

**2023 SUPPORTING STATEMENT
PAPERWORK REDUCTION ACT SUBMISSION
VOLUNTARY LABELING PROGRAM FOR BIOBASED PRODUCTS
OMB 0570-0071**

A. JUSTIFICATION

1. Circumstances that make this collection of information necessary.

Section 9002(h) of the Farm Security and Rural Investment Act (FSRIA) of 2002, as amended by the Food, Conservation, and Energy Act (FCEA) of 2008, the Agricultural Act of 2014, and the Agricultural Improvement Act of 2018, requires the Secretary of Agriculture to implement a Voluntary Labeling Program that would enable qualifying biobased products to be certified with a “USDA Certified Biobased Product” label. The Voluntary Labeling Program is one of the two main initiatives of the BioPreferred Program, which is currently implemented by USDA’s Rural Business-Cooperative Service (RBCS). The Voluntary Labeling Program is required to be consistent, where possible, with the guidelines implementing the preferred procurement of biobased products by Federal agencies, which is the second main initiative of the BioPreferred Program. The procurement initiative is also authorized under Section 9002 of FSRIA and is referred to hereafter as the Federal Preferred Procurement Program. A brief overview of the statutory requirements for the Federal Preferred Procurement Program is presented below.

Under the Federal Preferred Procurement Program, Federal agencies are required to purchase, with certain exceptions, biobased products that are identified, by rulemaking, for preferred procurement. For biobased products, which are grouped in product categories, to qualify for the Federal Preferred Procurement Program, the statute requires that the Secretary consider information on the availability of products, the economic and technological feasibility of using these goods, and the life-cycle costs of using such items. In addition, the Secretary is required to provide to Federal agencies information on the availability, price, performance, and environmental and public health benefits of the biobased products and is required to recommend the level of biobased material to be contained in the procured product, where appropriate. This information must also be provided in rulemaking to identify product categories and the products within them for Federal Preferred Procurement Program.

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.

Under the Voluntary Labeling Program, manufacturers and vendors must complete an application for each stand-alone biobased product¹ or biobased product family² for which they wish to use the label. The application process is electronic and is accessible through the [BioPreferred Program website](#). The application process is explained briefly below:

Step 1 – Application. Applicants must submit an application for each stand-alone product or product family for which they wish to use the label. Some of the information provided by applicants is posted on the BioPreferred Program website after the application has been approved.

¹ *Stand-alone biobased product.* A biobased product that is marketed or sold under a single product name.

² *Biobased product family.* A group of biobased products that share the same formulation and biobased content (within 3%) yet are marketed differently depending on factors such as brand names or uses.

Step 2 – Maintaining Records. For each product approved by the Agency for use of the label, the manufacturer or vendor must keep that information for each certified product up to date.

Step 3 – Oversight & Monitoring. RBCS conducts oversight and monitoring of manufacturers, vendors, designated representatives, and other entities involved with the Voluntary Labeling Program to ensure compliance.

Step 1 – Application:

A one-time application for certification is required to be submitted at the beginning of the certification process. RBCS reviews all applications for completeness and provides an opportunity for applicants to correct and/or modify the application if deficiencies are found. After review, information provided in the application is posted publicly on the [BioPreferred Program website](#).

This information is necessary to allow those who would purchase the product under the Federal Preferred Procurement Program to: (1) identify what biobased products are available, (2) compare the biobased contents of similar products to assist in selecting those with the highest biobased content, and (3) provide an additional resource via the company’s website if the purchasing agent has questions regarding a particular product.

The information requested for inclusion in the application are:

(a) Contact Information (§ 3202.5(a)(1)). With each application, the applicant (manufacturer or vendor) must provide its company name and mailing address. In addition, the application requires including the name of the application’s preparer, as well as the preparer’s mailing address (if different from that of the manufacturer or vendor), email address, and telephone number. Information such as the applicant’s name, email address, and phone number are stored in the Program’s database and are inaccessible to the public.

This information is necessary to communicate with the applicant regarding any issues with the application, notifying the applicant as to whether the application is deficient, and notifying the applicant whether the application has been approved for the third-party testing and final certification stage of the process.

