

2024 Supporting Statement
National Organic Program
Request for a new Information Collection, “Market Development for Mushrooms and Pet Food” Final Rule
OMB # 0581-0347

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The Organic Foods Production Act of 1990 (OFPA), as amended (7 U.S.C. chapter 94), authorizes the Secretary of Agriculture to establish and implement the National Organic Program (NOP) and accredit certifying agents to certify that farms and businesses meet national organic standards. The purpose of OFPA is to: (1) establish national standards governing the marketing of certain agricultural products as organically produced products; (2) assure consumers that organically produced products meet a consistent standard; and (3) facilitate interstate commerce in fresh and processed food that is organically produced ([7 U.S.C. 6501](#)).

On December 23, 2024, the U.S. Department of Agriculture’s (USDA) Agricultural Marketing Service (AMS) published the “Market Development for Mushrooms and Pet Food” final rule (104367) related to mushroom production practices and organic pet food handling under the USDA organic regulations ([7 CFR part 205](#)). AMS took this action to increase uniformity in organic mushroom production practices and organic pet food handling and reduce organic certification discrepancies between certifying agents. The final rule clarifies how the existing organic crop standards apply to mushroom production and establish organic pet food as a processed product that must follow existing organic handling requirements. Additionally, the rule would specify organic requirements for unique aspects of mushroom production like substrate, compost, and spawn and allows synthetic taurine to be used in organic pet food handling. This rulemaking supports the intent of OFPA, “to assure consumers that organically produced products meet a consistent standard” and to “establish national standards” for products marketed as organic ([7 U.S.C. 6501](#)).

All certified organic operations, including current organic mushroom production and organic pet food handling operations, must develop and maintain an organic system plan (OSP) to comply with the USDA organic regulations. The Office of Management and Budget (OMB) has currently approved information collections associated with the OSP under OMB control number 0581-0191, allowing AMS to fully implement the NOP. As a result of this final rule, currently certified organic mushrooms and pet food operations and certifying agents would need to verify continued compliance of their organic system plans (OSPs) with the final rule. While the final rule would amend the USDA organic regulations to codify existing organic practices, certified organic operations and certifying agents may need to make minor adjustments to the existing recordkeeping and reporting practices to maintain compliance. Additionally, the final rule adds allowances for nonorganic plant materials to be used in mushroom substrate when functionally equivalent organic materials are not commercially available. This allowance will require additional documentation for organic mushroom operations. AMS is estimating that organic

mushroom operations will have annual reporting and recordkeeping paperwork burdens to utilize this exception.

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.

Organic inspectors, certifying agents, State Organic Programs, operations, and AMS will use the information collected to verify that organic management practices meet the requirements of the USDA organic regulations and OFPA.

The rule's amendments will likely require certifying agents to review and update the TM-10CG (Application for Accreditation) form submitted to AMS at the time of their accreditation renewal. Specifically, the rule may require certifying agents to update policies, procedures, and staff training descriptions that are submitted with the form. AMS will use the information collected to verify that certifying agents meet the requirements of the USDA organic regulations and OFPA.

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.

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. As such, the AMS National Organic Program (NOP) is a paperless office, and certifying agents submit information to the NOP electronically, through their established relationships with NOP Accreditation Division staff (Accreditation Managers assigned to each certifying agent).

Organic mushroom and pet food operations submit information to their certifying agent (electronically or otherwise to allow for maximum flexibility). These organic operations have established information submission relationships with their certifying agent. The certifying agent then submits information to the NOP electronically, through their established relationships with NOP Accreditation Division staff (Accreditation Managers assigned to each certifying agent) and the Organic Integrity Database.

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.

In an effort to identify duplication, AMS requires organic operations to submit information through their certifying agent. These certifying agents are best positioned to identify previously collected information that may be used to evaluate compliance with the USDA organic regulations. We have made every effort to contact appropriate sources within USDA and outside

sources to ensure that we are not duplicating information collection within the OSPs. Records of the production of organic mushrooms and pet food are being kept by organic operations and certifying agents already, and the final rule only seeks to clarify the requirements for production of these organic products. The NOP has not found that this information is being collected through other means, and therefore the information is not duplicated elsewhere. Public comments did not identify any area of duplication outside of one question addressed in [Item 8](#) below and in the final rule. We encourage organic operations, certifying agents, inspectors, and foreign government respondents to the NOP to reduce their paperwork burden by incorporating the requirements efficiently, using preexisting records where possible.

5. If the collection of information impacts small businesses or other small entities (item 5 of OMB form 83-i, describe the methods used to minimize burden.

AMS has sought to ensure that this rule is based on existing practices and incorporates the expertise of current organic mushroom producers and pet food manufacturers to minimize both collection and economic burdens.

