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TITLE OF INFORMATION COLLECTION DOCUMENT
National Organic Program: Strengthening Organic Enforcement Proposed Rule

OMB NO. 0581-renewal

DATE PREPARED
August 7, 2019

IDENTIFICATION OF REPORTING OR RECORDKEEPING REQUIREMENT			ANNUAL BURDEN								
SECTION OF REGS. (A)	DESCRIPTION (B)	FORMS NO (S) (If "none" so state) (C)	REPORTS				RECORDS				
			NO. OF RESPONDENTS (D)	NO OF RESPONSES PER RESPONDENT (E)	TOTAL ANNUAL RESPONSES (Col. D x E) (F)	HOURS PER RESPONSE (G)	TOTAL HOURS (Col. F x G) (H)	NO. OF RECORD-KEEPERS (I)	ANNUAL HOURS PER RECORD-KEEPER (J)	TOTAL RECORD-KEEPING HOURS (Col. I x J) (K)	
Producers and Handlers (Operations)											
205.101(c)	Subpart B -- APPLICABILITY exempt producers and handlers (11.5% of current total certified that are exempt from organic certification) document compliance and maintain records for not less than 3 years.	None			0.00			0.00	4,866	1.00	4866.00
205.103	Certified operators maintain records for not less than 5 years	None			0.00			0.00	44,805	40.00	1792209.24
Subpart C - Production & Handling Requirements and E -- Certification											
205.200, .201, .400, .406, .401, &.406	New operations submit their initial organic system plan: all practices and procedures, substances used, recordkeeping systems, and other information as necessary	None	2496	1.00	2496	80.00		199,698.48			
205.200, .201, .400, .406, .401, &.406	Current certified operations submit updated Organic System Plan (OSP) - update all practices and procedures, substances used, recordkeeping systems, and other information as necessary	None	42309	1.00	42309.00	40.00		1,692,360.00			
205.103 &.237	Pasture Practice Standards (Documentation) Pasture Recordkeeping by Certified Operations (Maintenance)	None	6362.00	1.00	6362.00	8.00		50896.00			
205.301	Subpart D - Labels, Labeling, and Market Information - certified handlers determine composition of products to be labeled	None	18185.00	20.00	363700.00	1.00		363700.00			
205.301	livestock feed handlers determine composition of feed	None	399.00	10.00	3990.00	1.00		3990.00			
205.303- 205.311	certified handlers ensure that labels comply with the requirements for labeling food as organic	None	18185.00	20.00	363700.00	2.00		727400.00			
205.306	livestock feed handlers ensure that labels comply with the requirements for livestock feed	None	399.00	10.00	3990.00	1.00		3990.00			
Subpart E - Certification of Operations											
205.401(c)	Operators submit names of other agents to whom applications were sent dates, & outcomes of noncompliance actions	None	400.00	1.00	400.00	0.50		200.00			
205.405(b)(1) & (b)(3)	Operators describe corrective actions taken or rebut the non-compliance. 75% of operations with noncompliances.	None	3360	1.00	3360	2.00		6720.78			
205.405(b)(2)	Operators submit new application to another agent	None	400.00	1.00	400.00	1.00		400.00			
205.663	Mediation applicants for certification or certified operations request mediation	None	1096.73	1.00	1096.73	1.00		1096.73			
205.681(a)	Adverse Action Appeal Process applicants for certification or certified operators appeal adverse decisions to Administrator (actual #)	None	78.00	1.00	78.00	10.00		780.00			
PRODUCERS and HANDLERS SUBTOTAL			44,805		791,882.35			3,051,231.99	49,671.23	-	1,797,075.24
TOTAL OF ALL PAGES			50,025.23		1,052,933.87			3,863,880.29	49,750.23	-	1,803,395.24

TOTAL - "F30" = OMB 831, 13 b; "H30" = OMB 831, 13c				1,102,684.10		5,667,275.53		
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SECTION OF REGS. (A)	DESCRIPTION (B)		NO. OF RESPONDENTS (D)	REPORTS		TOTAL ANNUAL HOURS (Col. D x E) (F)	HOURS PER RESPONSE (G)	TOTAL HOURS (Col. F x G) (H)	NO. OF RECORD-KEEPERS (I)	ANNUAL HOURS PER RECORD-KEEPER (J)	TOTAL RECORD-KEEPING HOURS (Col. I x J) (K)
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Accredited Certifying Agents - Certification											
205.402	Review of Application/Updates agents review and process applications/updates received for completeness and viability, communicate findings to applicant, schedule on-site inspections, and provide operations copy of their on-site inspection.	None	78.00	574.43	44805.23	6.00	268831.39			0.00	
205.404(b) 205.406(d)	Agents set up accounts in Organic Integrity Database and upload basic data on all operations	None	78.00	574.43	44805.23	0.50	22,402.62				
205.404(b) 205.406(d)	agents issue certificates of organic operation, annual and updated certificates	None	78.00	574.43	44805.23	0.50	22402.62			0.00	
205.29	agents recommend that NOP issue a temporary variance and notifies certified operations of any variance	None	5.00	10.00	50.00	0.25	12.50			0.00	
205.670(d) & (e)	Residue Testing: A certifying agent must, on an annual basis, sample and test from a minimum of five percent of the operations it certifies.	None	78.00	28.72	2240.26	0.50	1120.13				
205.402(b)(2)	agents provide applicant with a copy of test results for any samples taken by inspectors	None	78.00	28.72	2240.26	0.25	560.07				
205.405(a) 205.406(c) 205.662(a)	Noncompliance Procedures of Operations agents provide written notification to operators of noncompliances (10% of operations)	None	78.00	57.44	4480.52	1.00	4480.52			0.00	
205.405(c) (1)(i)	Agents approve corrective actions of new applicants and existing operations, and issue certificates of organic operation to operator.	None	78.00	28.72	2240.26	1.00	2240.26				
205.405 (c)(1)(ii), 205.405(c) (2)	Agents deny certification when applicants' noncompliances are not sufficiently corrected or when applicants fail to respond to notices of noncompliance.	None	78.00	93.61	1680.20	1.00	1680.20			0.00	
205.662(c)	Agents/State notify operators of proposed suspension or revocation when operations' noncompliances are not sufficiently corrected or when operations fail to respond to notices of noncompliance	None	78.00	34.70	2706.72	1.00	2706.72			0.00	
205.662(e)	Agents/States notify operators of suspension or revocation	None	78.00	34.00	2652.12	1.00	2652.12			0.00	
205.405(c)(3) 205.501(a)(15)(i)	Agents send Administrator notification of approvals or denials and adverse actions	None	78.00	57.44	4480.52	0.50	2240.26			0.00	
205.670(f)	States and agents provide test results to the public	None	78.00	28.72	2240.26	0.50	1120.13			0.00	
205.670(g)	States and agents report to health agencies any findings of pesticide residues that exceed regulatory tolerances.	None	78.00	1.28	100.00	1.00	100.00			0.00	
Accredited Certifying Agents - Certification SUBTOTAL			78.00		159,526.82		332,549.53	-		-	

