

SUMMARY OF 2020 INFORMATION COLLECTION - #0581-0191 Q15 Breakout

REGS	REG Text	Previous Burden - 2016 plus 2018 revision as appropriate	New Burden 2019	Difference Between New and Previous Burden	Type of Change
Producers and Handlers (Operations)					
205.101(c)	Subpart B -- APPLICABILITY exempt producers and handlers (11.5% of current total certified) document compliance and maintain records for not less than 3 years. National Agricultural Statistic Service (NASS) estimates that exempt producers represent 11.5% of the total number of certified organic producers. The difference is due to aligning with NASS's estimate, rather than guesstimating.	7,650.00	4,866.00	-2,784.00	ADJ
205.103	Certified operators maintain records for not less than 5 years. Corrected recordkeeping from 80 hours to 40 hours. Recordkeeping is an act of routine storage, and is not labor intensive. Records are also kept to comply with other requirements, such as the Internal Revenue Service (IRS) and State Business Licensing requirements. The total hours are not halved from the prior renewal package because the number of farmers have increased from 31,000 to 44,805.	2,480,000.00	1,792,209.24	-687,790.76	ADJ
		2,487,650.00	1,797,075.24	-690,574.76	
Subpart C & E - Production & Handling -- Operators submit initial application or update existing Organic System Plan (OSP)					
205.201(a)(1) - (6),205.400(b), 205.401d, 205.406(a)(1) (i) 205.406(a)(3)	Initial Application consists of: Operators list practices and procedures to be performed and maintained, substances used, monitoring practices & procedures, describe recordkeeping systems, practices to prevent commingling & contact with prohibited substances, and other information as necessary. Consolidated all Organic System Plan regs for operations applying for certification for the first time changed. Hours changes from 40 to 80 hours. At some in the history of preparing these collections, the preparation time for Initial and Updated applications for certification were reversed. See OMB approved revision 10/2018.	152,000.00	199,698.48	47,698.48	ADJ
205.201(a)(1) - (6),205.400(b), 205.401d, 205.406(a)(1) (i) 205.406(a)(3)	Annual Update: Operators update lists of practices and procedures to be performed and maintained, substances used, monitoring practices & procedures, describe recordkeeping systems, practices to prevent commingling & contact with prohibited substances, and other information as necessary. Consolidated all Organic System Plan regs for certified operations updating their OSPs annually with hours corrected from 80 to 40 during revision approved by OMB 10/2018.	1,240,000.00	1,692,360.00	452,360.00	ADJ
205.103 & .237	Pasture Practice Reporting by Certified Operations (Maintenance). Change due to increase in number of certified organic livestock producers	37,600.00	50,896.00	13,296.00	ADJ
205.103 & .237	Pasture Recordkeeping by Certified Operations (Maintenance) Consolidated into recordkeeping of all livestock producers.	4,700.00	0.00	-4,700.00	ADJ
205.301	Subpart D - Labels, Labeling, and Market Information - certified handlers determine composition of products to be labeled. Change due to increase in number of certified handlers.	262,680.00	363,700.00	101,020.00	ADJ
205.301	livestock feed handlers determine composition of feed. Change due to increase in number of certified livestock feed handlers.	694.00	3,990.00	3,296.00	ADJ
205.303- 205.311	certified handlers ensure that labels comply with the requirements for labeling food as organic. Changes due to correction of hours from 10 to 2 hours per label per OMB approved revision from 10/2018. There is an increased number of handlers.	525,360.00	727,400.00	202,040.00	ADJ
205.306	livestock feed handlers ensure that labels comply with the requirements for livestock feed. Changes due to a increase number of livestock feed handlers.	694.00	3,990.00	3,296.00	ADJ

205.401(c)	Subpart E - Appli. for Cert. of Operations Annual Update as Appropriate Operators submit names of other agents to whom applications were sent dates, & outcomes of noncompliance actions.	200	200.00	0.00	
205.405(b)(1) & (b)(3)	Operators describe corrective actions taken or rebut the non-compliance - 5% of operations based on internal program experience over time	1580	6,720.78	5,140.78	ADJ
205.405(b) (2)	Operators submit new application to another agent. No change.	130	400.00	270.00	
205.663	Mediation applicants for certification or certified operations request mediation/certifier declines request	3	1,096.73	1,093.73	ADJ
205.681(a)	Adverse Action Appeal Process applicants for certification or certified operators appeal adverse decisions to Administrator	370	780.00	410.00	ADJ
		2,226,011.00	3,051,231.99	825,220.99	
	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. Increase due to increased number of operations seeking certification	205,400.00	268,831.39	63,431.39	ADJ
205.404(b) 205.406(d)	Agents set up accounts in Organic Integrity Database and upload basic data on all operations. New burden with standing up new online database	0	22,402.62	22,402.62	ADJ
205.404(b) 205.406(d)	agents issue certificates of organic operation, annual and updated certificates Increase due to increased number of operations seeking certification	16,450.00	22,402.62	5,952.62	ADJ
205.29	agents recommend that NOP issue a temporary variance and notifies certified operations of any variance. Decreased due to fewer variances requested.	159.79	12.50	-147.29	ADJ
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. Results must be provided to operation. Increase due to increased number of operations seeking certification and better reporting	1577.83	1,120.13	-457.70	ADJ
205.402(b)(2)	agents provide applicant with a copy of test results for any samples taken by inspectors. Increase due to increased number of operations seeking certification and better reporting	1,577.83	560.07	-1,017.76	ADJ
205.405(a) 205.406(c) 205.662(a)	Noncompliance Procedures of Operations agents provide written notification to operators of noncompliances. (10% of all certified operations and new applicants) Increased due to more total operations.	1,580.00	4,480.52	2,900.52	ADJ
205.405(c) (1)(i)	Agents approve corrective action of new applicants and existing operations, and issue certificates of organic operation to operator. (50% of those operations who submitted corrective actions or rebuttals). Increased due to more total operations.	1580	2,240.26	660.26	ADJ
205.405 (c)(1)(ii), 205.405(c) (2)	Agents deny certification when applicants' noncompliance are not sufficiently corrected or when applicant fails to respond to noncompliances. (This includes the nonrespondents to the noncompliances (50%) and those that responded but did not correct the noncompliances sufficiently (50%)). Increased due to more accurate account and more operations applying for certification.	79.00	1,680.20	1,601.20	ADJ
205.662(c)	Agents/State notify operators of proposed suspension or revocation. (This includes the nonrespondents to the noncompliances (50%) and those that responded but did not correct the noncompliances sufficiently (50%)). Increased due to better procedures and enforcement.	315.00	2,706.72	2,391.72	ADJ
205.662(e)	Agents/States notify operators of suspension or revocation. (Operations that did not request mediation or appeal adverse actions) Increased due to better enforcement procedures	201.50	2,652.12	2,450.62	ADJ