The Small Business Administration (SBA) sets size criteria for each industry described in the North American Industry Classification System (NAICS) to delineate which operations qualify as small businesses. SBA's size standards are expressed in terms of number of employees or annual receipts and indicate the maximum allowed for an entity to be considered small.¹ AMS estimates a majority of organic operations, including pet food manufactures and mushroom producers, would classify as small under both of these SBA estimates.^{2,3,4}

To minimize the information collection burden on small operations, the USDA organic regulations include an exemption of certification for select operations, which are generally small businesses. Operations claiming an exemption from certification must meet all USDA organic regulatory requirements for exemptions, outlined in [7 CFR 205.101](#). While exempt from certification, the USDA organic regulations require exempt operations to maintain records for three (3) years that demonstrate compliance with the USDA organic regulations and their

¹ U.S. SBA. (March 17, 2023). Table of size standards. <https://www.sba.gov/document/support-table-size-standards>.

² 47 The National Agricultural Statistics Service was unable to supply a precise tabulation of large organic operations due to disclosure concerns. AMS estimated the number of large mushroom operations and sales from large mushroom operations using the proportion of conventional mushroom operations by sales from the USDA's 2022 Census of Agriculture, available here: <https://www.nass.usda.gov/Publications/AgCensus/2022/index.php>. The same distribution is assumed to apply to organic mushroom operations.

³ At the time of this analysis, small organic pet food producers were listed under NAICS code 311111 (Dog and Cat Food Manufacturing) as employing equal to or fewer than 1,250 employees. AMS estimates that given the small size of the organic pet food market, most of the 29 domestic organic pet food operations are small entities.

⁴ At the time of this analysis, the SBA defined small agricultural service firms, which include certifying agents, as those having annual receipts equal to or less than \$19,500,000 (NAICS code 541990—All Other Professional, Scientific and Technical Services). There are currently 73 USDA-accredited certifying agents, and AMS believes most of these certifying agents are small entities. Certifying agents must already comply with existing regulations and already certify these operations.

eligibility for exemption from certification. These operations already maintain these records under the currently approved information collection (OMB # 0581-0191) and this final rule is not expected to impact these operations.

In the writing of USDA organic regulations, AMS makes every effort to minimize the burden on small businesses and other small entities. In an effort to minimize the burden on small businesses and other small entities, AMS encourages certifying agents to accept existing information and records that can be used to evaluate the compliance of organic operations, where possible.

The NOP has made every effort possible to develop performance standards with a range of practices, and to accept the required documents in a reasonable, logical fashion. In particular, this rule seeks to reference existing practices and allow flexibility in the organic mushroom and pet food industries to minimize burden.

6. Describe the consequences 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 of information were not conducted or were conducted less frequently, the USDA would not be able to carry out the mandate of Congress as described in OFPA.

There is no mechanism for collecting the information less frequently, as the frequency of information collection is mandated by OFPA. Examples include the requirement for annual on-site inspections ([7 U.S.C. 6506](#)), review of State organic programs every five (5) years ([7 U.S.C. 6507](#)), and the review for renewal of accreditation for certifying agents every five (5) years ([7 U.S.C. 6514](#)).

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;

No respondents associated with this information collection are required to report more than quarterly.

Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

No respondents associated with this information collection are required to respond in fewer than 30 days.

Requiring respondents to submit more than an original and two copies of any document;

No respondents associated with this information collection are required to submit more than an original and two copies of any document. Document types are described above in [Item 2](#).

Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;

Respondents associated with this information collection are required to retain records for more than three years. However, this is not a new requirement associated with this information collection. Respondents associated with this information collection are subject to record retentions mandated by the OFPA [[7 U.S.C. 6519\(a\)](#)] and the USDA organic regulations (7 CFR 205.103 and 205.510). These record retentions are covered in the currently approved information collection package for the NOP (OMB # 0581-0191). These existing record retentions include the following:

- A. Certified organic livestock operations must maintain, for no less than 5 years, records concerning the production or handling of certified organic agricultural products [[7 CFR 205.103\(b\)\(4\)](#)].
- B. Certifying agents must maintain, for no less than 10 years, records concerning the activities of the certifying agent [[7 CFR 205.510\(b\)](#)].

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;

Respondent information collected is not connected to a statistical survey.

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

Respondents are not required to use statistical data classifications that have not been reviewed and approved by OMB.

That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or

No unsupported pledge of confidentiality is used in this information collection. Confidentiality is addressed in OFPA ([7 U.S.C. 6519\(a\)\(5\)](#)), which states:

§6519. Recordkeeping, investigations, and enforcement

(a) Recordkeeping

...

(5) Confidentiality

Except as provided in section 6506(a)(9) of this title, or as otherwise directed by the Secretary or the Attorney General for enforcement purposes, no officer, employee, or agent of the United States shall make available to the public any information, statistic, or document obtained from, or made available by, any person under this chapter, other than in a manner that ensures that confidentiality is preserved regarding—

- (A) the identity of all relevant persons (including parties to a contract); and
- (B) proprietary business information.

