use the certificates to represent the quality of seed lots to foreign customers according to the terms specified in contracts of trade. An Application for Service (Request Process) consists of a letter from companies providing information needed for the service requested; information to identify the seed being tested; the seed treatment (if treated); the tests to be performed, and any other appropriate information required by the company to be on the Federal Seed Analysis Certificate or the ISTA Orange International Seed Lot Certificate. Sampling documentation will accompany the officially drawn sample submitted for testing. The information provided by the company is included on the certificates, often to satisfy requirements of importing countries or letters of credit. If the pertinent information

were not collected, AMS would not know which tests to conduct and would not be able to relate the test results with a specific lot of seed. The information must be provided for each sample the company submits for testing. With this function of SRTD-Authorized ISTA Seed Sampler Program, Sampler records are kept on file for those who sample seed for the issuance of ISTA Orange International Seed Lot Certificates. This information is provided as a rule by ISTA in order to verify that the sample was taken and submitted by an authorized Sampler. Without the AMS programs, companies would have to obtain tests from state or commercial laboratories. Without the programs, some importing countries would likely accept certificates from commercial laboratories, while other countries would hold seed from the United States at the port of entry until it is sampled and a test made by the importing country.

The Seed Analysis Certificate-Sample Inspection and the ISTA Orange International Seed Lot Certificates are issued by AMS to report the seed quality factors from test results in accordance with the request of the company. The Seed Analysis Certificate-Sample Inspection and the ISTA Orange International Seed Lot Certificates, completed by AMS also contains information supplied by the company and the Sampler that is accounted for in the burden hours. No form is used by companies to request the service. Only pertinent items of information necessary to perform the inspection are obtained with the company's request.

3. DESCRIBE WHETHER, AND TO WHAT EXTENT, THE COLLECTION OF INFORMATION INVOLVES THE USE OF AUTOMATED, ELECTRONIC, MECHANICAL, OR OTHER TECHNOLOGICAL COLLECTION TECHNIQUES 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.

Normally the company or Sampler submits the information along with the sample that is to be tested. The majority of information is transmitted by postal delivery or courier service. If information is not provided with the sample, it is obtained from the company or Sampler by telephone, facsimile (fax) transmissions, or electronic mail (e-mail). The AMS, Science and Technology Programs, Seed Regulatory and Testing Division is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN ITEM 2 ABOVE.

No duplication occurs. The information obtained from the company or Sampler applies to a single inspection. Each seed sample represents a single, specific quantity of seed. Companies request service pertaining to a single seed lot identified with a mark or

number. Information pertaining to one seed lot has no relationship to any other seed lot. No useful information is available for a specific seed lot from any other source. Information about the disposition of the seed analysis certificates, billing addresses, and general instructions from the company are kept on file so they do not have to be repeated with every inspection.

5. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 15 OF THE PAPERWORK REDUCTION ACT SUBMISSION FORM 83-1), DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.

The Small Business Administration defines, in 13 CFR part 121, small agricultural producers as those having annual receipts of no more than \$750,000 and small agricultural service firms as those having annual receipts of no more than \$7.0 million. Under these definitions, the majority of seed companies that would be affected are considered small businesses. We have estimated the number of companies for this collection is 55 and we estimate that 42 are considered small businesses. Only information necessary to identify the seed, the tests requested, and any seed treatment present is requested. The same information is necessary for providing the service to small businesses or to larger businesses. The voluntary service could not be provided without the information.

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 collection was made less frequently, the sampling, testing, and issuance of certificates would be delayed since information on location and kind of seed to be sampled and the type of tests desired by the company must be known before sampling and testing is started.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES THAT WOULD CAUSE AN INFORMATION COLLECTION TO BE CONDUCTED IN A MANNER:

- **REQUIRING RESPONDENTS TO REPORT INFORMATION TO THE AGENCY MORE OFTEN THAN QUARTERLY;**

The information must be collected each time a Sampler or company submits a sample for testing because each sample is unique. If a company for the voluntary service submits a sample and requests a test more than quarterly, the information must be collected 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;**

Companies must provide the information when the sample is submitted. There is no requirement that the company provide the information in less than 30 days. However, the test cannot be made until the information is submitted, because the laboratory must know which tests to perform.

