**SUPPORTING STATEMENT JUSTIFICATION** **FOR**

**MODERNIZATION OF POULTRY SLAUGHTER INSPECTION**

**1. Circumstances Making Collection of Information Necessary**:

This is a renewal request for the information collection related to the Modernization of Poultry Slaughter Inspection rule.

The Food Safety and Inspection Service (FSIS) has been delegated the authority to exercise the functions of the Secretary as provided in the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451 et seq.). This statute mandates that FSIS protect the public by ensuring that poultry products are safe, wholesome, unadulterated, and properly labeled and packaged.

**2. How, By Whom and Purpose For Which Information is to be Used**:

The following is a discussion of the required information collection and recordkeeping activities.

FSIS requires that all poultry slaughter establishments develop, implement, and maintain, as part of their HACCP plans, or Sanitation SOPs, or other prerequisite programs, written procedures to prevent contamination of carcasses and parts by enteric pathogens, e.g., *Salmonella* and *Campylobacter*, and fecal material throughout the entire slaughter and dressing operation. FSIS requires that these procedures include sampling for microbial organisms at the pre-chill and post-chill points in the process to monitor establishments’ process control for enteric pathogens, except for low volume establishments that are required to test only at post-chill.

Poultry establishments are also required to record the results of their microbial sampling and maintain the records of the results as supporting documentation as required by their HACCP, Sanitation SOP, or prerequisite program.

**3.** **Use of Improved Information Technology:**

Under the E-Gov Act, firms may keep records electronically provided that appropriate controls are implemented to ensure the integrity of the electronic data.

**4. Efforts to Identify Duplication:**

No other Government agency requires information regarding enteric pathogens in official poultry establishments. 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. The information collections must apply to all official poultry establishments. FSIS estimates that 138 small establishments are subject to this information collection.

**6. Consequences If Information Were Collected Less Frequently:**

To conduct the information collections less frequently will reduce the effectiveness of the poultry products 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.**

Establishments are required to collect and record data more frequently than quarterly. There are no other circumstances that would cause the guidelines above not to be met by this information collection.

**8. Consultation with Persons Outside the Agency:**

In accordance with the Paperwork Reduction Act, FSIS published a 60-day notice in the **Federal** **Register** on April 24, 2023 (88 FR 24752) requesting comments regarding this information collection request. The Agency received three comments that were not relevant to the information collection in response to the **Federal** **Register** notice. FSIS also contacted three outside individuals to request comment on the Agency’s estimates (Director, Regulatory Compliance, Tyson, 479-290-7216; VP Compliance, Gerber Poultry Inc., 330-804-1765; and Plant Manager, Case Farms Processing, bevans@casefarms.com). 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 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. 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 reporting and recordkeeping requirements associated with this information collection is 191,204 hours.

FSIS estimates that a total of 289 establishments would conduct a micro test 764,594 times annually for a total of 159,338 hours.

**MICROBIAL TESTING**

**(9 CFR 381.36(c))**

| Type of  Establish-  Ment | No. of  Respon-dents | No. of Res-  ponses per Respondent | Total  Annual  Responses | Time for Response in Mins. | Total Annual Time in Hours |
| --- | --- | --- | --- | --- | --- |
| Large | 151 | 4,322.7 | 652,734 | 12.5 | 135,986 |
| Small | 84 | 1,318 | 110,711 | 12.5 | 23,065 |
| V. Small | 54 | 21.3 | 1,150 | 15 | 288 |
| Total | 289 |  | 764,594 |  | 159,339 |

FSIS estimates that a total of 289 establishments would record the results of a micro test 764,594 times annually for a total of 31,858 hours.

**MICROBIAL TESTING DATA RECORDKEEPING**

**(9 CFR 381.36 (c))**

| Type of  Establish-  Ment | No. of  Respon-dents | No. of Res-  ponses per Respondent | Total  Annual  Responses | Time for Response in Mins. | Total Annual Time in Hours |
| --- | --- | --- | --- | --- | --- |
| Large | 151 | 4,322.7 | 652,773 | 2.5 | 27,197 |
| Small | 84 | 1,318 | 110,712 | 2.5 | 4,613 |
| V. Small | 54 | 21.3 | 1,134 | 2.5 | 48 |
| Total | 289 |  | 764,594 | 2.5 | 31,858 |

FSIS estimates that 219 establishments would record the attestation of work-related conditions 219 times annually, for a total of 7.27 hours.

**ATTESTATION OF WORK-RELATED CONDITIONS**

| Respondents: Establishments Operating under the NPIS |  | Estimated No. of Re-spondents | Average Annual No. of Re-sponses per Respondent | Total Annual Re-sponses | Time per Re-sponse in Minutes | Total Annual Burden Hours |
| --- | --- | --- | --- | --- | --- | --- |
| Large establishments | Attestation on Work-Related Conditions | 149 | 1 | 149 | 2 | 4.97 |
| Small establishments | Attestation on Work-Related Conditions | 70 | 1 | 70 | 2 | 2.3 |
| Very small establishments |  | 0 | 0 | 0 |  | 0 |
|  | Total Reporting Burden | 219 | 1 | 219 |  | 7.27 |

The cost to the respondents is estimated at $10,246,622 annually. The Agency estimates that it will cost respondents $53.59 an hour, including fringe benefits, in fulfilling these information collection requirements. Respondents will spend an annual total of 191,204 hours and $10,246,622. The hourly rate for the respondents was attained from the Department of Labor Bureau of Labor and Statistics wage data, May, 2022.

**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 $665,000 annually. The Agency estimates a cost of $66.50 per hour, including fringe benefits, for Agency personnel time.

**15.** **Reasons for Changes in Burden:**

There is no change to the burden in this information collection. The collection has 289 respondents, 1,529,407 responses, and 191,204 hours.

**16.** **Tabulation, Analyses and Publication Plans:**

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

**17. OMB Approval Number Display:**

FSIS will display the OMB approval number on any instructions it publishes relating to recordkeeping activities.

**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.