Through the application process, applicants are given the opportunity to provide additional information about the company including a division name, if applicable; whether the applicant’s company is a manufacturer, vendor, or both; the company’s website; the estimated number of employees; the years the company was founded and began producing biobased products; a North American Industry Classification System (NAICS) code; and any Equal Employment Opportunity and Civil Rights (EEOCR) information. This information is not required, and applicants can choose to move forward in the application without providing this information.

(b) Brand name(s) (§ 3202.5(a)(1)). As products may be marketed under different brand names, the application requests that all brand names for the product be identified. Thus, the application requires the applicant to identify the stand-alone product or product family for which certification is sought by providing the brand name(s) for the stand-alone product or products within a product family. The applicant is also offered the opportunity to provide additional information about each unique product, including product scents, sizes, manufacturer number, model number, Universal Product Code (UPC), and National Stock Number (NSN). Applicants are provided the opportunity to elect to share the information

provided during the application process with other Federal agencies. While not required, this assists manufacturers who intend to sell products to the Federal government by sharing information about biobased products that are available for purchase with other agencies and e-commerce sites used by Federal purchasers. Some of these agencies require an NSN in order to add a product to their catalog; therefore, manufacturers who wish to opt in to sharing their product information with other agencies are asked to provide an NSN for each product.

(c) Biobased content and testing information (§ 3202.5(a)(1)). The certification process requires the applicant to document the product's biobased content as determined by a third-party testing entity that is ISO 9001 conformant. The coordination of product testing is currently performed by Integrated Management Strategies (IMS), under a contract with USDA.

This information is necessary to ensure that the biobased content meets the applicable minimum biobased content for the product and that a qualified, independent, third-party testing entity coordinated the testing and final certification results.

(d) Product category (§ 3202.5(a)(1)). The application requires the applicant to identify whether the product

- (1) meets the description and meets or exceeds the biobased content requirements for a product category that has been identified as eligible for the Federal Preferred Procurement Program,
- (2) is a finished product that does not meet the description of a product category identified for Federal Preferred Procurement Program, or
- (3) is an intermediate ingredient or feedstock that does not meet the description of a product category identified for Federal Preferred Procurement Program. If the product meets or exceeds the requirements for a product category identified for Federal Preferred Procurement Program, the application requires the applicant to specify all relevant product category(ies).

To qualify for the third-party testing and final certification stage of the application process, it is necessary that a product's estimated biobased content meets or exceeds the applicable minimum biobased content for that type of product. The applicable minimum biobased content is dependent upon which of the three aforementioned groups of products the product for which certification is being sought best fits. Therefore, this information is necessary to determine the applicable minimum biobased content that should be used to evaluate the product for final certification.

Additionally, the application requests the applicant to provide an Environmental Protection Agency (EPA) registration number and signal word for products that fall under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). If the product is not registered with EPA, the applicant is asked to confirm that the product is exempt from registration under FIFRA. This information is requested to confirm that applicable products comply with EPA requirements.

(e) Intended uses of the product (§ 3202.5(a)(1)). The application requires the applicant to identify the intended uses of the product because it is sometimes challenging to determine what a product's intended use is from the product name alone. RBCS needs this information to confirm if the product meets or exceeds the requirements of a product category(ies) that are eligible for Federal Preferred Procurement Program and whether the applicant has accurately identified the appropriate product category(ies) for its product. Knowledge of which product categories that the product best fits is required to identify the

applicable minimum biobased content for the product.

Applicants are also offered the opportunity to provide supplemental product information such as unique features of the product, a link to a product webpage, whether the product has any third-party certifications or meets any performance standards, whether the product is on a GSA schedule, and whether the product contains any intentionally added per- and polyfluoroalkyl substances (PFAS). This supplemental information is not required, and applicants can choose to move forward in the application without providing this information.

(f) Certifying statements (§ 3202.5(a)(2)). The applicant must certify that the product for which use of the label is sought is a biobased product, as defined in [7 CFR 3202.2](#) and that it meets the country-of-origin requirements specified in [7 CFR 3201.4\(b\)\(3\)](#). These statements are necessary to ensure that the product is an eligible product for the Voluntary Labeling Program.