- **REQUIRING RESPONDENTS TO SUBMIT MORE THAN AN ORIGINAL AND TWO COPIES OF ANY DOCUMENT;**

The company is not required to submit more than one copy of the information with each sample.

- **REQUIRING RESPONDENTS TO RETAIN RECORDS, OTHER THAN HEALTH, MEDICAL, GOVERNMENT CONTRACT, GRANT-IN-AID, OR TAX RECORDS FOR MORE THAN 3 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;**

No information is collected for statistical surveys or statistical data.

- **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**

The collection does not include 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.

- **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 IS CONFIDENTIALITY TO THE EXTENT PERMITTED BY LAW.**

Occasionally information collected may contain trade secrets or other confidential information. The confidentiality of that information is maintained to the extent permitted by law. The Agency does not disclose information to

anyone unless required to do so by the Freedom of Information Act (FOIA). Most trade secrets and financial information do not have to be released under the FOIA.

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- 8. IF APPLICABLE, PROVIDE A COPY AND IDENTIFY THE DATE AND PAGE NUMBER OF PUBLICATION IN THE FEDERAL REGISTER OF THE AGENCY'S NOTICE, REQUIRED BY 5 CFR 1320.8(D), SOLICITING COMMENTS ON THE INFORMATION COLLECTION PRIOR TO SUBMISSION TO OMB. SUMMARIZE PUBLIC COMMENTS RECEIVED IN RESPONSE TO THAT NOTICE AND DESCRIBE ACTIONS TAKEN BY THE AGENCY IN RESPONSE TO THESE COMMENTS. SPECIFICALLY ADDRESS COMMENTS RECEIVED ON COST AND HOUR BURDEN.**

A 60-day notice was published in the Federal Register on March 14, 2019, Vol. 84, No. 50, page 9290 which invited comments from interested persons. No comments were received.

DESCRIBE EFFORTS TO CONSULT WITH PERSONS OUTSIDE THE AGENCY TO OBTAIN THEIR VIEWS ON THE AVAILABILITY TO DATA, FREQUENCY OF COLLECTION, THE CLARITY OF INSTRUCTIONS AND RECORDKEEPING, DISCLOSURE, OR REPORTING FORMAT (IF ANY), AND ON THE DATA ELEMENTS TO BE RECORDED, DISCLOSED, OR REPORTED.

CONSULTATION WITH REPRESENTATIVES OF THOSE FROM WHOM INFORMATION IS TO BE OBTAINED OR THOSE WHO MUST COMPILE RECORDS SHOULD OCCUR AT LEAST ONCE EVERY 3 YEARS--EVEN IF THE COLLECTION OF INFORMATION ACTIVITY IS THE SAME AS IN PRIOR PERIODS. THERE MAY BE CIRCUMSTANCES THAT MAY PRECLUDE CONSULTATION IN A SPECIFIC SITUATION. THESE CIRCUMSTANCES SHOULD BE EXPLAINED.

The overall operation of the program was discussed with representatives of the American Seed Trade Association (ASTA) and state officials. Ongoing contact is made with current active company users and prospective companies. No recommended changes or negative comments have been received. Information is only collected when the company submits a sample for inspection. There are no suggested changes since the information is supplied in a format determined by the company. Only a minimum of information is collected and that information, such as the required test and identification, is essential for determining the tests to be conducted and the identity of the seed. In February 2019 the following individuals were consulted about this collection:

Jane DeMarchi
American Seed Trade Association
225 Reinekers Lane, Suite 650
Alexandria, Virginia 22314
(703) 837-8140

Mr. Don Robison
Seed Administrator
Office of Indiana State Chemist and Seed Commissioner
Purdue University
175 South University Street
West Lafayette, Indiana 47907-2063
(765) 494-1557

Apollo Seeds USA, Inc.
P.O. Box 1420
Campbell, California 95009
(408) 779-0784

Innova Seeds
P.O. Box 579849
Modesto, California 95357
(209) 527-3311

9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEES.

