

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Processed Product Family of Forms
OMB Control No. 0648-0018

Abstract

The National Oceanic and Atmospheric Administration (NOAA) Fisheries Service annually collects information from seafood and industrial fishing processing plants on the volume and value of their processed fishery products and their monthly employment figures. NOAA also collects monthly production volume of fish meal, oil, and solubles. The information gathered is used by NOAA in the economic and social analyses developed when proposing and evaluating fishery management actions. The data are also used in annual reports such as Fisheries of the United States and is provided to other agencies, academia, and industry members as needed and allowed through the Magnuson Stevens Act.

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.

NOAA Forms 88-13 and 88-13c are used to collect annual (in the case of 88-13) and monthly (in the case of 88-13c) information on seafood and industrial fishery processing plants. These data are required by the Secretary of Commerce in carrying out provisions of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq. as amended). Each Fishery Management Plan (FMP) established under the Act must determine the estimated capacity by United States (U.S.) seafood processors for the managed fishery. Data from these surveys are used in economic analyses to estimate the capacity and extent to which U.S. fish processors, on an annual basis, will process that portion of the optimum yield harvested by domestic fishing vessels. Employment data are used in socioeconomic analyses for determining potential impacts on processing employment, due in part to management measures.

Federally permitted dealers of Atlantic mackerel, squid, butterfish, Atlantic sea scallop, Northeast multispecies, monkfish, summer flounder, scup, black sea bass, Atlantic bluefish, spiny dogfish, Atlantic herring, Atlantic hagfish, Atlantic deep-sea red crab, tilefish, skate, surf clam or ocean quahog in the National Marine Fisheries Service's (NOAA Fisheries) Northeast Region are required under 50 CFR 648.7 to complete and submit all sections of NOAA Form 88-13. Only dealers that change the form of the seafood product are included in this survey as processors. However, these entities are permitted as dealers. We refer to these entities as "processors" for the purposes of the survey.

NOAA Form 88-13c is used to collect monthly production of fish meal and oil. These data are needed by the Department of Commerce to report market and supply conditions and are used by

the industry to procure sufficient inputs to produce such products as animal feeds, paint, lubricants, and fertilizers (13 U.S.C. 61 et seq.).

2. Indicate how, by whom, 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.

NOAA Fisheries and Regional Council economists use the collected information to estimate processing capacity and to forecast and subsequently measure the economic impact of fishery management regulations on fish and shellfish supplies using the data on volume and value. The employment data are used to analyze the seasonality of a specific fishery. The data are also used for establishing negotiating positions on international trade by determining which seafood industries might be adversely affected by reducing or eliminating established tariffs. Additionally, data from the survey are used to gauge the economic impacts of disasters on seafood processors and the overall seafood industry. These analyses sometimes aid in the determination of relief funds.

Data from the annual survey are reported in Fisheries of the United States (NOAA Fisheries), Statistical Abstract of the United States (Census Bureau) and Agricultural Statistics (U.S. Department of Agriculture (USDA)). As a member of the United Nations Food and Agriculture Organization and the Organization for Economic Cooperation and Development, NOAA Fisheries supplies aggregate data to these organizations.

In addition to the aforementioned publications, the information collected through the 88-13 family of forms supports activities of other federal agencies. NOAA Fisheries supports the International Trade Commission (ITC) with their various trade investigations by supplying aggregate data on specific processed seafood items. The Office of Management and Budget (OMB) annually requests information on the processing of seafood. The U.S. Customs and Border Protection (CBP), Department of Homeland Security (DHS), establishes the annual tariff-rate quota for tuna fish described in item 1604.14.22 of the Harmonized Tariff Schedule of the United States based on the U.S. canned tuna production for the preceding calendar year (19 U.S.C. 3007). Failure to collect these data would prevent the Secretary of Commerce from meeting the statutory obligations under the Act. It would also prevent the CBP from establishing the annual tariff-rate quota on canned tuna.

It is anticipated that the information collected will be disseminated to the public via the aforementioned reports, the Fisheries One Stop Shop (FOSS) data query system, and by individual data requests. In addition to direct data dissemination, seafood processor data are also used to support publicly disseminated information compiled by other NOAA scientists, other government agencies, state agencies, and academic institutions. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be

subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

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.

