# SUPPORTING STATEMENT

**U.S. Department of Commerce**

**National Oceanic & Atmospheric Administration**

**Seafood Inspection and Certification Requirements**

**OMB Control No. 0648-0266**

**SUPPORTING STATEMENT PART A**

# Abstract

# This request is for the revision and extension of a current information collection. The National Marine Fisheries Service operates a fee-for-service Seafood Inspection Program (SIP), available to all segments of the seafood industry. Participants request services such as product inspection, export health and legal harvest certification, and facility approval. Information is collected from participants to confirm the identity of products being inspected and certified, as well as to show compliance with Program requirements. The implementing regulations for this Program at 50 CFR 260 are being updated to bring the regulation more in line with current practices, remove outdated text, and streamline seafood inspection services. The last updated information collection (published January 19, 2022, with expiration date January 31, 2025) already included all of the changes proposed with this rulemaking, including the shift to online inspection and service requests and housing day-to-day procedures in the online SIP Manual versus in codified text. The information collection is being revised and extended to add a previously overlooked Surety form and adjust the burden figures.

# 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 National Marine Fisheries Service (NMFS) operates the fee-for-service Seafood Inspection Program (SIP) under the authorities of the [Agricultural Marketing Act of 1946](https://www.agriculture.senate.gov/imo/media/doc/Agricultural%20Marketing%20Act%20Of%201946.pdf), as amended, the [Fish and Wildlife Act of 1956](https://www.govinfo.gov/content/pkg/STATUTE-70/pdf/STATUTE-70-Pg1119.pdf#page=1), and the [Reorganization Plan No. 4 of 1970](https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title5a-node84-leaf179&num=0&edition=prelim). The regulations for the SIP are contained in [50 CFR Part 260](https://ecfr.io/Title-50/Part-260). The SIP offers inspection, grading and certification services, including the use of official grade marks and statements which indicate that specific products have been federally inspected. The SIP is the only Federal entity that establishes quality grade standards for seafood marketed in the United States, and is the competent authority for the United States for issuing export health and catch certificates for seafood and certain other marine ingredients. Qualified participants are permitted to use SIP’s official grade marks and statements on their products to facilitate the domestic and global trade of fishery products and other marine ingredients. The implementing regulations at 50 CFR 260 are being updated and modernized to reflect current practices, terms, and functions. The information collection is being revised here merely to reflect the changes in this final rulemaking, RIN 0648-BH37, where section numbers have been changed. The final rule is expected to be published by December 31, 2024. There are no reporting or recordkeeping requirements changed or affected by this rule-making.

# 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.

# Participation in the SIP is open to all segments of the seafood industry, from harvesters and growers to retailers. When inspection service is desired, participants are required to submit specific information pertaining to the type of service needed (current § 260.15; new § 260.6). This includes the type of product(s) to be inspected, the quantity, the location of the product, and the date when the inspection is needed. Customers used to complete the NOAA Form 89-814 [Request for Inspection Services](https://media.fisheries.noaa.gov/dam-migration/request-for-inspection-services.pdf) and submit it to their local inspection office via e-mail or over the phone. Effective July 1, 2024, customers now submit the same information through the online portal instead of completing the physical paper form. There are also application requirements (i.e., a letter from the participant) if there is an appeal on previous service results (§ 260.36; new § 260.19). Participants requesting regular inspection services on a contractual basis submit a contract using the NOAA Form 89-800 (§ 260.96; new § 260.31) and a Surety Bond using the NOAA Form 89-801 (§ 260.69; new § 260.30). Any change to the contract or bond requires an amendment, using the same form. This information ensures that SIP has the necessary staff available to perform the services requested, and guarantees payment for services performed.

