

**2024 SUPPORTING STATEMENT**  
**Pecan Promotion, Research and Information Program**  
**7 CFR Part 1223**  
**OMB Number 0581-0328**

**A. Justification**

**1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION.**

A Pecan Research, Promotion and Information Order (Order) created under the Commodity Promotion, Research, and Information Act of 1996, (PL 104-127, 110 Stat. 1032, April 4, 1996, 7 U.S. C. 7411-7425). This legislation is hereinafter referred to as the 1996 Act. Under the enabling legislation, Congress has delegated the Department of Agriculture (USDA) the responsibility of establishing and overseeing agricultural commodity research and promotion orders, which may include a combination of promotion, research, industry information, and consumer information activities funded by mandatory assessments. These programs are designed to maintain, develop, and expand markets and uses for agricultural commodities. The Order was submitted by the National Pecan Federation (NPF).

The Order provides for the development and financing of a coordinated program of research, promotion, and information for inshell and shelled pecans. The program includes projects relating to research, consumer information, advertising, sales promotion, producer information, market development and product research to assist, improve, or promote the marketing, distribution, and utilization of pecans.

The program is administered by a Board appointed by the Secretary of Agriculture and financed by a mandatory assessment on producers and importers of pecans. The Agricultural Marketing Service provides oversight to ensure: (1) funds are collected and properly accounted for; (2) expenditures of all funds are for the purposes authorized by the enabling legislation; and (3) the Board's administration of the program conforms to USDA policy.

The 1996 Act and Order requires a referendum to be conducted not longer than three years after assessments are first collected under the Order. The Order will continue if it is approved by a majority of eligible producers and importers of pecans voting in the referendum.

In 2024, a referendum was held among eligible producers and importers to determine whether they favor continuance of the program. Over 74% of producers and importers voting in the referendum voted to continue the Order.

Section 515(i) of the 1996 Act provides authority to request from persons covered under the Order any information required to carry out the responsibilities of the program. Each appointed Board is responsible for collecting assessments from the affected persons covered under the program in order to carry out the

Board's responsibility. These programs require the use of the forms described in item 2 below.

**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.**

The Order is authorized under the 1996 Act and is established by USDA through the issuance of an Order, and rules and regulations. A referendum will be conducted not longer than three years after assessments are collected by USDA to determine if producers and importers of pecans favor the continuance of the Order. This referendum was completed in 2024 and over 74% of producers and importers voting in the referendum favored continuance.

Under the Order, producers and importers of pecans are subject to a mandatory assessment of \$0.02 per pound on all inshell pecans and \$0.04 per pound on all shelled pecans to fund a coordinated program to maintain, develop, and expand the demand of pecans. The Order is administered by a 17 member American Pecan Promotion Board (Board) comprised of 10 producer members from 3 regions (3 members from the Eastern Region, 3 members from the Central Region, and 4 members from the Western Region), and 7 importer members.

The members are appointed by the Secretary of Agriculture to administer the program with AMS oversight and are selected from nominations submitted by the Board through a nomination and balloting process for all producers and importers.

Board members serve terms of three years and serve a maximum of two consecutive terms. For the initial Board, terms were staggered for two, three, and four years. The Board will use assessments collected under the Order to carry out research, promotion, consumer education, and industry information activities. In order to carry out these responsibilities, producers and importers are required to submit certain information, as provided in Sections 515, 516, and 517 of the 1996 Act, and Sections 1223.41, 1223.52, 1223.53, and 1223.71 of the Order.

It is estimated that there are 725 respondents comprised of approximately 625 producers and 100 importers. These 725 respondents are required to keep books and records to carry out the provisions of the Order. This number is significantly less than initially estimated during promulgation of the program. After three years of operation, 725 respondents is more in line with the actual number of assessment payers and entities associated with the program.