In the current annual Survey of Fishery Processors, NOAA Fisheries provides each processor a unique pre-printed form that includes the products produced by the processor in the previous year. The processor only needs to fill in the quantities and value, and add any new products, before returning the form. Only processors who produce fish meal and fish oil receive and complete the monthly 88-13c form.

Over the past two years electronically fillable versions of the .pdf form have been made available to processors that wish to use computers to fill out their forms. This year has seen an increase in use of the electronic versions. Furthermore, fisheries statistics and information technology staff are in the development stages of designing an online tool where processors can submit their data online.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2

NOAA Fisheries continues to monitor the U.S. Census Bureau reports to reduce duplication and unnecessary reporting. Although the Census Bureau includes the seafood industry in its five-year descriptive surveys, the level of detail is aggregated by overall production numbers, value, and employment representing a survey of capital investment and value-added. These data are not part of NOAA Fisheries' effort. The NOAA Fisheries data include information on quantity and value by species, product form (e.g. fresh, frozen, canned, cured, industrial), and product type (e.g. fillet, dressed, portions) and are collected on an annual basis

The Bureau of Labor Statistics (BLS) collects monthly employment data at the six digit North American Industry Classification System (NAICS) code level. Although these data are used to verify NOAA Fisheries-collected data, the information provided by the BLS is too aggregated to utilize at the species specific level and can only be used for general comparisons.

The Operational Guidelines on the Fishery Management Plan (FMP) Process require each FMP to evaluate existing state and Federal laws that govern the fisheries in question, and the findings are made part of each FMP. Therefore, NOAA Fisheries is confident that it is aware of similar collections if they exist.

With the onset of Catch Share Programs, the NOAA Fisheries Office of Science and Technology has been working with port agents in the regional offices to ensure that overlap and duplication of surveys is kept at a minimum. In the case of Catch Share monitoring programs, the data collected are not in the same scope as the data collected in the 88-13 and very little, if any, overlap occurs.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

Since all of the respondents are considered small businesses, separate requirements based on size of business have not been developed. Only the minimum data are requested.

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 the collection were not conducted, NOAA Fisheries would lack key economic data for making fishery decisions. The frequency cannot be reduced from the annual submission, which is currently required for processors with a federal dealer permit in the Northeast with the 88-13 form. Since smaller dealer entry into and exit from a fishery is common, an annual collection allows NOAA Fisheries to use the most accurate information available to compile employment and processing data. Data from the survey are also used in economic disaster impact studies. If data were collected less than annually, important information would be missed in comparing year to year trends.

The annual survey includes smaller individually owned processors and larger more established organizations. Smaller processors enter and exit the industry more frequently due to a myriad of factors, including personal illness/deaths, natural and environmental disasters, and changes in fishing trends. There are also acquisitions and mergers that effect larger processors. These situational changes can be captured more easily on an annual basis.

Various federal and state government, industry and academic entities use the monthly meal and oil data presented in quarterly meal and oil reports made available on the NOAA Fisheries Office of Science and Technology Commercial Fisheries Market News website. Quarterly meal and oil reports with monthly data would not be possible without the monthly reporting requirement of the 88-13c. Fish meal and oil are produced from various species in several regions making monthly reporting over the span of a year necessary for capturing all trends. Quarterly meal and oil reports also include monthly trade data for comparison between domestic production and global trade. Respondents are given the option to return their monthly data once a quarter if necessary as long as data for each month are reported.

Both the annual seafood processing data and monthly meal and oil data are needed due to its use in various reports and analyses. The data generated by this survey are integral to the annual Fisheries of the United States (FUS) report that contains an entire chapter dedicated to seafood processing data. Processing data are also incorporated into calculations for domestic seafood supply and per capita consumption, a highly anticipated statistic valued by the agency and

seafood industry. Survey data are shared with the FAO for international statistic collections and is used in important studies of damage and disaster impacts to the processors and seafood industry as a whole. An important recent example includes the investigation into the economic impacts of spillway openings on the fishing and seafood industry in the Gulf region.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

This family of forms requires information be collected twice from companies whose main products are fish meal and oil. Monthly production data are collected in order to publish quarterly reports with monthly values and the annual survey is collected for employment and to account for any monthly data updates that may have occurred. Form 88-13c obtains monthly data on production of fish meal, oil and solubles for reporting in the Fishery Market News series. NOAA Fisheries, USDA, state fishery agencies and industry in forecasting market needs utilize these data. Forms are mailed to respondents on a monthly basis during the fishing season. Data are required to be collected each month as the meal and oil industry comprises several fisheries that have different periodicity of operations, some fisheries produce meal and oil for the entire year while some have a four to five month season. To capture all trends, data are needed for every month of the year. Furthermore, some companies reduce employment at season closure to levels required for primary maintenance needs. If reporting went from a monthly to more aggregated collection, a loss of data for the season would jeopardize the statistics.