# Approved Establishments must meet NOAA SIP system policies and procedures and the regulatory and quality requirements outlined by U.S. Grade Standards or USDC Approved Specifications in order to use official grade marks and statements (§§ 260.86; new § 260.35). Current regulations state requirements for approval of drawings and specifications prior to approval of facilities (§260.97(c)(12), (13), (14) and (15)). There are no longer any respondents under this section. NMFS proposed to amend this part of the regulations with this rulemaking, and has already discontinued the use of the Specification and Label Submittal Action Request (NOAA Form 89-819). It is the responsibility of the processor to ensure their labels are in compliance with mandatory labeling regulations established by the U.S. Food and Drug Administration (FDA) (21 CFR 110). SIP will continue to approve labels and marks for the USDA Child Nutrition (USDA CN) and military purchase programs. The submission and approval process for those labels has moved to an online format, which will be completed with the publication of this final rule.

# When export or certain other forms of certification is desired, applicants are required to submit specific information regarding the consignment and the type of documents required, including details about the product, the shipper and the destination of the consignment, through an online portal system.

# In July 1992, NMFS announced new inspection services, which were fully based on guidelines recommended by the National Academy of Sciences, known as Hazard Analysis Critical Control Point (HACCP). The information collection requirements fall under § 260. 96 (new § 260.31) of the regulations. These guidelines require that a facility’s quality control system have a written plan of the operation, identification of control points with acceptance criteria and a corrective action plan, as well as personnel identified with responsibility for oversight of the system.

# HACCP requires continuous monitoring and record keeping by the facility’s personnel. Although HACCP involves substantial self-monitoring by the industry, the HACCP-based program is not a self-certification program. It relies on unannounced system audits by NMFS, typically at quarterly intervals. The frequency of audits is determined by the ability of the firm to monitor its operation. By means of these audits, NMFS reviews the records produced through the program participant’s self-monitoring. The audits determine whether the participant’s HACCP-based system is in compliance by checking for overall sanitation, accordance with good manufacturing practices, labeling, and other requirements. In addition, in-process reviews, end-product sampling, and laboratory analyses are performed by NMFS at frequencies based on the potential consumer risk associated with the product and/or the firm’s history of compliance with the program’s criteria.

# The information collected is used to determine a participant’s compliance with the program. The reported information, a HACCP plan, is needed only once, but must be reviewed regularly and modified if needed. Other information is collected and kept by the participant as part of its routine monitoring activities. NMFS audits the participant’s records on unannounced frequencies to further determine compliance.

# The FDA implemented mandatory HACCP seafood safety requirements in December 1997. The FDA regulations (21 CFR Part 123) include some of the same reporting elements as the NMFS HACCP program. However, one of the significant differences is that the FDA regulation is mandatory for all seafood processors and focuses on seafood safety only. The NMFS HACCP program is voluntary, is available to all segments of the seafood industry (from harvesters to retailers), and addresses not only food safety, but also wholesomeness (hygiene), economic integrity and food quality. There is a NMFS HACCP mark available to participants to assist them in marketing their products. FDA’s mandatory program has no mark. Further, the FDA regulations require a HACCP plan only if a hazard analysis reveals a seafood safety hazard. NMFS requires a HACCP plan for all participants in the HACCP Program. The NMFS HACCP program also assures participants’ compliance with international trade standards.

# The burden hours identified are those beyond the FDA’s mandatory HACCP requirements to ensure seafood safety. HACCP-related burden hours are identified separately below and are based on an estimate of 15 new HACCP facilities per year and include annual monitoring and record keeping estimates for the approximately 400 facilities currently in the Program.

# National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA, NMFS) will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](https://www.fws.gov/informationquality/section515.html).