The information required under this program is gathered through the following forms, and is used by USDA's AMS, and the Board as described below:

**a) Background Information Form AD-755 (OMB 0505-0001) (Section 1223.41)**: This form contains questions to ascertain the nominee's qualifications for consideration of appointment to the Board by the Secretary of Agriculture. The form questions include: personal identification information, including name, social security number, date of birth, and address; length of time engaged in producing pecans; quantity of pecans in terms of pounds produced; employment information; professional affiliation(s); education; income sources for amounts

over \$10,000; and criminal history. The form would be completed by all Board nominees including producers and importers. This information would be provided to the Board and forwarded to USDA for use in the nomination process.

**b) Application for Exemption from Assessments (PEC-AAE) (Section 1223.53):** Producers or importers that sell less than a predetermined quantity per year could claim an exemption from assessments. This form requires production and/or import data, supporting documentation, and certification. The form requests the minimum information necessary for proof that producers and importers should be exempt from assessments under the Order.

**c) First Handler/Importer Report (PEC-FHR-1, PEC-FHR-2) (Section 1223.52):** First handlers and importers would be required to report to the Board on a reporting period determined by the Board, information necessary for the Board to perform its duties. For first handlers and importers, the information may include: the total pounds of inshell and shelled pecans handled during the reporting period; pounds of organic and exempt inshell and shelled pecans handled during the period; and the first handler or importers tax identification number and other business information.

**Recordkeeping Requirements (Section 1223.71)** are required to maintain and make available information for inspection by the Board and USDA. Each producer, first handler, and importer are subject to the 1996 Act and Order and shall maintain appropriate records to carryout the requirements of theses regulations. Recordkeeping requirements will help provide for the effective operation of the Order, and its conformance with the 1996 Act.

**d) Nomination Appointment Form (PEC-NOM) (Section 1223.41).** This form would be used to nominate producers and importers to serve on the Board. For regional producers or importers, the nomination form may be used to nominate persons to Board positions. Once all of the nominations for each position of the Board have been received, the Board will put the names on the ballot and send to eligible producers and importers, respectively to vote. Once the votes are tallied from the ballots those receiving the most votes would be nominated to the Board and forwarded to USDA for consideration by the Secretary of Agriculture.

**e) Nomination Appointment Ballot (PEC-BAL) (Section 1223.41).** This form would be used by producers and importers to vote on nominees to the Board. Once the votes are tallied from the ballots, those receiving the most votes would be nominated to the Board, and those nominees will be forwarded to USDA for consideration by the Secretary of Agriculture.

**Background Statement (No Form)** is information provided by producers and importers outlining their qualifications and desire to serve on the Board.

**f) Application for Certified Organizations (PEC-ACO) (Section 1223.41).** Under the Order, the form would be completed by a national importer association and certified by the Secretary as a qualified national organization

representing importer interests. An organization must meet the following criteria, as evidenced by completing the form and submitting it to the Secretary: (i) the organization's voting membership must be comprised primarily of importers of pecans; (ii) the organization has a history of stability and permanency and has been in existence for more than one year; (iii) the organization must derive a portion of its operating funds from importers; (iv) the organization must demonstrate it is willing and able to further the Act and Order's purposes; and (v) to be certified by the Secretary as a qualified national organization representing importer interests, an organization must agree to take reasonable steps to publicize to non-members the availability of open Board importer positions.

**g) Organic Exemption Request Form AMS-15 (OMB No. 0581-0093) (Section 1211.53).** Under the Order, the form would be completed by producers and importers requesting exemption from paying assessments. Producers and importers requesting exemption must produce or import pecans that meet the requirements for "organic" or "100 percent organic" label under the National Organic Program (7 CFR Part 205), and maintains a valid organic certificate issued by an AMS accredited certifying agent. The form also includes a certification statement.

**h) Application for Reimbursement of Assessments (PEC-AFR-1, PEC-AFR-2) (Section 1223.54).** Under the Order, these forms would be completed by producers or importers who should have been exempt from paying assessments. The producers and importers requesting reimbursement must show the pounds and the amount of assessments collected that are to be reimbursed. In addition, the applicant must give name address, telephone number, tax identification number for proof payment of assessments for which they are requesting reimbursement. The total number of respondents does not change.