(g) Commitments (§ 3202.5(a)(3)). The applicant must also sign a statement in the application that commits the applicant as follows: The applicant commits to submitting to RBCS the information specified in the application, which RBCS will post to the [BioPreferred Program website](#), and to providing RBCS with up-to-date information for posting on this website.

These actions are necessary to help ensure that consumers purchasing a product with the label have access to sufficient information to make reasoned purchasing decisions. Further, the information that is posted on the [BioPreferred Program website](#) and made available to eligible requestors is important to help isolate certified biobased products from non-certified biobased products, a key purpose of the Voluntary Labeling Program.

Step 2 – Maintaining Records:

The labor burden associated with this Program includes estimates of the time necessary for manufacturers and vendors to maintain and update records of the documentation that RBCS believes is needed to demonstrate compliance with the requirements of the rule ([§ 3202.5\(c\)\(5\)](#), [3202.5\(d\)](#), and [3202.9](#)). The following paragraphs describe the recordkeeping activities that have been included in the estimates of the total labor burden.

(a) Updating Records (§ 3202.5(c)(5)). Applicants must provide RBCS with updated information if at any time during the application process or after a product has been certified any of the information provided in the initial application changes. It is important that manufacturers and vendors keep the information provided to RBCS for public posting on the [BioPreferred Program website](#) up to date so that those who would purchase such products have the correct information when making purchasing decisions. The frequency of updating the [BioPreferred Program website](#) depends on how frequently an applicant makes changes to its product(s). Additionally, the applicant should ensure that his/her contact information is current so that RBCS may easily communicate with him/her should any questions arise regarding the certified product(s).

(b) Reformulated products (§ 3202.5(d)(2)). Circumstances may arise in which a manufacturer or vendor may make changes to a certified product during the term of an existing certification. If any of these changes are significant enough, the existing certification will no longer be valid for the product under the revised conditions and the manufacturer or vendor, as applicable, and its designated representatives would

be required to discontinue affixing the label to the product and would be prohibited from initiating any further advertising of the product using the label. The circumstances under which this would occur are if: the product formulation is revised such that the biobased content of the product is lower than the percentage that is reported in the most recent application; or the product formulation is revised such that the biobased content of the product is greater than the percentage that is reported in the most recent application and the manufacturer wishes to report the higher percentage on the label.

When such circumstances arise, RBCS considers a product under such revised conditions to be a reformulated product and the manufacturer or vendor, as applicable, must submit an amended application for certification using the procedures specified in [§3202.5](#).

Amended applications are requested under the above identified circumstances because it is important to the integrity of the Voluntary Labeling Program that the label be used only on those products that meet or exceed their applicable minimum biobased content requirements.

The frequency under which a manufacturer or vendor would seek re-certification under the circumstances described above depends upon the frequency with which such changes occur.

(c) Recordkeeping ([§ 3202.9](#)). Manufacturers and vendors are required to maintain records associated with

- (1) The results of all tests, and any associated calculations, performed to determine the biobased content of the product.
- (2) The date of the certification by RBCS, the dates of changes in formulation of certified biobased products, and the dates when the biobased content of certified biobased products were tested.
- (3) Documentation of analyses performed by manufacturers to support claims of environmental or human health benefits, life cycle cost, sustainability benefits, and product performance made by the manufacturer.

Records Retention – For each certified product, records must be maintained for at least 3 years beyond their creation or as long as necessary to support the most recently approved application for the certified product, whichever is greater.

The requirement to keep records of biobased content testing is needed to allow RBCS to audit manufacturers and vendors to ensure that a certified product is in compliance with its applicable minimum biobased content and that the biobased content on the label is accurate.

The requirement to keep supporting documentation that the product for which certification is sought meets the definition of biobased product is needed to ensure that only products meeting the specified definition of a biobased product are certified.