# Table 1: Information Requirements and Needs and Uses of Information Collected

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item #** | **Requirement** | **Statute** | **Regulation** | **Form #** | **Needs and Uses** |
| 1 | Service Requests | 77 U.S.C. 1621 *et seq.* | 50 CFR 260.15 (new **§** 260.6) | 89-814 | * Used by SIP to determine what service to provide to applicant and issue appropriate documentation
 |
| 2 | New and amended contracts | 77 U.S.C. 1621 *et seq.* | 50 CFR 260.96 (new **§** 260.31) | 89-800 | * Used by SIP to provide regular service to applicant and ensure available manpower to cover those services
 |
| 3 | Surety Bond | 77 U.S.C. 1621 *et seq.* | 50 CFR 260.69 (new **§** 260.30) | 89-801 | Used by SIP to guarantee payment of fees |
| 4 | Appeals | 7 7 U.S.C. 1621 *et seq.* | 50 CFR 260.36 (new **§** 260.19) | n/a | * Used by SIP to re-evaluate results from a previous service
 |
| 5 | Approved Establishment Applications | 7 7 U.S.C. 1621 *et seq.* | 50 CFR 260.96 (new **§** 260.31) | n/a | * Used by SIP to ensure compliance to Program requirements
 |
| 6 | CN Label and Specification Submissions | 7 7 U.S.C. 1621 *et seq.* | 50 CFR 260.97 (new **§** 260.35) | n/a | * Used by SIP to approve labels and specifications for the USDA Child Nutrition Program
 |

1. **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 information collected involves the use of automated, electronic or other technological techniques, in addition to requests received over the phone and via the mail. Over 90% of the examples of CN labels and specifications are submitted via email to the Program’s review staff for approval. The fillable form for Request for Inspection Services (89-814) is available from the SIP web site at <https://media.fisheries.noaa.gov/dam-migration/request-for-inspection-services.pdf>. The program has developed and implemented an [online portal system](https://seafoodinspection.nmfs.noaa.gov/customer/customerlogin.html), which is our primary source for gathering information. Once an account is created in the online portal, users need not re-enter business information for each new request, and much of the product information can also be stored for re-use. The online portal continues to be updated with new functions, and the goal of SIP is to eventually have all requests for service come through the online portal. Currently, all product inspection and certificate requests come through the online portal, but a few new customers may request consultative audits and facility inspections via the paper form.

1. **Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2**

As mentioned in Question 2, the FDA HACCP regulations require some of the same reporting elements as the NMFS HACCP program. This statement includes reporting burden beyond what is required under the FDA regulations to better ensure seafood safety. In other words, an applicant’s NMFS HACCP plan is acceptable under the FDA regulations so that no additional plan is needed for FDA. If, however, the applicant wishes to participate in the NMFS HACCP program and already has an FDA HACCP plan, the FDA HACCP plan would just be expanded to include the NMFS requirements, which address not only seafood safety, but also wholesomeness (hygiene), economic fraud, and seafood quality.

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

Small businesses may voluntarily participate in the SIP and respond to the collection. Specific instructions are provided, where needed, to all businesses to prevent submission of unnecessary information and to minimize the burden.

1. **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 collection were not conducted, efficient operation of the Program would be jeopardized and SIP would not be able to sufficiently serve the customers for whom it is intended.

If SIP did not receive the information in each request form, we would not be able to conduct the inspection or issue the certificate(s) without spending additional time gathering that information from the customer. Once per year to renew a contract helps to ensure all company contact information is current - any less than that, in this industry, and we run across outdated emails, phone numbers, and points of contact.

The label review needs to be done for each new label, so the frequency is dependent on label changes.