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Accredited Certifying Agents - Accreditation										
205.501 (a)(2-4), (6-7), (11)(v), (15) & (20-21); 205.503 (a-1), (d)(1-2) & (c-e); 205.504(a-e); 205.510(a)(1-2), and 205.642	Accreditation of Certifying Agents - Form TM-10CG - Provide Policies, Procedures, Evidence of Expertise and Ability, describe organizational units, primary location, areas of certification (crops, livestock, & handling), States & foreign countries where they operate, lists of currently certified operations, conduct & provide results of performance evaluations of personnel & inspectors, conduct program evaluations of their certification activities, provide procedures for residue testing, and other information that will assist in evaluating their application, and comply with any other requirements	TM-10CG	78.00	1.00	78.00	80.00	6,240.00	78.00	80.00	6240.00
205.501 (a)(4)-(a)(6)	Certification Review Personnel have 10 hours of training per year. Calculated as two (2) 5 hour trainings.	None	250.00	2.00	500.00	5.00	2,500.00			
205.501(a)(8)	agents provide information to applicants seeking certification	None	78.00	32.00	2496.23	1.00	2,496.23			
205.501(a)(18)	agents notify inspector of certifying agent's certification decision of an operation that the inspector evaluated.	None	78.00	1.00	44805.23	0.25	11201.31			0.00
205.504(d)(2)	Agents provide inspec. Repts. & evaluation documents for operations certified. Agents only provide examples of 3 inspection reports each year, not all operations.	None	78.00	3.00	234.00	1.00	234.00			
205.501(a)(20)	agents demonstrate the ability to comply with State Organic Program's additional requirements	None	26.00	1.00	26.00	2.00	52.00			0.00
205.504(d)(3)	agents provide results of any accreditation done by another accrediting body	None	32.00	1.00	32.00	0.50	16.00			
205.505(b)	private agents provide additional assurances with statements of agreement	None	63.00	1.00	63.00	0.50	31.50			0.00
205.510(a)(3)	Agents report measures implemented at request of Administrator, annual	None	78.00	2.24	175.00	8.00	1400.00			0.00
205.500(c)(2)	NOP Import Certificate is a condition of international equivalency arrangements	NOP 2110-1	38.00	184.21	7000.00	0.50	3500.00			
205.504	Export Certificates agents issue	TM-11	78.00	10.00	780.00	0.50	390.00			0.00
205.507(b) 205.665(g)	Denial of Accreditation Applicants may either appeal the decision or describe actions taken to correct the deficiencies an agent that is suspended may submit a request for accreditation with corrections	None	1.00	1.00	1.00	1.00	1.00			
205.501(c)(3) 205.665(f)	Suspensions or Revocations of Accreditation Agents that are suspended or revoked transfer records to Secretary and make them available to State officials	None	1.00	1.00	1.00	574.43	574.43			0.00

205.681(b)	Adverse Action Appeal Process applicants for accreditation or accredited agents appeal adverse decisions to Administrator	None	2.00	1.00	2.00	40.00	80.00			
Accredited Certifying Agents - Accreditation SUBTOTAL					56,193.46		28716.46	78.00		6,240.00
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Subpart E Certification - On-site Inspections										
205.403 205.406(b)	inspectors provide on-site inspection reports to the certifying agent, annual	None	250.00	179.22	44805.23	10.00	448052.31			0.00
205.501 (a)(4)-(a)(6)	Inspectors have 10 hours of training per year. Calculated as two (2) 5 hour trainings.		250.00	2.00	500.00	5.00	2,500.00			
Subpart G Administrative - Petitioners										
205.607	Petitioners petition to amend the National List	None	25.00	1.00	25.00	30.00	750.00			0.00
Subpart G Administrative -State Organic Program										
205.621(a)	State Organic Programs States submit proposed State organic program to Secretary	None	0.00		0.00		0.00			0.00
205.621(c)	States update State organic program to the Secretary.	None	1.00	1.00	1.00	80.00	80.00	1.00	80.00	80.00
SUBTOTAL			276.00		45331.23		451382.31	1.00		80.00