**i) Referendum Ballot (PEC-ORB) (Section 1223.71)** is used in voting for the implementation, suspension, termination or continuation of the Order. The other information requested on this form is used for the purpose of verification. The form includes the Certification, Vote, Signature, and Mailing requirements. Referendum agents or the Secretary of Agriculture will tabulate the results of the referendum. The agents are officials of USDA who are charged with promulgating and administering the proposed programs.

**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.**

Upon approval, these forms will be used to submit information directly to the Board, which administers the Order. The Board is not part of a Federal

agency but is a commodity industry Board that operates under Federal authority and USDA-AMS oversight. Though AMS is committed to complying with the e-Government Act, which requires Government agencies in general to provide the public the option of submitting information or transacting business electronically to the maximum extent possible, the availability and submission of forms electronically is at the Board's discretion. Currently, the American Pecan Promotion Board has a portal where these forms are able to be submitted electronically, and forms are also transmitted by fax machine and postal delivery. The burden for both versions is the same and accounted for on the AMS-71.

**4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN ITEM 2 ABOVE.**

The information to be included on these forms is not available from other sources because such information relates specifically to individual producers and importers who are subject to the proposed Order. The primary sources of information would be books and records pertaining to production and importation of inshell and shelled pecans.

Information generated by State, Federal, and private sources would not generate information of a proprietary nature relative to producers and importers who are subject to the provision of the Order. Such information would not be detailed enough to be used for the specific purposes of determining the amount of pecans produced or imported. Therefore, there is no practical method for collecting the required information without the use of these forms.

**1. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 5 OF THE OMB FORM 83-1), DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.**

The Small Business Administration defines, in 13 CFR part 121, small agricultural producers as those having annual receipts of no more than \$750,000 and small agricultural service firms (producers and importers) as those having annual receipts of no more than \$7.5 million. Under these definitions, the majority of producers and the majority of importers that would be affected are considered small entities. We have estimated the total number of respondents for this collection is 725, which includes 625 producers and 100 importers. We estimate that 725 are considered small businesses (625 producers and 100 importers).

Information collection requirements have been reduced to the minimum requirements of the Order. The primary sources of information used to complete the required forms are readily available from normal business records maintained by producers and importers. Such information can be supplied without data processing equipment or outside technical expertise.

Thus, the information collection and reporting burden is relatively small, and requiring the same reporting requirements for all producers, first handlers and

importers does not significantly disadvantage any producer or importer that is smaller than the industry average.

**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.**

The information will be collected through a mandatory research and promotion program designed to maintain, develop, and expand markets for pecans inshell and shelled. If the information collection herein were not collected, the Board could not carry out the coordinated research, promotion, consumer education, and industry information program on pecans, ensure compliance with the mandatory program or ensure proper assessment collection. Collecting data less frequently also would limit the Secretary's ability to oversee the Order.

**7. 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;
- 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 3 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 STATUE 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.**

There are no special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- 1. IF APPLICABLE, PROVIDE A COPY AND IDENTIFY THE DATE AND PAGE NUMBER OF PUBLICATION 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 notice for comments s embedded in a proposed rule published in the Federal Register on June 11, 2024 (89 FR 49145). No comments were received on this proposed rule when it closed August 12, 2024.

**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 FORMAT (IF ANY), AND ON THE DATA ELEMENTS TO BE RECORDED, DISCLOSED, OR REPORTED.**

Ms. Anne Warden, American Pecan Promotion Board CEO, was involved in the process and contacted on her views of the information collection. Board staff and members actively assisted in the review and revisions of these forms. The form collection was mentioned at the February 2, 2024, Executive Committee meeting, where all members were present and available to make comments and suggest changes. Additionally, the public comment period of 60-days was a chance for those directly associated with the Board and even those who aren't to provide feedback and suggestions. No comments were received.