1. **Explain any special circumstances that would cause an information collection to be conducted in a manner:**
* requiring respondents to report information to the agency more often than quarterly;
	+ For participants to continue to obtain the benefits of advertising the official Program marks and to ensure the Program’s marks are being used with integrity, some of the collections are done at a frequency inconsistent with the Office of Management and Budget (OMB) guidelines. For example, HACCP participants submit their HACCP plan only once, but changes in the plan may occur whenever their processing operations dictate, which may be outside of the OMB guidelines. In addition, monitoring of the HACCP plan is an ongoing activity which is then audited by SIP personnel at varying frequencies to determine the participant’s compliance with the Program requirements. Participants that are non-compliant may be audited more frequently than compliant participants.
* requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
	+ Respondents are not asked to provide written responses to a collection of information in fewer than 30 days after receipt of it.
* requiring respondents to submit more than one original and two copies of any document;
	+ No more than one original and two copies of any document are required.
* requiring respondents to retain records, other than health, medical, government contract, grant-in- aid, or tax records for more than three years;
	+ Respondents are not asked to retain 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;
	+ No records collected are used in statistical surveys without being generalized.
* requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
	+ No statistical data classification is used.
* 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
	+ No separate pledge of confidentiality is required.
* requiring respondents to submit proprietary trade secrets, 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.
	+ Participants in the SIP are assured of the confidentiality of certain information, such as records of sanitation, HACCP plans and supply chain relationships, which may contain privileged trade information. The Department of Commerce, with the concurrence of the U.S. Department of Justice, determined that this information is protected from disclosure pursuant to the Freedom of Information Act Exemption (b)(4), 5 U.S.C. § 552(b)(4), which applies to trade secrets and commercial or financial information obtained from a person that is privileged or confidential.
1. **If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A 60-day Federal Register notice was published (89 FR 73071 2024-0909) specifically requesting comment on this information collection, OMB Control Number: 0648-0266. No comments were received.

In addition to the 60-day notice described above, NMFS asked seven current Program participants, from NOW Foods, Nestle Health Science, 3D Solutions, Cal Marine Fish Company, Lund’s Fisheries, Aker BioMarine, and Captain Vincent Gann, for comments specifically on the usefulness and availability of the information we collect, the clarity of instructions we provide, and whether the burden and cost are accurate and reasonable. Only two respondents provided comments to the request. One replied simply with “No comment.” The other replied with “no comment” on the usefulness and availability of the information collected. They said our instructions are great and very clear and precise, though the website portal can be confusing and getting invoices can be tough, but the staff they deal with is amazing and great to work with. They also stated they think the cost is reasonable.

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

Neither payments nor gifts will be provided to respondents.

1. **Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a system of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.**

Participants in the SIP are assured of the confidentiality of certain information, such as records of sanitation, HACCP plans and supply chain relationships, which may contain privileged trade information. The Department of Commerce, with the concurrence of the U.S. Department of Justice, determined that this information is protected from disclosure pursuant to the [Freedom of Information Act](https://www.law.cornell.edu/uscode/text/5/552) Exemption (b)(4), 5 U.S.C. § 552(b)(4), which applies to trade secrets and commercial or financial information obtained from a person that is privileged or confidential. The information is covered by the Privacy Act Systems of Records Notice, NOAA-19.

1. **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 does not involve information of a sensitive nature.

1. **Provide estimates of the hour burden of the collection of information.**

Estimated number of respondents, response times, and burden. The estimates below are based on a 3-year average as reported by our field offices, and do not differ from the information collection approved on January 19, 2022.

**§ 260.15 (new § 260.6) Application for Inspection Services and Certificates**. The estimated time per response is an average based on the wide range of applicants. Current applicants already use the fillable online version of the form, with the standard information completed so that they simply fill in several additional blocks for each new request, which would likely require much less than 5 minutes, then submit it through the online portal. New applicants, on the other hand, may take a little longer for their first request, as they need to create their online account and enter all the user information. Subsequent requests will take less time, since the standard information is reusable and they only need to add the specific information for each new request.. Requests for most certificates are currently done via the online portal, and are also estimated to take no more than 5 minutes each. Once a customer creates an online portal account, most of their information is stored and re-usable, so only certain details unique to each shipment need to be added at the time of request. Most of these requests are expected to be completed by a general office clerk (BLS occupation code 43-6014), with an average hourly salary of $21.87.

