SUPPORTING STATEMENT JUSTIFICATION FOR
VOLUNTARY DESTRUCTION OF IMPORTED MEAT, POULTRY, AND EGG PRODUCTS

1.   Circumstances Making Collection Of Information Necessary:

This is a request for a new information regarding the voluntary destruction of imported meat, poultry and egg products.

FSIS has been delegated the authority to exercise the functions of the Secretary (7 CFR 2.18, 2.53), as specified 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 verifying that meat, poultry, and egg products are safe, wholesome, unadulterated, and properly labeled and packaged.

Imported meat, poultry, and egg products that do not comply with U.S. requirements are not allowed to enter U.S. commerce and are identified as ''U.S. Refused Entry'' product. Inspection Program Personnel (IPP) are required to verify that U.S. refused entry product is stored and segregated from other product at an official import inspection establishment until final disposition occurs, or permission to move the shipment is granted by a FSIS Office of Field Operations (OFO) District Office (DO).

FSIS is requesting a new information collection to document the Importer/ Broker/Agent decision to voluntarily destroy product for human food purposes.

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

This information collection is applicable only to destruction witnessed by FSIS IPP. FSIS IPP will use the information during the observation of the product destruction to verify that the product being destroyed is the same product that was refused entry and that the product is controlled by the import establishment until destruction is completed.

The Importer/Broker/Agent will complete FSIS Form 9840–4, Voluntary Destruction of Imported Meat (Including Siluriformes), Poultry, and Egg Product, for product that will be destroyed under FSIS supervision. The form will be maintained in the FSIS case file. IPP will also enter information into the Public Health Information System (PHIS) based on the information provided on the form.

3. Use Of Improved Information Technology:

Under the Government Paperwork Elimination Act, applicants can submit information to FSIS electronically. Records may be maintained electronically provided that appropriate controls are implemented to ensure the integrity of the electronic data. The Agency estimates that 100% of the information collection will be done electronically.

4. Efforts To Identify Duplication:

No USDA agency, or any other Government agency, requires information regarding the voluntary destruction of imported meat, poultry and egg products. There is no available information that can be used or modified.

5. Methods To Minimize Burden On Small Business Entities:

Data collected from small businesses are the same as for large ones. This information collection will affect approximately 60 small entities.

6. Consequences If Information Were Collected Less Frequently:

To conduct the information collections less frequently will reduce the effectiveness of the meat, poultry, and egg inspection program.

7. Circumstances That Would Cause The Information Collection To Be Conducted In A 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.

There are no additional exceptions to the certification.

8. Consultation With Persons Outside The Agency:

In accordance with the Paperwork Reduction Act, FSIS published a 60-day notice in the **Federal Register** (85 FR 10401) on February 24, 2020, requesting comments regarding this information collection request. FSIS received one public comment that was not relevant to the information collection. FSIS also contacted several outside individuals, David Wilkinson (281-867-4500 ext. 2117); Edison Baez (856-285-2627); and John Lawry (215-518-8516), to request input on the FSIS burden estimates for the FSIS form 9840-4. The outside individuals generally agreed that the FSIS burden estimate was accurate. Based on input from the commenters, the Agency is making no changes to the estimated burden.

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 for the application requirements associated with this information collection is 17,818 hours.

FSIS estimates that 151 respondents will take 5 minutes, 1416 times a year, to complete FSIS Form, 9840-4 for a total of 213,816 responses and 17,818 hours annually.

FSIS FORM 9840-4 VOLUNTARY DESTRUCTION OF IMPORTED MEAT, POULTRY, AND EGG PRODUCTS (9 CFR 327.13, 381.202, 557.13, and 590.945)

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

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
Importer/Broker/ Agents	151	1416	213,816	5	17,818

The cost to the respondents is estimated at $848,315 annually. The Agency estimates that it will cost respondents $47.61, including fringe benefits, in fulfilling these information collection requirements. Respondents will spend an annual total of 17,818 hours and $848,315. The hourly rate for the respondents was attained from the Department of Labor Bureau of Labor and Statistics wage data, May, 2019.

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 And Respondents:

The cost to the Federal Government for these information collection requirements is $14,138 annually. The costs arise primarily from the duties necessary to receive and review FSIS Form 9840-4. The Agency estimates a cost of $47.61 per hour, including fringe benefits, for Agency personnel time.

15. Reasons For Changes In Burden:

FSIS was collecting application information regarding the voluntary destruction of imported meat, poultry and egg products and is claiming this as a violation. This information collection has 151

respondents, 213,816 responses and 17,818 burden hours.

16.   Tabulation, Analyses And Publication Plans:

There are no plans to publish the data for statistical use.

17.   OMB Approval Number Display:

The OMB approval number will appear on required FSIS Forms.

18.   Exceptions to the Certification:

There are no exceptions to the certification. This information collection accords with the certification in item 19 of the OMB 83-I.