**CONSULTATION WITH REPRESENTATIVES OF THOSE FROM WHOM INFORMATION IS TO BE OBTAINED OR THOSE WHO MUST COMPILE RECORDS SHOULD OCCUR AT LEAST ONCE EVERY 3 YEARS (EVEN IF THE COLLECTION OF INFORMATION ACTIVITY IS THE SAME AS IN PRIOR PERIODS. THERE MAY BE CIRCUMSTANCES THAT MAY PRECLUDE CONSULTATION IN A SPECIFIC SITUATION, THESE CIRCUMSTANCES SHOULD BE EXPLAINED.**

There are no obstacles to consulting with industry members who must submit information to the Board. Industry members are consulted on an ongoing basis on the information collection requirements.

**9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEEES.**

AMS does not provide 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.**

The forms are being cleared in accordance with the Privacy Act of 1974 (U.S.C.522a) and the Paperwork Reduction Act of 1995. The authority for requesting this information to be supplied on these forms is section 1205(m)(2) of the 1996 Act, which provides that information collected from books and records will be kept confidential by those individuals having access to such information. The 1996 Act also provides for a fine and/or imprisonment for employees of the Board or USDA convicted of violating this confidentiality provision.

All information collected will be treated as confidential, as indicated on the forms and in conformance with the Privacy Act and Freedom of Information Act. Other confidential information will be withheld from public review under the Freedom of Information Act and the Privacy Act, 5 USC 552.

**11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND 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.**

Questions of a sensitive nature are not included on any form. The only private information required is on the Background Information Form that a nominee to the Board must fill out. These questions are asked to ascertain his/her qualifications to serve on the Board and include: personal identification information, including name, social security number, date of birth, and address; length of time engaged in the producing or importing of pecans; volume/quantity of sales; employment information; professional affiliation(s); education; income sources for amounts over \$10,000; and criminal history. The form would be completed by all Board nominees. This information would be provided to the Board and forwarded to USDA for use in the nomination process. This information is provided to the Secretary for use in the selection process.

**12. PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION**



**OF INFORMATION.**

**THE STATEMENT SHOULD:**

**INDICATE THE NUMBER OF RESPONDENTS, FREQUENCY OF RESPONSE, ANNUAL HOUR BURDEN, AND AN EXPLANATION OF HOW THE BURDEN WAS ESTIMATED. UNLESS DIRECTED TO DO SO, AGENCIES SHOULD NOT CONDUCT SPECIAL SURVEYS TO OBTAIN INFORMATION ON WHICH TO BASE HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL RESPONDENTS IS DESIRABLE. IF THE HOUR BURDEN ON RESPONDENTS IS EXPECTED TO VARY WIDELY BECAUSE OF DIFFERENCE IN ACTIVITY, SIZE, OR COMPLEXITY, SHOW THE RANGE OF ESTIMATED HOUR BURDEN, AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDEN HOURS FOR CUSTOMARY AND USUAL BUSINESS PRACTICES.**

**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 AMS Form 71.

**PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE CATEGORIES. THE COST OF CONTRACTING OUT OR PAYING OUTSIDE PARTIES FOR INFORMATION COLLECTION ACTIVITIES SHOULD NOT BE INCLUDED HERE. INSTEAD, THIS COST SHOULD BE INCLUDED IN ITEM 14.**

An estimated 725 respondents would provide information to the Board (625 and 100 importers). The estimated cost of providing the information to the Board by respondents would be \$143,880. An estimated number of 725 respondents would provide information to the Board annually. This total has been estimated by multiplying 2,861 hours by (\$38.21 hourly wage x 0.317 benefits = \$12.08 (benefits) + \$38.21 (wage) = \$50.29), \$50.29 for the average mean hourly earnings of producers and importers plus benefits.

Data for computation of the hourly rate for producers (Occupation Code 11-9013: Farmers, Ranchers, and other Agricultural Managers= \$40.29) and importers (Occupation Code 13-1020: Buyers and Purchasing Agents=\$36.13) was obtained from the U.S. Department of Labor's Bureau of Labor Statistics. The average of the producer and importer wages is \$38.21.

Data for computation of this hourly wage were obtained from the U.S. Department of Labor Statistics' publication, "May 2019 National Occupation Employment and Wage Estimates in the United States," updated April 25, 2023.

