

SUPPORTING STATEMENT

**Importation of Table Eggs from Regions
Where Newcastle Disease Exists and Exportation of Poultry and Hatching Eggs**

OMB No. 0579-0328

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Animal Health Protection Act (AHPA) of 2002 is the primary Federal law governing the protection of animal health. The law gives the Secretary of Agriculture broad authority to detect, control, or eradicate pests or diseases of livestock or poultry. The Secretary may also prohibit or restrict import or export of any animal or related material if necessary to prevent the spread of any livestock or poultry pest or disease. The AHPA is contained in Title X, Subtitle E, Sections 10401-18 of P.L. 107-171, May 13, 2002, the Farm Security and Rural Investment Act of 2002.

Veterinary Services (VS), a program within the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), is responsible for administering regulations intended to prevent the dissemination of animal diseases within the United States. These regulations are found in Title 9, *Code of Federal Regulations*. Disease prevention is the most effective method for maintaining a healthy animal population and for enhancing APHIS' ability to help the United States compete globally in animal and animal product trade. In connection with this mission, APHIS facilitates the export of poultry and hatching eggs from the United States by maintaining information regarding the import requirements of APHIS' trading partners.

Most countries require certification that U.S. poultry and hatching eggs are free of disease. VS Form 17-6, Certificate for Poultry and Hatching Eggs for Export, is used to meet these requirements. With this certificate, exporters can attest to the health of the poultry and hatching eggs they are offering for export. The certification is crucial to the United States exporter's ability to successfully export poultry and hatching eggs.

VS' regulations also address foreign animal diseases. Regulations in 9 CFR 94.6, deal specifically with the importation of table eggs from certain regions that may pose a risk of introducing Newcastle Disease (ND) into the United States.

Although this collection applies to any region where ND is considered to exist, the United States is not currently importing table eggs from any ND-affected region. APHIS requires the following with regard to imported table eggs: (1) a certificate for table eggs from ND-affected regions; and (2) a Government seal issued by the veterinarian accredited by the national government who signed the certificate.

The information provided by the documents is critical to APHIS' ability to prevent the interstate spread of diseases capable of causing significant economic harm to the United States' poultry industry. APHIS is asking the Office of Management and Budget (OMB) to approve the use of these information collection activities for an additional 3 years.

2. Indicate how, by whom, how frequently, 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 activities to require the United States exporters to use a health certificate to ensure that poultry and hatching eggs are free of disease.

9 CFR 93.205 - Export Health Certificate for Poultry or Hatching Eggs for Export (VS 17-6) (Business)

Owners and exporters of poultry and hatching eggs provide health and identification information (such as name and contact information for the exporter and site of origin) for the VS Form 17-6. The certificate is then signed by a Federal veterinarian. The collection of this information stops unhealthy poultry or disease-carrying hatching eggs from being exported from the United States, thereby preventing the international dissemination of poultry diseases. The collection of this information also satisfies the import requirements of the receiving countries, thereby protecting and encouraging trade with the United States. If this certificate was not provided, other countries would not accept poultry or hatching eggs from the United States.

APHIS uses the following activities to prevent the introduction of ND into the United States from the import of table eggs:

(9 CFR 94.6(c)(1) - Certificate for Table Eggs from ND Regions (Foreign Government and Business)

Imported eggs (other than hatching eggs) from poultry, game birds, or other birds from ND-affected regions must be accompanied by a certificate completed and signed by a salaried veterinary officer of the national government of the region of origin or, if from Mexico, by a certificate issued by a veterinarian accredited by the national government of Mexico and endorsed by a full-time salaried veterinary officer of the national government of Mexico. The endorsement indicates that the veterinarian was authorized to issue the certificate.

The salaried veterinary officer of the national government of the region of origin must identify on the certificate the flock of origin, the region of origin, the port of embarkation, the port of arrival, the name and address of the exporter and importer, the total number of eggs (and cases of eggs) shipped with the certificate, and the date the certificate was signed. The eggs qualify for importation in accordance with 9 CFR 94.6(c) if, no more than 90 days before the certificate was signed, a salaried veterinarian accredited by the national government inspected the flock of origin and found no evidence of communicable diseases of poultry; no ND occurred on the premises of origin or on adjoining premises during the 90 days before the certificate was signed; there was no evidence that the flock of origin was exposed to ND during the 90 days before the certificate was signed; the eggs are from a flock of origin found free of ND; and egg drop syndrome (EDS) is notifiable in the region of origin and there have been no reports of EDS in the flocks of origin of the eggs, or within a 50-kilometer radius of the flock of origin, for the 90 days before issuance of the certificate.

9 CFR 94.6(c)(1)(i) - Government Seals (Foreign Government)

Before leaving the premises of origin, the cases in which the eggs are packed must be sealed with the seal of the national government by the accredited veterinarian who signed the certificate. The seal is documented on the Certificate for Table Eggs and requires no other paperwork.

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.

The VS Form 17-6 certificate must physically accompany the shipment and requires an original signature from the authorizing veterinarian to be valid. Therefore, this certificate is not a candidate for electronic transmission.

The Government seals also physically accompany the shipment and thus are not candidates for electronic submission.