Step 3 – Oversight and Monitoring:

RBCS conducts oversight and monitoring of manufacturers, vendors, designated representatives, and other entities involved with the Voluntary Labeling Program to ensure compliance ([§ 3202.10](#)). This oversight includes, but is not limited to, conducting facility visits of manufacturers and vendors who have certified products, and of their designated representatives. Manufacturers, vendors, and their designated

representatives are required to cooperate fully with all RBCS audit efforts for the monitoring of compliance with the Voluntary Labeling Program regulations. In addition, RBCS conducts biobased content testing of certified products to ensure compliance. Finally, manufacturers, vendors, and their designated representatives must allow Federal representatives access to the records required for inspection and copying during normal Federal business hours.

This is necessary to ensure that manufacturers and vendors are complying with the requirements of the Program, which in turn helps ensure the integrity of the Voluntary Labeling Program.

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.

The application process is designed to be completed electronically through the [BioPreferred Program website](#). Doing so streamlines the process and avoids the preparation and transmittal of paper forms.

To obtain certification, manufacturers and vendors of certified biobased products are required to provide certain product and manufacturer or vendor information for RBCS to post publicly to the [BioPreferred Program website](#), as described in Step 1 in Item 2 above. This provides Federal agencies an electronic means to identify available biobased products for the Federal Preferred Procurement Program. Every effort is being made to further streamline the processes with which RBCS interacts with manufacturers and vendors to reduce the cost and time burden on the participants in the Voluntary Labeling Program.

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.

To receive certification to use the label, manufacturers and vendors must submit information on the biobased content of the product. Some of the products for which certification is being sought will have already undergone this test as a part of the process of identifying product categories and their associated products as eligible for Federal Preferred Procurement Program. Further, some of the manufacturers and vendors may have already posted some of the information required under the Voluntary Labeling Program to the [BioPreferred Program website](#) as a part of the Federal Preferred Procurement Program of the BioPreferred Program. The requirements of the Voluntary Labeling Program allow manufacturers and vendors to use this information that has already been developed. Therefore, we do not anticipate any duplication of information under the Voluntary Labeling Program.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

The Voluntary Labeling Program is a voluntary program in which all manufacturers and vendors, including small businesses that have biobased products, may participate. Based on data voluntarily provided by manufacturers and vendors participating in the BioPreferred Program, 94 percent reported to have 500 or fewer employees, and only 6 percent reported to have greater than 500 employees. Thus, based on this sample and using a maximum of 500 employees as the criterion for defining a small business, RBCS estimates that about 94 percent of the companies that could choose to participate in the Voluntary

Labeling Program are classified as small businesses.

One potential burden related to participation in the Voluntary Labeling Program is that which is associated with the graphic redesign of a product's packaging ([§ 3202.7](#)). Manufacturers and vendors that have received certification to use the label will need to redesign the graphics on their product's packaging for each certified product to incorporate the "USDA Certified Biobased Product" label. If manufacturers and vendors redesign the graphics on their product's packaging outside of the planned schedule, then the cost to incorporate the "USDA Certified Biobased Product" label could be attributable to the Voluntary Labeling Program. However, there are few, if any, incremental costs associated with incorporating the label if done as a part of the manufacturer's or vendor's planned schedule for graphic redesign of its packaging or for the initial design of a newly certified product. Because the Voluntary Labeling Program is voluntary, manufacturers and vendors have the opportunity to schedule incorporation of the label into their next scheduled product packaging redesign and avoid this cost.

Another potentially large burden is associated with biobased content testing. While biobased content testing is necessary to participate in the Voluntary Labeling Program, its cost is relatively low (about \$400) when compared to the overall cost of new product development. In addition, RBCS allows manufacturers to perform only one test in situations where a single product formulation is marketed under multiple brand names.

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.

RBCS only collects the minimum information and test results for individual products necessary to determine the eligibility of the products for certification to display the USDA Certified Biobased Product label. An initial application is necessary to make this determination. Failure to collect this information would result in many ineligible products using the label, thereby rendering the Program useless.

Failure to require manufacturers and vendors to provide up-to-date information on each certified product for RBCS to publicly post on the [BioPreferred Program website](#) could result in purchasers making poor purchase decisions and in inefficiencies in making purchasing decisions (e.g., trying to purchase a product that has been renamed).

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

a. Requiring respondent to report information more than quarterly.

