Supporting Statement
Importation of Swine Hides, Bird Trophies, and Deer Hides
OMB No. 0579-0307

April 2019

NOTE: This is a reinstatement of a previously approved information collection with changes.

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.

The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture protects the health of the U.S. livestock and poultry populations. It prevents the spread of contagious, infectious, or communicable animal diseases (such as African Swine Fever (ASF), Bovine Babesiosis, Newcastle Disease (ND), Foot-and-Mouth Disease (FMD), Highly Pathogenic Avian Influenza (HPAI), and Rinderpest). When feasible, it eradicates diseases from the United States. Disease prevention is the most effective method for maintaining a healthy animal population and for enhancing animal-related trade.

The regulations in 9 CFR part 95 (referred to below as the regulations) prohibit or restrict the importation of specified animal products into the United States to prevent the introduction into the U.S. livestock population of certain contagious animal diseases. Sections 95.16 and 95.17 of the regulations contain, among other things, specific processing, and certification requirements for untanned hides and skins and bird trophies.

The regulations require that shipments of hides be accompanied by certificates showing their origin and certifying that the hides are from areas free of certain animal diseases. Shipments of ruminant hides from Mexico must be accompanied by written statements indicating that the hides were frozen for 24 hours and treated for ticks. Shipments of bird trophies must be accompanied by certificates of origin certifying that the trophies are from regions free of exotic Newcastle disease and highly pathogenic avian influenza. These activities help ensure that the products do not harbor disease or ticks.

APHIS is asking the Office of Management and Budget (OMB) to approve, for 3 years, its use of these information collection activities, to ensure that bird trophies and certain animal hides pose a negligible risk of introducing certain animal diseases into 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 activities to ensure that bird trophies and certain animal hides pose a negligible risk of introducing certain animal diseases into the United States.

Certificate for Ruminant and Swine Hides from Certain Regions (Foreign Government) 9 CFR 95.16(a)(2)&(3)

Certificates are required to accompany shipments of hides to identify their origin. For ruminant hides, foreign government officials certify that the ruminant hides are from regions free of FMD and rinderpest. For swine hides, officials certify the hides are from regions free of ASF, FMD, and rinderpest. If hides were from an approved slaughterhouse, foreign governments certify that on the certificate. The certificate must bear the seal of the proper department of the national government of the region in which the ruminants were slaughtered and be signed by an official veterinary inspector of that region. The certificate must state that the hides or skins were taken from ruminants slaughtered in an abattoir that meets the requirements that it be inspected and approved and that the hides or skins are free from anthrax, FMD, and rinderpest.

Certificate or Importer Statement - Untanned Ruminant Skins (Business) 9 CFR 95.16 (a)(4)&(5)

Untanned ruminant hides or skins from any region may be imported without other restriction if an inspector determines, based on inspection and on examination of a shipper or importer certificate, that they have been pickled in a solution of salt containing mineral acid and with a pH less than or equal to 5 and packed in barrels, casks, or tight cases while still wet with such solution; or they have been treated with lime in such manner and for such period as to have obviously been processed, to have become dehaired, and to have reached the stage of preparation for immediate manufacture into products ordinarily made from rawhide.

Written Statement for Untanned Ruminant Hides from Mexico (Business) - 9 CFR 95.16(b)(2)

In addition to meeting all other applicable APHIS provisions, untanned deer or ruminant hides imported from Mexico must be accompanied by a written statement from the owner or importer. The statement must certify that the hides were pickled or treated with lime as specified or frozen solid for 24 hours, which APHIS views as effective in eliminating ticks that could spread bovine babesiosis.

Certificate for Untanned Ruminant Hides from Mexico (Foreign Government) 9 CFR 95.16(b)(3)

In addition to meeting all other applicable APHIS provisions, untanned deer or other ruminant hides imported from Mexico must be accompanied by a certificate issued by a full-time salaried veterinary officer of the Government of Mexico. The certificate must state that the hides were treated with an acaricide to kill ticks that could carry and spread bovine babesiosis or taken from cattle that were subjected to a tickicidal dip in one of the permitted dips at a Mexican facility 7 to 12 days before slaughter, and are free from ticks..