0.00

205.405(c)(3) 205.501(a)(15)(i)	Agents send Administrator notification of approvals or denials and adverse actions. Increased due to better enforcement procedures	395.00	2,240.26	1,845.26	ADJ
205.670(f)	States and agents provide test results to the public. Increased due to agents following recommended guidance and increased use of websites to provide this information to the public.	78	1,120.13	1,042.13	ADJ
205.670(g)	States and agents report to health agencies any findings of pesticide residues that exceed regulatory tolerances. Slight increase due to increased operations	78.00	100.00	22.00	ADJ
		229,393.95	332,549.53	103,155.58	
	Accredited Certifying Agents - Accreditation				
205.501 (a)(2-4), (6-7), (11)(v), (15) & (20-21); 205.503 (a -b), (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. Increased because all recordkeeping was consolidated into a single requirement.	347.72	6240	5,892.28	ADJ
205.501 (a)(2-4), (6-7), (11)(v), (15) & (20-21); 205.503 (a -b), (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. Increased because more operations seeking certification	4,740.00	6,240.00	1,500.00	ADJ
205.501 (a)(4)-(a)(6)	Certification Review Personnel have 10 hours of training per year. Calculated as two (2) 5 hour trainings. Included because training is recommended best practice and audits show that training is required by certifying agents.	0.00	2,500.00	2,500.00	ADJ
205.501(a)(8)	Agents provide information to applicants seeking certification. Change reflects actual number of new applicants.	2,765.00	2,496.23	-268.77	ADJ
205.501(a)(18)	Agents notify inspector of certifying agent's certification decision of an operation that the inspector evaluated. Increase due to more operations.	8,225.00	11,201.31	2,976.31	ADJ
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. Slight decrease due to one certifying agents losing accreditation.	237.00	234.00	-3.00	ADJ
205.501(a)(20)	Agents demonstrate the ability to comply with State Organic Program's additional requirements. Increased time to be aligned with what this activity requires.	26.00	52.00	26.00	ADJ
205.504(d)(3)	Agents provide results of any accreditation done by another accrediting body. No change because there are very few other accrediting bodies in the organic space.	16.00	16.00	0.00	
205.505(b)	private agents provide additional assurances with statements of agreement. Increased to 30 minutes per request	15.75	31.50	15.75	ADJ
205.510(a)(3)	Agents report measures implemented at request of Administrator, annual. Increased because enforcement has improved.	90.00	1,400.00	1,310.00	ADJ
205.500(c)(2)	NOP Import Certificate is a condition of international equivalency arrangements. Increased due to more transactions.	2,935.81	3,500.00	564.19	ADJ
205.504	Export Certificates agents issue as required by equivalency arrangements. Increased due to more transactions.	39.50	390.00	350.50	ADJ

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. Only one denial occurred this year.	8.00	1.00	-7.00	ADJ
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. Increased due to not being accounted for in previous packages. Hours due to one certifying agent losing accreditation this year.	0.00	574.43	574.43	ADJ
205.681(b)	Adverse Action Appeal Process applicants for accreditation or accredited agents appeal adverse decisions to Administrator. No change because same number of certifying agents that either applied for accreditation or were denied renewal of their accreditation as prior years	80.00	80.00	0.00	
		19,525.78	34,956.47	15,430.69	
	Subpart E Certification - Inspectors				
205.403 205.406(b)	inspectors provide on-site inspection reports to the certifying agent, annual. Increased due to increase in total operations inspected.	329,000.00	448,052.31	119,052.31	ADJ
205.501 (a)(4)-(a)(6)	Inspectors have 10 hours of training per year. Calculated as two (2) 5 hour trainings. Included because training is recommended best practice and audits show that training is required by certifying agents.	0.00	2,500.00	2,500.00	ADJ
	Subpart G Administrative - Petitioners				
205.607	Petitioners petition to amend the National List. No change	750.00	750.00	0.00	
	Subpart G Administrative -State Organic Program				
205.621(a)	States submit proposed State organic program to Secretary. No new States have applied to be a state organic program.	40.00	0.00	-40.00	ADJ
205.621(c)	States update State organic program to the Secretary. Reporting. Not properly accounted for in prior years.	0.00	80.00	80.00	ADJ
205.621(c)	States update State organic program to the Secretary. Recordkeeping. Not properly accounted for in prior years.	0.00	80.00	80.00	ADJ
		329,790.00	451,462.31	121,672.31	
TOTAL		5,292,370.73	5,667,275.54	374,904.81	