Under the Voluntary Labeling Program, two situations occur under which a manufacturer or vendor is required to supply information to RBCS.

One is where a change is made to a product's formulation that results in a change in the biobased content of the product to such an extent that submittal of a new application is required. However, it is highly unlikely that such changes would occur quarterly.

The second is the requirement to provide RBCS with up-to-date product information. Again, this action is only required when information changes and, though likely to occur more frequently than

formulation changes, is highly unlikely to occur more often than quarterly.

RBCS does not anticipate either of the above circumstances to result in reporting of information on any one product more often than quarterly and anticipates a much longer time frame for each product.

b. Requiring written response in less than 30 days.

Under the Voluntary Labeling Program, no routine written responses are required in fewer than 30 days after receipt of the request. However, there are special situations related to violations of the Program rules in which a manufacturer or vendor is expected to supply a response within 30 days. These are:

- (1) Suspension of a certification for biobased content violations ([§ 3202.8\(c\)\(1\)\(ii\)](#)),
- (2) Revocation of a certification for biobased content violations ([§ 3202.8\(c\)\(2\)\(i\)](#)), and
- (3) Appeals ([§ 3202.6\(a\)\(1\)](#)).

Manufacturers or vendors who receive a notice of violation for other types of violations must correct the violation(s) within 90 days from receipt of the notice of violation.

c. Requiring more than an original and two copies.

RBCS does not require more than an original of any document submitted by manufacturers and vendors seeking certification.

d. Requiring respondent to retain records for more than 3 years.

Under the Voluntary Labeling Program, manufacturers and vendors are required to keep certain records to support the information presented in their applications ([§ 3202.9\(a\)\(1\)](#) through [\(3\)](#)). The Program requires that these records are kept for 3 years after their creation or as long as necessary to support the most recently approved application for the certified product, whichever is greater ([§ 3202.9\(b\)](#)).

Information provided by manufacturers and vendors for posting on the [BioPreferred Program website](#) is the kind of information that a company would normally have to provide customers in the normal course of business, for as long as would be typically required in the normal course of business and as such does not represent a new and unreasonable burden on manufacturers and vendors.

e. 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.

RBCS does not envision initiating any statistical surveys.

f. Requiring the use of a statistical data classification that has not been reviewed and approved by OMB.

RBCS does not expect to conduct statistical surveys or require use of statistical data classifications.

g. Requiring 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.

Product and manufacturer and vendor information posted on the [BioPreferred Program website](#) is publicly available to view, but only RBCS is able to change the posted information.

h. 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.

RBCS does not believe that any of the information required for the Voluntary Labeling Program is considered confidential by respondents.

8. If applicable, identify the date and page number of publication in the Federal Register of the agency's notice soliciting comments on the information collection. Summarize public comments received and describe actions taken by the agency in response to these comments. 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, reporting, format (if any), and on data elements to be recorded, disclosed, or reported.

RBCS published a notice requesting comment on the extension of the previously approved information collection for the Voluntary Labeling Program (see 88 FR 48427, Thursday, July 27, 2023). The 60-day comment period closed September 25, 2023. The Agency received one comment that was not related to this collection of information.

RBCS received feedback from Program participants (information included below) regarding the collection of information for the Voluntary Labeling Program. All three participants were happy with the process of submitting an application and providing information to RBCS.

Natural Fiber Welding

- 6533 N Galena Rd, Peoria, IL 61614
- Product Manager; 309-713-2621
- Product Manager expressed that the application is straightforward, which noted was good. Also indicated that the process and instructions were clear.

Ingevity Corporation

- 5255 Virginia Avenue, North Charleston, SC 29406
- Team Lead, Technical; 843-740-2300
- Team Lead expressed that the application process was a very positive experience and that the staff were very professional and responsive.

Earthly Sustainable Goods Ltd

- 446 Hawk Hill Drive, Kelowna, British Columbia, Canada V1W 0B1
- Cofounder, hello@LoveEarthly.com
- Cofounder expressed that the application process was a positive experience and noted that the instructions were crystal clear.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There is no intent to provide any payment or gift to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

RBCS does not believe that any of the information required for the Voluntary Labeling Program is considered confidential by respondents.