No payments or gifts are made to companies.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.

Documents submitted by the public are considered confidential and are only used for official purposes. All public records are maintained and handled according to the provisions of the Freedom of Information Act and the Privacy Act.

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUDES, RELIGIOUS BELIEFS, AND OTHER MATTERS THAT ARE COMMONLY 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.

No information of a sensitive nature is requested or provided.

12. PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION. THE STATEMENT SHOULD:

- **INDICATE THE NUMBER OF RESPONDENTS, FREQUENCY OF RESPONSE, ANNUAL HOUR BURDEN, AND AN EXPLANATION OF HOW THE BURDEN WAS ESTIMATED. UNLESS DIRECTED TO DO SO, AGENCIES SHOULD NOT CONDUCT SPECIAL SURVEYS TO OBTAIN INFORMATION ON WHICH TO BASE HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL RESPONDENTS IS DESIRABLE. IF THE HOUR BURDEN ON RESPONDENTS IS EXPECTED TO VARY WIDELY BECAUSE OF DIFFERENCE IN ACTIVITY, SIZE, OR COMPLEXITY, SHOW THE RANGE OF ESTIMATED HOUR BURDEN, AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDEN HOURS FOR CUSTOMARY AND USUAL BUSINESS PRACTICES.**

- **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.**

- **PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE CATEGORIES. THE COST OF CONTRACTING OUT OR PAYING OUTSIDE PARTIES FOR INFORMATION COLLECTION ACTIVITIES SHOULD NOT BE INCLUDED HERE. INSTEAD, THE COST SHOULD BE INCLUDED IN ITEM 14.**

ORDER CLERKS An estimated 55 companies are actively engaged in seed service testing.

No. of records	Hourly Wages	Benefits & Compensation cost per hour (31.7 percent)	Total Wage plus benefits & compensation per respondent	Total Hrs. for records	Total Cost
55	\$17.21	\$5.46	\$22.67 hr.	333	\$7,549.11
TOTAL					\$7,549.11

Data for computation of this hourly wage were obtained from the U.S. Department of Labor Statistic’s publication, “May 2018 National Occupational Employment and Wage Estimates.”

This publication can also be found at the following Web site:

https://www.bls.gov/oes/current/oes_nat.htm.

The Employer Costs for Employee Compensation was taken from the Bureau Labor Statistics press release dated December 14, 2018.

- 13. PROVIDE AN ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS OR RECORD KEEPERS 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 SERVICE COMPONENT. THE ESTIMATES SHOULD TAKE INTO ACCOUNT COSTS ASSOCIATED WITH GENERATING, MAINTAINING, AND DISCLOSING OR PROVIDING THE INFORMATION. INCLUDE DESCRIPTIONS OF METHODS USED TO ESTIMATE MAJOR COST FACTORS INCLUDING SYSTEM AND TECHNOLOGY ACQUISITION, EXPECTED USEFUL LIFE OF CAPITAL EQUIPMENT, THE DISCOUNT RATE(S), AND THE TIME PERIOD OVER WHICH COSTS WILL BE INCURRED. CAPITAL AND START-UP COSTS INCLUDED, AMONG OTHER ITEMS, PREPARATIONS FOR COLLECTING INFORMATION SUCH AS PURCHASING COMPUTERS AND SOFTWARE; MONITORING, SAMPLING, DRILLING, AND TESTING EQUIPMENT; AND RECORD STORAGE FACILITIES.**
 - **IF COST ESTIMATES ARE EXPECTED TO VARY WIDELY, AGENCIES SHOULD PRESENT RANGES OF COST BURDENS AND EXPLAIN THE REASONS FOR THE VARIANCE. THE COST OF PURCHASING OR CONTRACTING OUT INFORMATION COLLECTION SERVICES SHOULD BE A PART OF THIS COST BURDEN ESTIMATE. IN DEVELOPING COST BURDEN ESTIMATES, AGENCIES MAY CONSULT WITH A SAMPLE OF RESPONDENTS (FEWER THAN 10), UTILIZE THE 60-DAY PRE-OMB SUBMISSION PUBLIC COMMENT PROCESS AND USE EXISTING ECONOMIC OR REGULATORY IMPACT ANALYSIS ASSOCIATED WITH THE RULEMAKING CONTAINING THE INFORMATION COLLECTION, AS APPROPRIATE.**
 - **GENERALLY, ESTIMATES SHOULD NOT INCLUDE PURCHASES OF EQUIPMENT OR SERVICES, OR PORTIONS THEREOF, MADE: (1) PRIOR TO October 1, 1995, (2) TO ACHIEVE REGULATORY COMPLIANCE WITH REQUIREMENTS NOT ASSOCIATED WITH THE INFORMATION COLLECTION, (3) FOR REASONS OTHER THAN TO PROVIDE INFORMATION OR KEEPING RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL**