Certificate for Bird Trophies from ND and HPAI-free Regions (Foreign Government) 9 CFR 95.16(c)

In addition to meeting all other applicable APHIS provisions, bird trophies imported from regions that are free of ND and HPAI must be accompanied by a certificate of origin issued by a foreign government official of the region of export. This certification statement will help to ensure that any bird trophy imported into the United States will have originated in and been exported from a region that is free of ND and HPAI.

Approved Warehouse Request and Agreement to Handle Restricted Animal Byproducts (VS Form 16-28) (Business) - 9 CFR 94.6(b)

An establishment must provide evidence that it has the equipment, facilities, and capabilities to store, handle, process, or disinfect restricted animal byproducts or controlled materials so as to prevent the introduction or dissemination of ND and HPAI. This evidence is provided on VS Form 16-28. The following information is requested: date of last inspection, agreement expiration date (if applicable), method of transportation by which products are received, countries from which products originate, approximate yearly volume, name and title of contact person for the establishment, byproducts or materials handled at the establishment, method of sewage disposal, capacity and construction material of separate storage facilities (if applicable), whether there is adequate separation of restricted and unrestricted materials, the method of transportation by which products are moved to the storage facility, method of transportation by which products are moved to the processing area, detailed description of how restricted materials are processed and/or disinfected, name of the supervisor of processing and disinfection, name of disinfectants used, and the methods used to disinfect containers. The signature of the inspector, the District Director, and the approving official (Staff Veterinarian for Import-Export) are also required.

Approved Establishment Request and Agreement to Handle Restricted Animal Byproducts (VS Form 16-29) and Recordkeeping (Business) - 9 CFR 94.6(b)

Restricted animal products, byproducts, and controlled materials including carcasses (or parts or products of carcasses) of poultry, game birds, and other birds may be imported for consignment to any museum, educational institution, or other establishment that has given APHIS evidence that it has the equipment, facilities, and capabilities to store, handle, process, or disinfect such articles so as to prevent the introduction or dissemination of ND and HPAI. Establishments that APHIS determines meet the criteria are eligible to enter into an agreement for handling restricted imports of animal byproducts and controlled materials via VS Form 16-29. The form requires signatures from the establishment officer, the District Director, and a Staff Veterinarian for Import-Export. These forms must be made available to an APHIS representative upon request, and must be maintained for 3 years.

Report of Entry, Shipment of Restricted Imported Animal Products and Animal Byproducts and Other Material (VS Form 16-78) and Recordkeeping (Business) - 9 CFR 94.6(b)

This form accompanies all restricted animal products moving from the port of entry to APHIS-approved establishments or APHIS-approved storage facilities. Part A of this form is completed by U.S. Government inspectors at the port of entry. Part B of this form is completed by approved establishments; that is, museums, educational institutions, or other establishments approved to receive bird or poultry carcasses or products for educational purposes. The establishments forward a copy of this form to the VS District Office. The completed form helps APHIS ensure that the imported restricted materials are stored and processed in accordance with the requirements.

Establishments must provide the following information on VS Form 16-78: Date products or materials are received; the name of the approved establishment; whether the shipment is intact (if not an explanation must be given); date of treatment completion; whether the railroad car, truck, or other mode of transport has been disinfected; disinfectant used; method of treatment; disposition of refuse; and the name and signature of the establishment owner. These forms must be made available to an APHIS representative upon request, and must be maintained for 3 years.

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 certification statements used in this program must physically accompany the shipment to the United States and must contain an original signature of the foreign government official, owner, or importer to be valid.