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.

No such questions are asked of the manufacturers and vendors seeking to participate in the Voluntary Labeling Program.

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

Table 12.1, Total Cost of Burden, shown below summarizes the estimated average annual burden associated with the Voluntary Labeling Program. The attached Burden Hours workbook provides an Information Collection Burden Hours worksheet that details the estimates.

Table 12.1 - Total Cost of Burden

Burden Item	Estimated Yearly Average Burden
Number of Respondents	300
Total Annual Responses	825
Total Hours Per Year (Burden Hours)	1,988
Cost Per Hour	\$44.68
Total Annual Cost	\$88,797
Average Hours Per Response	2.409
Number of Responses per Respondent	2.75
Total Estimated Burden for each individual application	\$107.63

As discussed elsewhere, because the Voluntary Labeling Program is voluntary, the burden to the applicant to participate in the Program is also voluntary. It should also be noted that RBCS has made significant strides in reducing the burden place on applicants since the Program began. These burden reductions have resulted from simplifying and streamlining the application process so that one application often covers multiple similar products.

The hourly rate of \$44.68 is based on U.S. Bureau of Labor Statistics data³ that show that \$1,102 and \$1,658 was the median weekly employee earnings in 2022 for the manufacturing industry and management occupations, which translates to a median hourly rate of \$34.50 for a combination of labor and

³ *Household Data Annual Averages*, U.S. Bureau of Labor Statistics, accessed May 2, 2023, <https://www.bls.gov/cps/cpsaat43.pdf>.

management for the manufacturing industry if a 40-hour work week is assumed. This \$34.50 median hourly rate was increased by 29.5 percent, the average benefits rate in the private industry, to yield a rate of \$44.68 per hour, which is considered reasonable under the expectation that at least half the burden hours would likely be provided by employees earning less than this hourly rate and up to half the employees would be earning more.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

Manufacturers and vendors are required to incur a one-time initial cost associated with testing their products for biobased content. Table 13.1 below presents a summary of the following:

- Estimated Annualized Testing Costs.
- Estimated Respondent Labor Costs.
- Estimated Average Annualized Cost to Respondents.

The attached Burden Hours workbook provides a Burden Respondent worksheet that details the estimates.

Table 13.1 Summary of Total Annual Cost Burden to Respondents

Estimated # of Products or Product Families for Testing	600
Estimated # of Tests per Products or Product Families	1
Total # of Tests	600
Annualized Testing Cost	\$400
Estimated # of Hours per Test	2
Total Annual Burden Hours – Respondents	1,200
Total Annualized Labor Costs	\$53,613
Total Annualized Cost to Respondents	\$106,768

14. Provide estimates of annualized cost to the Federal government.

The estimated Annualized Cost to the Federal Government is \$504,560, which is summarized in Table 14.1 below. The attached Burden Hours workbook provides an Annualized Cost to the Federal Government worksheet that details the following:

- Three (3) Review Steps
- Staff Positions for each Review Step.
- Calculated Wages Rates for each Staff Position.
- Number of hours required for each Staff Position.
- Total Cost for each Staff Position, Review Step and to the Federal Government.

Table 14.1: Total Cost to the Federal Government

Review Step	Cost of Each	Number of Responses	Total Cost
Step 1: Application	\$714.01	600	\$428,408
Step 2: Maintaining Records	\$281.68	75	\$21,126
Step 3: Oversight & Monitoring	\$366.84	150	\$55,026
Total Cost to Federal Government	\$1,362.53		\$504,560

Review Steps. Brief explanation of the four review steps below:

- *Step 1: Application* – Agency review of applications submitted, including company information such as company name, address, contact, phone number, and product information such as product and brand name, product description, and biobased content. RBCS expects 300 applicants to submit an average of 2 application each, totaling to 600 applications to be submitted for review.
- *Step 2: Maintaining Records* – Agency review of any updates to the applicant or application information, as needed. RBCS expects that 75 applicants will need to make updates to their company or product information provided in their application.
- *Step 3: Oversight & Monitoring* – Agency review of responses to semi-annual audits. RBCS expects that 75 applicants will be audited on a semi-annual basis.