BUSINESS OR PRIVATE PRACTICES.

There are no capital/startup or operational and maintenance costs.

- 14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT. ALSO, PROVIDE A DESCRIPTION OF THE METHOD USED TO ESTIMATE COST, WHICH SHOULD INCLUDE QUANTIFICATION OF HOURS, OPERATION EXPENSES (SUCH AS EQUIPMENT OVERHEAD PRINTING, AND SUPPORT STAFF), AND ANY OTHER EXPENSE THAT WOULD NOT HAVE BEEN INCURRED WITHOUT THIS COLLECTION OF INFORMATION. AGENCIES ALSO MAY AGGREGATE COST ESTIMATES FROM ITEMS 12, 13, AND 14 IN A SINGLE TABLE.**

The program involves no cost impact on the Federal Government because the AMA and regulations provide that the Federal Government shall be reimbursed for costs incurred from the company on a user fee basis. The hourly user fee includes all Agency costs of providing the service including fringe benefits.

- 15. EXPLAIN THE REASONS FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14 OF THE OMB FORM 83-1.**

The number of companies applying for the service and shipping seed in foreign commerce did not increase since the last submission. There is an increase in the number of samples per company for use of the service and tests requested from 22.92 to 24.24 per company. The combined result is a burden increase of 18.00 hours. The average response time of .25 hours has not changed.

- 16. FOR COLLECTIONS OF INFORMATION WHOSE RESULTS ARE PLANNED TO BE PUBLISHED, OUTLINE PLANS FOR TABULATION AND PUBLICATION. ADDRESS ANY COMPLEX ANALYTICAL TECHNIQUES THAT WILL BE USED. PROVIDE THE TIME SCHEDULE FOR THE ENTIRE PROJECT, INCLUDING BEGINNING AND ENDING DATES OF THE COLLECTION OF INFORMATION, COMPLETION OF REPORT, PUBLICATION DATES, AND OTHER ACTIONS.**

The information is not published.

- 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 certificates used by the Seed Service Testing Program are the Seed Analysis Certificate-Sample Inspection and the ISTA Orange International Seed Lot Certificate. Application Request for Service Process (letter from companies providing information needed to provide the service requested). Includes information to identify the seed being tested; the seed treatment (if treated); the tests to be performed, and any other

appropriate information required by the company to be on the Federal Seed Analysis Certificate or the ISTA Orange International Seed Lot Certificate. AMS computer generates and uses the Seed Analysis Certificate-Sample Inspection to report seed test results. The AMS computer also generates test results to be printed onto the ISTA Orange International Seed Lot Certificates.

18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS, OF OMB FORM 83-1.

No exceptions are requested to the certification statement identified in Item 19 of OMB Form 83-1.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

THE AGENCY SHOULD BE PREPARED TO JUSTIFY ITS DECISIONS NOT TO USE STATISTICAL METHODS IN ANY CASE WHERE SUCH METHODS MIGHT REDUCE BURDEN OR IMPROVE ACCURACY OF RESULTS. WHEN ITEM 17 ON THE FORM OMB 83-1 IS CHECKED YES, THE FOLLOWING DOCUMENTATION SHOULD BE INCLUDED IN THE SUPPORTING STATEMENT TO THE EXTENT THAT IT APPLIES TO THE METHODS PROPOSED:

This information collection does not employ statistical methods.