8. If applicable, provide a copy and identify the date and page number of publications 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 Federal Register Notice published on June 24, 2020 (37874FR Vol. 85, No. 122) solicited public comments. No comments were received.

Additional efforts were made to collect feedback from respondents. The author of this ICR reached out to several regional contacts responsible for disseminating surveys as they typically have working relationships with several respondents and are a good source of feedback and general perceptions of the survey. This year responses were harder to obtain, most likely due to issues from the COVID-19 pandemic and environmental hardships depending on region. The author was able to contact some processors directly and collect feedback. The following comments were collected by regional contacts and the author of this ICR:

- Phil Mello with Bergie's Seafood: "When I first started to do your reports it was kind of hard to collect all the data you needed. We use a program called "Net Yield" and I was having a hard time finding the info. I called net yield and asked for some help and they set me up with an easy way to access the information. So I'm good."

- Pat Ching with Norpac Fisheries Export: “Frequency on an annual basis is reasonable. We can plan it along with other year end audit requirements. Instructions are easy to understand. This form is simple and easy to follow. Data required for this survey is easy to obtain/retrieve from our accounting reporting system (ERP). This survey takes us about 30 minutes to complete. Examples: (1) number of people: we obtain this data from HR department-last payroll register master control report for each month; (2) fresh seafood quantity and sales amount are taken from our ERP sales reports for the year.”
- Brian with Hulls Seafood: “I think the FP form was pretty straight forward, when it comes to the plethora of surveys and forms we have to fill out for the fisheries. I'd say it probably took 10-15 minutes to fill it out. I have computer software that tracks my sales, and copied from it.”
- Eric Hagan with Captain Jerry’s Seafood: “The form was easy to fill out. It was not a burden for me to fill out. It took me 20 minutes from start to finish.”
- Sarah Nayani with Arctic Storm: “My comment is still accurate if you can use it again.” Her previous response was : ““I would say it probably took me 15 minutes to complete, and about 15-30 minutes for our accounting staff to research the employees/month & value of surimi & hake block. We had all of the data available, but had to pull it from our various databases (one HR-related database with crew information and one accounting database). Frequency of collection is fine. Instructions are clear – the only thing I was a bit confused about is whether this was just for hake processing or also for pollock. But I called and got that cleared up. Disclosure is fine – format was fine. Data elements are fine.”
- Mike Kraft with BumbleBee Tuna: “Our plant who completes this said it takes just over an hour to complete. We do not see any specific value in the report from our end.”

The processed products annual form should take, on average, approximately 30 minutes to complete. However, this estimate is based on the assumption that company records have been organized throughout the year. The information we ask is basic business information, which should reasonably be expected to be part of what the companies keep track of to assess their own business costs, profitability, hiring records, and tax burden. It would be expected that companies with a large range of products or large inventory/production, as in the case of BumbleBee Tuna, would take longer to report total production information.

The production information collected from the “big-three” tuna companies (BumbleBee, Starkist, and Chicken of the Sea) is necessary for calculating annual canned tuna tariffs with Customs and Border Patrol (CBP). Therefore their survey submissions carry importance to the industry.

The author of the ICR has made additional attempts to collect feedback but has not received any additional responses to those presented above.

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.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

As stated on the forms, the data contained in the Processed Products Report, Form 88-13 and Form 88-13c, will be kept confidential as required by section 402(b) of the Magnuson-Stevens Act and NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and will not be released for public use except in aggregate statistical form without identification as to its source. Any NOAA Fisheries employee or contractor is required to sign and abide by the NOAA Administrative Order 216-100 Non-Disclosure Form before being able to work with, or access, non-aggregated data.

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.