APHIS is involved with the Government-wide utilization of the International Trade Data System (ITDS) via the Automated Commercial Environment (ACE) to improve business operations and further Agency missions. This allows respondents to submit the data required by U.S. Customs and Border Protection and its Partner Government Agencies (PGAs), such as APHIS to import and export shipments through a Single Window concept. APHIS is also continuing to establish an e-File system for CARPOL (Certification, Accreditation, Registration, Permitting, and Other Licensing) activities. This system is automating some information collection activities. The system is still being developed, and business processes continue to be identified and mapped.

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 in connection with this effort is not available from any other source. APHIS is the only Agency responsible for ensuring the health status of the U.S. poultry population as well as poultry and hatching eggs leaving the United States.

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 absolute minimum needed to certify the health status of poultry and hatching eggs exported from the United States and to protect the health of U.S. poultry against foreign animal disease. APHIS has no small entities involved with this information collection.

6. Describe the consequence 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 this information was collected less frequently or not collected, APHIS would be unable to certify the health status of poultry and hatching eggs exported from the United States. Further, APHIS would be unable to establish an effective defense against the incursion of ND from table eggs imported from ND-affected regions. This would cause serious economic consequences for the United States poultry industry, which would be unable to export poultry and hatching eggs.

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 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 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;**
- **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 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 spoke to the following individuals concerning the information collection activities associated with this program:

Craig Morton
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Vice President, Trade Policy and Technical Services
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President
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APHIS contacted these respondents by email and phone to discuss the information APHIS collects to administer its hatching and table egg import requirements. We discussed with them how we and they obtain the necessary data and how frequently; how much data is available; the convenience and clarity of reporting formats and other collection instruments; and the clarity of, and necessity for, any recordkeeping requirements. The respondents stated via email or phone that they had no concerns with any of these items and had no further recommendations.

On Thursday, September 12, 2019, pages 48101-48102, 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. One comment was received was an industry professional in support of this information collection.

9. Explain any decision to provide any payment or gift to respondents, other than re-enumeration of contractors or grantees.

This information collection activity involves no payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

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 or 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.

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 an 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. Burden estimates were developed from discussions with APHIS headquarters and field personnel, owners of poultry and hatching egg operations, and poultry and hatching egg exporters.

• **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

Respondents are owners of poultry and hatching egg operations, and exporters of these products, as well as national animal health authorities who complete the certificate necessary to export table eggs from certain regions that may pose a risk of introducing ND to the United States. APHIS estimates the total annualized cost to these respondents to be \$153,276.29. APHIS arrived at this figure by multiplying the total burden hours (3,405) by the estimated average hourly wage of the above respondents (\$30.61) and then multiplying the result (\$104,227.05) by 1.4706 to capture benefit costs.

According to DOL BLS news release USDL-18-1499, dated September 18, 2018 (see <https://www.bls.gov/news.release/pdf/ecec.pdf>), benefits account for 32 percent of employee costs, and wages account for the remaining 68 percent. Mathematically, total costs can be calculated as a function of wages using a multiplier of 1.4706.

The estimated hourly rate was derived from the most recent U.S. Department of Labor, Bureau of Labor Statistics Report - Occupational Employment and Wages in the United States (see <http://www.bls.gov/news.release/pdf/ocwage.pdf>). The hourly wage for the foreign national animal health officials (\$24.38) is an estimate based on information obtained about general physician salaries from a cross-section of nations taken from worldsalaries.org. In addition, the hourly estimate for farmers, ranchers, and other agricultural managers was \$38.43, and the estimate for buyers and purchasing agents, farm products was \$32.47. Therefore, the estimated average hourly wage totaled \$30.61.

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 estimates 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.

No annual cost burden is associated with capital and startup costs, operation and maintenance expenditures, and purchase of services.

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 annualized cost to the Federal government is estimated at \$296,383.41 (see APHIS Form 79).

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

	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	6,803	0	0	0	0	6,803
Annual Time Burden (Hr)	3,405	0	0	0	0	3,405
Annual Cost Burden (\$)	0	0	0	0	0	0

There are no changes to the burden figures for this renewal information collection request. The United States does not currently import table eggs from the regions covered in this collection, and the number of hatching eggs imported has remained steady.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

APHIS has no plans to publish the information it collects in connection with this program.

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.

APHIS requests the ICR expiration date not be displayed on the form(s) in this information collection request. Expiration dates make unused paper stocks obsolete every three years, and their destruction would be wasteful. Users unfamiliar with the forms or programs often confuse the ICR expiration date for the form version date. Forms generated by information systems cannot be revised in a timely manner as such projects are not cost effective every three years. All of these problems compound when the agency attempts to manage three formats (print, PDF-F, and IS) of a form at the same time. Finally, posting ICR expiration dates makes form file management very difficult, as the number of production files double from 2 to 4 to possibly 8 when accounting for previous and new files with updated ICR banners; the problem compounds when updating a series of forms in a single information collection request, or in other information collection requests.

18. Explain each exception to the certification statement identified in the "Certification for Paperwork Reduction Act."

APHIS certifies compliance with all provisions of the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not employed in this information collection.