APHIS has no control or influence over when foreign countries will automate their certificates. However, 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 will allow 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 cargo through a Single Window concept. APHIS is also establishing a system known as e-File for CARPOL (Certification, Accreditation, Registration, Permitting, and Other Licensing) activities. This new system will strive to automate some of these 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 program is not available from any other source. APHIS is the only Agency responsible for preventing the introduction of foreign animal diseases into 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 collected is the absolute minimum needed to ensure that bird trophies and certain animal hides pose a negligible risk of introducing certain animal diseases into the United States. APHIS estimates that less than 2 percent of importers could be considered small entities.

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 at all, it would significantly hinder APHIS' ability to ensure that these commodities pose a minimal risk of introducing foreign animal diseases into the United States. This would make a disease incursion event much more likely, with potentially devastating effects on the United States livestock industry.

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 a written response to a collection of information in fewer than 30 days after receipt of it;**

Written Statement for Untanned Ruminant Hides from Mexico - The statement must certify that the hides were pickled or treated with lime as specified or frozen solid for 24 hours, which APHIS views as effective in eliminating ticks that could spread bovine babesiosis.

Certificate for Untanned Ruminant Hides from Mexico - The certificate must state that the hides were treated with an acaricide to kill ticks that could carry and spread bovine babesiosis or taken from cattle that were subjected to a tickicidal dip in one of the permitted dips at a Mexican facility 7 to 12 days before slaughter, and are free from ticks..

- **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.**

No other 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 individuals by email and phone to discuss the information APHIS collects to administer its regulations regarding imports of the subject items. 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.

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On Thursday, February 21, 2019, pages 5411-5412, Volume 84, No. 35, APHIS published in the Federal Register, a 60-day notice seeking public comments on APHIS' plans to request a reinstatement and 3-year approval of this collection of information. During that time, one comment was received from a concerned citizen about her perception of the general maltreatment of animals. It had no relevance to the purpose of this information collection.

9. Explain any decision to provide any payment or gift to respondents, other than reenumeration 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 APHIS headquarters and field personnel, State veterinary authorities, and individuals who have expressed interest in the importation of untanned ruminant hides and skins into the United States and bird trophies.

- **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 the above respondents to be $10,047.96. APHIS arrived at this figure by multiplying the estimated total burden hours (247 hours) by the estimated average hourly wage and bennet ($27.66 + 13.02 = 40.68) of the respondents. The estimated hourly wage was provided by the U.S Department of Labor, Bureau of Labor Statistics (see https://www.bls.gov/news.release/pdf/ocwage.pdf).

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% of employee costs, and wages account for the remaining 68%. Mathematically, total costs can be calculated as a function of wages, resulting in a multiplier of 1.4706.

Benefits = wages X 47.06% (27.66 X 0.4706 = $13.02)

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.

There are user fees associated with the usage of the VS Forms 16-28 and 16-29. The user fees are for the inspection of various import and export facilities and establishments. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§130.50 and 130.51.

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 Form 79. The estimated annualized cost to the Federal Government is $14,646.91.

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

ICR Summary of Burden:

	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	793	0	0	0	793	0
Annual Time Burden (Hr)	248	0	0	0	248	0
Annual Cost Burden ($)	0	0	0	0	0	0

This is a reinstatement of a previously approved information collection resulting in a program change of 793 annual responses and 248 annual burden hours.

New burden in this reinstatement request not previously reported includes:

- Certificate or Importer Statement for Untanned Ruminant Skins
- Approved Warehouse Request and Agreement to Handle Restricted Animal Byproducts (VS Form 16-28)
- Approved Establishment Request and Agreement to Handle Restricted Animal Byproducts (VS Form 16-29)
- Report of Entry, Shipment of Restricted Imported Animal Products and Animal Byproducts and Other Materials (VS Form 16-78)

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 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.

The VS Form 16-28, VS Form 16-29, and VS Form 16-78 are in multiple APHIS information collections; therefore, it is not practical to include an OMB expiration date because of the various expiration dates for each information collection. APHIS is seeking approval to not display the OMB expiration date on these form; however, APHIS is also considering creating common forms.

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

APHIS can certify compliance with all provisions under the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not employed in this information collection activity.