There are no questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

Table 1. Estimated annual burden hours and wage burden costs

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Annual Survey of Seafood Processors (88-13)	First Receiver/Processor	650	.48	314	0.5	157	\$31.70	\$4,976.90
Monthly Meal and Oil Report (88-13c)	First Receiver/Processor	7	12	84	0.25	21	\$31.70	\$665.70
Totals				398		178		\$5,642.60

Although we mail pre-filled surveys to 628 potential respondents for form 88-13, we are continually investigating new companies that could be added to the survey with port agents. We assume 50% compliance based on the average response rate of the last two years for a total of 314 expected respondents. Form 88-13 is distributed annually and collects data for the year prior to sending, yielding approximately 314 annual responses (i.e. 1 response from 314 entities per year). Form 88-13c is specifically sent to 7 companies predominantly involved in the production of fish meal and oil. Since meal and oil production data are reported on a monthly basis in quarterly reports, 84 responses are expected per year (i.e. 12 responses from 7 companies per year). In total, this family of forms could yield 398 total responses annually. The estimated burden hour per response is one-half hour (30 minutes) for form 88-13 and one-quarter hour (15 minutes) for form 88-13c as the requested information should be part of routine record keeping for surveyed businesses and not

especially burdensome to prepare. With the given expected number of responses and estimated hourly burden (398 total responses times applicable burden time per response-30 minutes for form 88-13 and 15 minutes for form 88-13c), this survey family should have an annual hourly burden of 178 hours. Hourly wage data for respondents was calculated by examining the most appropriate occupation code under NAICS code 311700-Seafood Product Preparation and Packaging. The occupation code for Buyers and Purchasing Agents, 13-1020, was used to determine the mean hourly wage of \$31.70 (please see https://www.bls.gov/oes/current/naics4_311700.htm#00-0000 for the wage estimate table). Given a total of 178 burden hours for individuals earning an average of \$31.70 per hour, this family of forms has an estimated annual wage burden of \$5,642.60

13. Provide an estimate for 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 already reflected on the burden worksheet).

Table 2. Additional annual cost burden to respondents

Information Collection	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Cost Burden / Respondent (h)	Total Annual Cost Burden (i) = (c) x (h)
Annual Survey of Seafood Processors (88-13)	650	.48	314	0	0
Monthly Meal and Oil Report (88-13c)	7	12	84	0	0
TOTALS			398	0	0

Since the requested data are part of regular operations for included entities, there should be no additional software or resources required by the entity to complete the survey.

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, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

Table 3. Estimated annual cost to the Federal government

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZP 3	\$166,081	50		\$ 83,041
Other Federal Positions					
Contractor Cost					

Travel					
Other Costs:					\$ 672
TOTAL					\$ 83,713

The total annual cost to the government is approximately \$83,713. This is predominantly due to a federal government oversight cost estimated based on a ZP-3 employee fully loaded annual salary. The individual responsible for running the survey, performing and overseeing data entry, and operating survey logistics received a promotion in grade in the three years between renewal periods. Since the survey comprises roughly 50% of the employee's time, it is estimated that \$83,041 of the loaded salary can be attributed to the survey. Other costs consist of printing and postage costs.

15. Explain the reasons for any program changes or adjustments reported in ROCIS.

The following tables show the changes and in the number of respondents, responses, time estimates, labor costs, and miscellaneous costs; and explains the reasons for these changes.

Information Collection	Respondents		Responses		Burden Hours		Reason for change or adjustment
	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	
Annual Survey of Seafood Processors (88-13)	650	747	314	747	157	374	Consolidation in the seafood processing industry and some businesses closing. Change in business status from processor to wholesaler, etc. for some entities.
Monthly Meal and Oil Report (88-13c)	7	7	84	84	21	21	No Change
Total for Collection	657	754	398	831	178	395	
Difference	-97		-433		-217		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Annual Survey of Seafood Processors (88-13)	\$4,976.90	0	0	0	Previously unenclosed labor costs
Monthly Meal and Oil Report (88-13c)	\$665.70	0	0	0	
Total for Collection	\$5,642.60	0			
Difference	+\$5,643		\$	-	

16. For collections of information whose results will 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.

Results from this collection may be used in scientific, management, technical, or general informational publications such as Fisheries of the United States, which follows prescribed statistical tabulations and summary table formats. Data are available to the general public on request in summary form only; data are available to NOAA Fisheries employees in detailed form on a need-to-know basis only and after non-disclosure agreements have been reviewed and signed.

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 agency plans to display the OMB expiration date on all collection instruments.

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

The agency certifies compliance with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).