Estimated Number of Respondents: 1,012

Estimated Number of Responses: 72,575

Estimated Time Per Response: 5 minutes

Estimated Total Annual Burden Hours: 6,048

**§ 260.36 (new § 260.19) Application for Appeal.** As mentioned in Question 2, this is simply a short letter notifying the inspection office that an appeal is requested. These requests are expected to be completed by someone at a Food Service Manager level (BLS occupation code 11-9051), with an average hourly salary of $33.45.

Estimated Number of Respondents and Responses: 36

Estimated Time Per Response: 30 minutes

Estimated Total Annual Burden Hours: 18

**§ 260.96 (new § 260.31) Contract Completion**. This includes new requests, estimated at about 35 annually, and current participants, about 400, who amend or renew their contracts (Form 89-800) during the year. The burden estimate is considered equal for both situations, and they would also be completed by someone at a Food Service Manager level.

Estimated Number of Respondents and Responses: 435

Estimated Time Per Response: 5 minutes

Estimated Total Annual Burden Hours: 36

**§ 260.69 (new § 260.30) Surety Bond**. This includes new requests, estimated at about 35 annually, and current participants, about 400, who renew their surety bond (Form 89-801) during the year. The burden estimate is considered equal for both situations, and they would also be completed by someone at a Food Service Manager level. This form was inadvertently omitted from the past several information collection requests, though the form has been in use for decades.

Estimated Number of Respondents and Responses: 435

Estimated Time Per Response: 5 minutes

Estimated Total Annual Burden Hours: 36

**§ 260.97 (new § 260.35) Label and Specification Submission for USDA Child Nutrition Program**. Former estimates included the time needed to complete Form 89-819, which has been replaced by an online process. This current estimate includes the time needed to compile and submit the package online, via the new online portal. Once an account profile is established, most of the requests would be completed with re-use values, reducing the amount of time required. These requests are expected to be completed by someone at a Food Service Manager level.

Estimated Number of Respondents: 5

Estimated Number of Responses: 115

Estimated Time Per Response: 15 minutes

Estimated Total Annual Burden Hours: 29

**HACCP Participants**

**§ 260.96 (new § 260.31) New Respondents**. These are applicants that are not currently in the NMFS HACCP Program, who need to develop a NMFS HACCP Plan, which as explained previously, is required only once, unless a hazard analysis reveals a seafood safety hazard. It is likely that if the applicant already has an FDA HACCP plan, expansion of it to include NMFS requirements may take a little less time. The burden reflected considers both situations as equal, and is expected to be completed by someone at a Food Service Manager level.

Estimated Number of Respondents and Responses: 15

Estimated Time Per Response: 60 hours

Estimated Total Annual Burden Hours: 900

**§ 260.96 (new § 260.31) Current Respondents.** These are participants already in the NMFS HACCP Program, with an operating HACCP Plan. These participants are responsible for certain monitoring and record keeping functions as described in the SIP Manual, performed by someone at a Food Service Manager level.

