March 2021

SUPPORTING STATEMENT
Foot-and-Mouth Disease: Prohibition on Importation of Farm Equipment
OMB No. 0579-0195

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 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, and can be found at 7 USC 8301 *et. seq*. It 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.

Disease prevention is the most effective method for maintaining a healthy animal population and for enhancing the United States' ability to compete in the world market of animal and animal product trade. In connection with this mission, the Veterinary Services (VS) program of the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) enforces regulations that pertain to the importation of animals and animal products into the United States and the prevention of foreign animal disease incursions into the United States. These regulations are contained in Title 9, Chapter I, subchapter D, Parts 91 through 99 of the *Code of Federal Regulations* (9 CFR).

As a result of the occurrences of foot-and-mouth disease (FMD) in different parts of the world, under 9 CFR 94.1(c), APHIS prohibits the importation of all used farm equipment into the United States from regions in which FMD exists unless the exporter provides certification signed by an authorized official of the national animal health service of the exporting region stating that the equipment, after its last use and prior to export, has been steam-cleaned free of all exposed dirt and particulate material in the exporting region. APHIS inspects all such farm equipment to ensure it complies with the regulations. If the inspector finds the equipment contains any exposed dirt or other particulate matter, he or she will deny entry into the United States unless the inspector judges the amount of exposed soil minimal enough to allow cleaning at the port of arrival and there are adequate facilities and personnel at the port to conduct such cleaning without risk of disease contamination.

APHIS is asking the Office of Management and Budget to renew, for 3 years, the use of this certification requirement in connection with APHIS' efforts to prevent an FMD incursion in the United States.

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 activity to prohibit the importation of all used farm equipment into the United States from regions in which FMD exists unless the exporter provides certification signed by veterinary authorities from the exporting region stating that the equipment has been steam-cleaned free of all exposed dirt and other particulate material in the exporting region.

Import Certificate for Used Farm Equipment; 9 CFR 94.1(c); Foreign Government, Business

Used farm equipment entering the United States from any region in which FMD exists must be accompanied by a certificate completed by the farm equipment exporter and signed by an authorized official of the national animal health service of the region of origin. It must state the farm equipment (after its last use and before export) was steam-cleaned free of all exposed dirt and other particulate material in the exporting region. This ensures that FMD-contaminated used farm equipment is not imported into the United States.

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.

Shipments of used farm equipment from FMD-affected countries are accompanied by an original certificate signed by the exporting country's government official certifying that the used farm equipment has been steam-cleaned before export. This certificate is developed by the foreign government.

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 that APHIS collects is not available from any other source. APHIS is the only Federal agency responsible for preventing foreign animal diseases from entering the United States.

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

APHIS estimates there are no small business or small entities in this information collection. The information APHIS must collect is the absolute minimum needed to protect the United States against an FMD incursion.

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 information was collected less frequently or not collected, APHIS would not be able to determine risks associated with importing farm equipment and would be forced to stop the importation of used farm equipment from FMD-affected regions. This could financially hurt exporters and importers of this equipment.

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 report information to the agency more often than quarterly;**
- **requiring respondents to prepare 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 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 contacted the following respondents by email and phone to discuss the information APHIS collects to administer its equipment import regulations. Discussed were how the data was collected 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 had no concerns with any of these items and had no further recommendations.

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On November 20, 2020, APHIS published in the Federal Register (84 FR 74311) a 60-day notice seeking public comments on its plans to request renewal of this collection of information. No comments were received.

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 will ask 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 veterinary authorities and exporters of used farm equipment in FMD regions.

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

  APHIS estimates the total annualized cost to these respondents to be $48,990. APHIS arrived at this figure by multiplying the hours of estimated response time (1,159 hours) by the estimated average hourly wage of the above respondents ($29.58) and then multiplying the result by 1.429 to capture benefit costs.

  The average hourly wages were obtained from U.S. Department of Labor Bureau of Labor Statistics website at https://www.bls.gov/oes/current/oes_stru.htm. Occupations used were supervisors of farming, forestry, and fishery workers (SOCC 45-1011, $25.25); and supervisors of installation and repair workers (SOCC 49-1011, $33.92).

  According to DOL BLS news release USDL-20-0451, dated March 19, 2020, benefits account for 30 percent of employee costs, and wages account for the remaining 70 percent. Mathematically, total costs can be calculated as a function of wages using a multiplier of 1.429.

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.

See APHIS 79. The estimated annualized cost to the Federal government is $563,770.

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	5,792	0	0	(1,666)	0	7,458
Annual Time Burden (Hr)	1,159	0	0	(333)	0	1,492

This request for renewal reflects an increase of 8 respondents, but a decrease of 1,666 responses and a decrease of 333 hours of burden. All of the changes are attributed to estimate adjustments.

For the previous renewal, APHIS used data shared by Federal agency partners performing port operations. For this renewal, APHIS returned to using only data from its own databases such as the Automated Commercial Environment (ACE) to determine the number of shipments of farm equipment received from FMD-affected countries.

For the Import Certificate activity, this change in methodology resulted in an increase of 32 foreign government respondents but 24 fewer business respondents. Further, the estimated number of foreign government responses increased by 1,034, and decreased by 2,700 for businesses. Consequently, there is an increase of 207 hours of burden for foreign governments, and a decrease of 540 hours of burden for businesses.

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

APHIS has no plans to publish information collected 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.

There are no forms associated with this information collection.

18. Explain each exception to the certification statement identified in Item 19 "Certification for Paperwork Reduction Act."

APHIS certifies compliance with all provisions of the Act.

B. Collections of Information Employing Statistical Methods

There are no statistical methods associated with the information collection activities used in this program.