This publication can also be found at the following website: [https://www.bls.gov/oes/current/oes\\_nat.htm#45-0000](https://www.bls.gov/oes/current/oes_nat.htm#45-0000). Data for computation of this hourly wage were obtained from the U.S. Department of Labor Statistics' publication, "Employer Costs for Employee Compensation- December 2023," updated March 13, 2024. This publication can also be found at the following website: <https://www.bls.gov/news.release/pdf/ecec.pdf>. Data for the benefit costs of 31.7 percent was obtained by U.S. Department of Labor's Bureau of Labor Statistics press release dated March 14, 2024.

1. **PROVIDE AN ESTIMATE 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).**
  - **IF COST ESTIMATES ARE EXPECTED TO VARY WIDELY, AGENCIES SHOULD PRESENT RANGES OF COST BURDENS AND EXPLAIN THE REASONS FOR THE VARIANCE. THE COST OF PURCHASING OR CONTRACTING OUT INFORMATION COLLECTION SERVICES SHOULD BE A PART OF THIS COST BURDEN ESTIMATE. IN DEVELOPING COST BURDEN ESTIMATES, AGENCIES MAY CONSULT WITH A SAMPLE OF RESPONDENTS (FEWER THAN 10), UTILIZE THE 60-DAY PRE-OMB SUBMISSION PUBLIC COMMENT PROCESS AND USE EXISTING ECONOMIC OR REGULATORY IMPACT ANALYSIS ASSOCIATED WITH THE RULEMAKING CONTAINING THE INFORMATION COLLECTION, AS APPROPRIATE.**

**GENERALLY, ESTIMATES SHOULD NOT INCLUDE PURCHASES OF EQUIPMENT OR SERVICES, OR PORTIONS THEREOF, MADE: (1) PRIOR TO OCTOBER 1, 1995, (2) TO ACHIEVE REGULATORY COMPLIANCE WITH REQUIREMENTS NOT ASSOCIATED WITH THE INFORMATION COLLECTION, (3) FOR REASONS OTHER THAN TO PROVIDE INFORMATION OR KEEPING RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL BUSINESS OR PRIVATE PRACTICES.**

There are no capital, startup, operation, or maintenance costs associated with this program. The primary sources of information will be books and records pertaining to the production and importation of pecans inshell and shelled that are normally maintained as part of usual and customary business practices.

14. **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, OPERATION EXPENSES (SUCH AS EQUIPMENT, OVERHEAD, PRINTING, AND SUPPORT STAFF), AND ANY OTHER EXPENSE THAT WOULD NOT HAVE BEEN INCURRED WITHOUT THIS COLLECTION OF INFORMATION. AGENCIES ALSO**

**MAY AGGREGATE COST ESTIMATES FROM ITEMS 12, 13, AND 14 IN A SINGLE TABLE.**

There are no additional costs associated with this information collection. The Federal government's estimated annual cost for providing oversight and assistance for this information collection is estimated at \$172,990a year . AMS is reimbursed by the Board for all of its oversight costs. A breakdown of the oversight costs for the per year is the following:

Salaries/Benefits/FERS Contributions/Awards	\$114,557
Travel	\$7,500
Printing/Copying/Mailing/Postage	\$24,213
OGC (Legal Services)	\$6,000
Supplies/Equipment	\$175.00
Greenbook	\$5,186
<u>Overhead</u>	<u>\$15,359</u>
TOTAL	\$172,990

**1. EXPLAIN THE REASON FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14 OF THE OMB FORM 83-I.**

Several existing forms were revised to include boxes for physical addresses in addition to mailing addresses. The total number of recordkeepers was decreased based on the number of producers and importers who are known to the Board and who pay assessments and fill out forms.

**2. 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.**

There are no plans to publish any information or data collected. The information collected on these forms is not for publication or statistical use.

**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 Agency will display the expiration date on these forms upon OMB Notice of Action.

**18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, (CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS, OF OMB FORM 83-I.**

The agency is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.

A. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection does not employ statistical methods.