

Nonsubstantive Change Request  
ICR 0579-0054  
Revised Form (PPQ 519A)

December 28, 2021

APHIS requests approval of the following changes to PPQ 519A. The policy changes will go into effect January 3, 2022:

- a. Agency penalty guidelines and amounts are being updated and paragraph 2 of the first page needs to be revised with the new standards. The existing text –

“Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in monetary penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$300,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.”

is being replaced with the following:

“The Plant Protection Act and the Animal Health Protection Act provides authority to USDA to assess penalties for violations of regulations (7 USC § 7734 and 7 USC § 8313). Any person who knowingly violates the Plant Protection Act (PPA) (7 USC § 7701 et seq) and/or Animal Health Protection Act (AHPA) (7 USC § 8301 et seq), may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, or a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$594,129 per violation or twice the gross loss or gain, resulting from the violation, whichever is greater.

- b. Based on the PPQ risk assessment for regulated garbage, the regulated garbage program is providing regulatory relief and increasing the amount of time that an establishment has to keep regulated garbage in its possession. The entry “72 hours” on page 3, paragraph 4, is being replaced with “120 hours”.

Both changes are nonsubstantive; they do not alter the response times or burden reported in ICR 0579-0054.