Estimated Number of Respondents and Responses: 400

Estimated Time Per Response: 40 hours

Estimated Total Annual Burden Hours: 16,000

**TOTAL RESPONDENTS: unduplicated 1,012**

**TOTAL RESPONSES: 74,011**

**TOTAL BURDEN HOURS: 23,067**

**Table 2: Estimates of Burden Hours and Burden Costs**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Information Collection** | **Type of Respondent (e.g., Occupational Title)** | **# of Respondents/year(a)** | **Annual # of Responses / Respondent(b)** |  **Total # of Annual Responses(c) = (a) x (b)** | **Burden Hrs / Response(d)** | **Total Annual Burden Hrs(e) = (c) x (d)** | **Hourly Wage Rate (for Type of Respondent)(f)** | **Total Annual Wage Burden Costs(g) = (e) x (f)** |
| Application for Inspection Services | Office Clerks, General (43-9061) | 1,012  | 72 | 72,575  | 0.0833 | 6,048  | 21.87  | 132,270  |
| Application for appeal | Food Service Managers (11-9051) | 36  | 1  | 36  | .5 | 18  | 33.45  | 602 |
| Contract Completion | Food Service Managers (11-9051) | 435  | 1  | 435 | 0.0833  | 36  | 33.45  | 1,204  |
| Label and Specification Submission |  Food Service Managers (11-9051) | 5  | 23  | 115  | .25 | 29  | 33.45  | 970  |
| HACCP Participants - New Respondents |  Food Service Managers (11-9051) | 15  | 1 | 15 | 60  | 900  | 33.45  | 30,105  |
| HACCP Participants - Current Respondents |  Food Service Managers (11-9051) | 400  | 1  | 400  | 40  | 16,000  | 33.45  | 535,200  |
| Surety Bond | Food Service Managers (11-9051) | 435 | 1 | 435 | 0.0833 | 36 | 33.45  | 1,204 |
| **Totals** |  |  |  | **74,011** |  | **23,067** |  | **701,555** |

Occupational Code 43-9061 (Office Clerks, General) and 11-9051 (Food Service Managers) were used to determine the mean hourly wage. BLS’s *Occupational Outlook Handbook* was used as a wage source (<https://www.bls.gov/bls/blswage.htm>).

1. **Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).**

The only capital costs or operating and maintenance costs associated with this information collection are for recordkeeping. An estimated 10% of service requests come in via paper format, and costs associated with copying/mailing those are included below.

**Table 3: Estimates of Information Collection Costs**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Information Collection** | **# of Respondents(a)** | **Annual # of Responses / Respondent(b)** |  **Total # of Annual Responses(c) = (a) x (b)** | **Cost Burden / Respondent(h)** | **Total Annual Cost Burden(i) = (c) x (h)** |
| Application for Inspection Services | 1,012  | 72 | 72,575  | .065 | 4,717  |
| Application for appeal | 36  | 1  | 36  | .065 | 2  |
| Contract Completion | 435 | 1  | 435 | .065  | 28 |
| Label and Specification Submission | 5  | 23  | 115  | .065  | 7 |
| HACCP Participants - New Respondents | 15  | 1 | 15 | .065  | 1  |
| HACCP Participants - Current Respondents | 400  | 1  | 400  | .065 | 26 |
| Surety Bond | 435 | 1 | 435 | .065 | 28 |
| **TOTALS** |  |  | **74,011** |  | **4,809** |

Fees in addition to those shown above are charged for other program services that do not involve collection of information from respondents. For example, a consultative audit would result in fees imposed on the requestor of the audit. The fee would be based on the current rate for non-contract service, as outlined on our website and in the manual, and reviewed/revised annually and published in the Federal Register.

1. **Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.**

As a fee-for-service program, as explained in Question 1, all of the costs to the Federal government for the collection are paid by the users of this program. Total annual program costs are approximately $20 million.

1. **Explain the reasons for any program changes or adjustments reported in ROCIS.**

The implementing regulations for the Seafood Inspection Program, found at 50 CFR 260, are being modified and updated to reflect current practices and policies. Since the current regulations were last updated, the Seafood Inspection Program has been shifting from end product inspection to a systems based approach to food safety and quality. Most program users no longer are required to provide information on an inspection by inspection basis; alternatively, information is gathered at the system level during periodic audits. Completing fewer inspections also resulted in fewer appeal inspections, but the converse is true for audits. We have also been inspecting and certifying more types of products, including fishmeal (not for human consumption) and other marine ingredients, which has led to a continuing increase in the number of certificate requests overall. In addition, the program completed development and implementation of an online portal, which is now the primary source for gathering billing information, requesting inspection services and certificates, and providing response to program users. This system is not only much more streamlined than the previous mail/fax method, it also has the added feature of “reuse values” which allows for industry to enter data in a fraction of the time it took previously via paper forms. Previously, a single page form would have required an estimated 20-30 minutes to complete and then fax or mail; with the portal, the estimate is 5-10 minutes or even less when customers are able to use the reuse values option. The online portal has reduced the time burden for both program users and providers.