Staff Positions, GS Salary, and Total Salary Rate Calculated. Table 14.2 below provides the staff positions used for the Review Steps along with each Staff Positions General Schedule (GS) Grade, Step and Salary. The GS Salary was obtained by using Tables 2023-DCB ([Pay & Leave : Salaries & Wages - OPM.gov](#)) and 2023-ES ([Pay & Leave : Salaries & Wages - OPM.gov](#)) from the U.S. Office of Personnel Management (OPM), Policy, Pay & Leave, Salaries & Wages.

Table 14.2: Staff Positions and GS Salary

Staff Position	GS Grade	GS Step	GS Salary
Procurement Analyst	14	5	150,016

The Agency calculated the Hourly Rate by dividing the GS Salary by 52 weeks a year and then dividing that result by 40 hours per week. The benefits for each position was calculated by using the civilian position full fringe benefit cost factor of 36.25% from the Office of Management and Budget (OMB) Memorandum for the Heads of Executive Departments and Agencies (M-08-13) dated March 11, 2008 ([Memorandum for the Heads of Executive Departments and Agencies \(whitehouse.gov\)](#)).

The Agency has two contractors that assist with the review process for the Voluntary Labeling Program and Guidelines for Designating Biobased Products for Federal Procurement, which the estimated total contract cost is \$1,642,000. The total estimated contract is broken down for each contractor as shown in Table 14.3.

Table 14.3: Total Estimated Consultant Contracts

Contractor	Agency Estimated Total Contract Amount
1	\$583,000
2	\$1,059,000
Total	\$1,642,000

Table 14.4 below provides the breakdown for each contract by Contractor and Review Step for the Voluntary Labeling Program. The percentages does not total 100% because the contracts are part of a larger contract. The amounts from Table 14.4 for each step was used to determine the cost subtotals for each Contractor listed on the Annualized Cost to the Federal Government worksheet in the Burden Hours Workbook.

Table 14.4: Voluntary Labeling Program Breakdown for each Consultant Contract

Review Steps	Total Contract Amount Applied
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	Contractor 1		Contractor 2	
	%	Total Cost	%	Total Cost
Step 1: Application	54%	\$314,423	5%	\$55,024
Step 2: Maintaining Records	2%	\$13,756	0%	\$
Step 3: Oversight & Monitoring	7%	\$40,285	0%	\$
Total	63%	\$368,464	5%	\$55,024

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

RBCS estimates that the annual labor hour burden over the next three years will be slightly higher than that which was estimated in the ICR approval request for the past three years. In the 2021 ICR approval request, the estimated annual labor hour burden was 1,800. In this current request, the estimated annual labor hour burden is 1,988. This change is due to an increase in the number of respondents expected over the next three years. The breakdown of the burden has been updated to better represent what actually occurs in the Program.

The BioPreferred Program maintains data on the number of responses (applications) received per month for the Voluntary Labeling Program. RBCS used this data to estimate the number of responses and respondents expected during the three-year periods covered by both the ICR approval request in 2021 and the current ICR approval request. The data show that since the previous ICR approval request in 2021, the average number of respondents and responses per year has increased. The increase in the number of respondents and responses per year is expected as the popularity and recognition of the Voluntary Labeling Program has grown over the past several years, leading to increased interest and participation in the Program. RBCS anticipates that the number of manufacturers and vendors who choose to participate in the Voluntary Labeling Program will continue to increase, and RBCS believes that the burden estimates presented above in this document accurately reflect this growth.

RBCS estimates that the annual cost burden has changed due updating to better represents what actually occurs with the Program. The Program utilizes several contractors to help conduct reviews.

16. For collection of information whose results will be published, outline plans for tabulation and publication.

Collections of information are published in that they are posted to the [BioPreferred Program website](#).

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.

RBCS is not seeking approval to not display the expiration date for OMB approval of the information collection.

18. Explain each exception to the certification statement identified in Item 19 on OMB 83-I.

There are no exceptions requested.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection of information under this Program does not and is not expected to employ statistical methods.