The contract completion was done because annual contract renewals were not included in previous collection requests, just new and amended contracts; all are now included, for a total annually of 435. This includes new requests, estimated at about 35 annually, and current participants, about 400, who amend or renew their contracts (Form 89-800) during the year.

The Surety Bond form was inadvertently omitted from the past several information collection requests, though the form has been in use for decades. The form is not required, however, and customers may use any form of written surety they wish.

An updated information collection request was approved on January 19, 2022, which included the updates that are expected to be finalized by December 31, 2024. We have not realized any changes in responses or burden hours since the last information collection approval, other than the inclusion of the Surety Bond noted here.

**Table 4: Adjustments to Burden Hours**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Information Collection** | **Respondents** | **Responses** | **Burden Hours** | **Reason for change or adjustment** |
| Current Renewal / Revision | Previous Renewal / Revision | Current Renewal / Revision | Previous Renewal / Revision | Current Renewal / Revision | Previous Renewal / Revision |
| Application for Inspection Services | 1,012 | 1,012  | 72,575 |  72,575 | 6,048 |  6,048 |  No Change |
|  Application for appeal |  36 |  36 | 36 |  36 | 18 |  18 | No Change |
| Contract Completion | 435  | 95 | 435  | 95 | 36  | 8 |  |
| Label and Specification Submission | 5 | 5 | 115 | 115 | 29 | 115 | Adjusted burden hours to reflect the switch from a paper form (NOAA Form 89-819) to an online submission process  |
| HACCP Participants - New Respondents | 15 | 15 | 15 | 15 | 900 | 900 | No Change |
| HACCP Participants - Current Respondents |  400 | 400  |  400 |  400 |  16,000 |  16,000 | No Change |
| Surety Bond | 435 | n/a | 435 | n/a | 36 | n/a | Surety Bond, NOAA Form 89-801, was erroneously omitted in previous collection requests |
| **Total for Collection** | **2,338** | **1,563** | **74,011** | **73,236** | **23,067** | **23,089** |  |
| **Difference** | 775 | 775 | -22 |   |

**Table 5: Adjustments to Burden Costs**

|  |  |  |
| --- | --- | --- |
| **Information Collection** | **Miscellaneous Costs** | **Reason for change or adjustment** |
| Current | Previous |
| Application for Inspection Services | 4,717 | 4,717 |  |
| Application for appeal | 2 | 2 |  |
| Contract Completion | 28 | 28 |  |
| Label and Specification Submission | 7 | 7 |  |
| HACCP Participants - New Respondents | 1 | 1 |  |
| HACCP Participants - Current Respondents | 26 | 26 |  |
| Surety Bond | 28 | n/a | Labor and miscellaneous costs were not previously included for surety bond.  |
| **Total for Collection** | **4,809** | **4,781** |  |
| **Difference** | 28 |   |

1. **For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

Results will not be published.

1. **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 agency plans to display the expiration date for OMB approval of the information collection on all instruments.

1. **Explain each exception to the certification statement identified in “Certification for Paperwork Reduction Act Submissions."**

The agency certifies compliance with [5 CFR 1320.9](http://www.gpo.gov/fdsys/pkg/CFR-2014-title5-vol3/pdf/CFR-2014-title5-vol3-sec1320-9.pdf) and the related provisions of [5 CFR](http://www.gpo.gov/fdsys/pkg/CFR-2014-title5-vol3/pdf/CFR-2014-title5-vol3-sec1320-8.pdf) [1320.8(b)(3)](http://www.gpo.gov/fdsys/pkg/CFR-2014-title5-vol3/pdf/CFR-2014-title5-vol3-sec1320-8.pdf).