Certifying agents must also remain compliant with the USDA organic regulations ([7 CFR 205.501\(a\)\(10\)](#)), which incorporates additional certifying agent confidentiality requirements from OFPA ([7 U.S.C. 6515\(f\)](#)). The USDA organic regulations state:

§ 205.501 General requirements for accreditation.

(a) A private or governmental entity accredited as a certifying agent under this subpart must:

...

(10) Maintain strict confidentiality with respect to its clients under the applicable organic certification program and not disclose to third parties (except for the Secretary or the applicable State organic program's governing State official or their authorized representatives) any business-related information concerning any client obtained while implementing the regulations in this part, except:

(i) For information that must be made available to any member of the public, as provided for in § 205.504(b)(5);

(ii) For enforcement purposes, certifying agents must exchange any compliance-related information that is credibly needed to certify, decertify, or investigate an operation, including for the purpose of verifying supply chain traceability and audit trail documentation; and

(iii) If a certified operation's proprietary business information is compliance-related and thus credibly needed to certify, decertify, or investigate that operation, certifying agents may exchange that information for the purposes of enforcing the Act, but the information in question still retains its proprietary character even after it is exchanged and all of the certifying agents that are involved in the exchange still have a duty to preserve the confidentiality of that information after the exchange.

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 other special circumstances that require respondents to submit proprietary trade secret, or other confidential information. Confidentiality is addressed in OFPA ([7 U.S.C. 6519\(a\)\(5\)](#)), which states:

§6519. Recordkeeping, investigations, and enforcement

(a) Recordkeeping

...

(5) Confidentiality

Except as provided in section 6506(a)(9) of this title, or as otherwise directed by the Secretary or the Attorney General for enforcement purposes, no officer, employee, or agent of the United States shall make available to the public any information, statistic, or document obtained from, or made available by, any person under this chapter, other than in a manner that ensures that confidentiality is preserved regarding—

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(iii) If a certified operation's proprietary business information is compliance-related and thus credibly needed to certify, decertify, or investigate that operation, certifying agents may exchange that information for the purposes of enforcing the Act, but the information in question still retains its proprietary character even after it is exchanged and all of the certifying agents that are involved in the exchange still have a duty to preserve the confidentiality of that information after the exchange.

8. 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.

AMS published a proposed rule and request for public comment in the Federal Register on March 11, 2024, on page 17322 ([89 FR 17322](#)). The 60-day notice regarding paperwork impacts is embedded in the proposed rule and provides stakeholders an opportunity to comment on the accuracy of the information collection request. The 60-day comment period ended on May 10, 2024. AMS asked four specific information collection request questions asked in the proposed rule:

- 1. Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information would have practical utility.*
- 2. The accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.*
- 3. Ways to enhance the quality, utility, and clarity of the information to be collected.*
- 4. Ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.*

During the comment period, AMS received two comments (discussed below) that provided feedback on the initial paperwork burden of the rule.

(Comment) A comment stated that the number of inspectors estimated by AMS in the proposed rule’s paperwork burden was too low because the directory of inspectors from the International Organic Inspectors Association does not include non-members or members that do not wish to share their information. Additionally, the comment stated that the estimated wages were too low.

(Response) AMS has adjusted the estimated number of total inspectors based on this comment. Absent specific data, we assume that the IOIA database contains half (50%) of all inspectors, changing our total number from 185 inspectors present in the IOIA database as of August 27, 2024, to 370 inspectors. AMS acknowledges that without specific input this estimate may be imprecise. To further account for this adjustment and acknowledge that not all inspectors will inspect the 288 mushroom or pet food facilities, AMS adjusted the percentage of inspectors impacted by the paperwork costs to be proportional to the percentage of certifiers that certify operations for mushroom production or pet food handling.

AMS did not adjust the source for hourly wages in the burden estimates for the final rule. AMS acknowledges that costs may be higher for inspectors in some areas. However, without comprehensive data from another source, AMS believes that the Bureau of Labor Statistics estimates for wages remain the most accurate estimates for wages to use in burden estimates.

(Comment) One comment argues the requirement in § 205.210(b) that mushroom operations manage substrate in such a way to avoid environmental contamination may be duplicative with § 205.203(c), given that both would seem to apply to mushroom operations. On the other hand, another comment states that reiterating the requirement for mushroom operations is critical.

(Response) Paragraph 205.210(b) specifically adds requirements that operations must prevent mushroom substrate and spawn media from contaminating crops, spawn, mushroom substrate, soil, or water. AMS acknowledges that this is similar to § 205.203(c). However, the regulatory text at § 205.210(a) specifies the crop requirements applicable to organic mushroom production and specifically excludes § 205.203(c) to prevent duplicative requirements. AMS is not adjusting these requirements and finds them to be necessary and non-duplicative.

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.

The NOP regularly sends email bulletins, the “[Organic Insider](#)”, to members of the public who are subscribed to “[GovDelivery](#)” updates from AMS. Through this bulletin, NOP submitted a request to comment on the proposed rule to over 75,000 subscribers on the publication of the proposed rule on March 11, 2024.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three 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.

As described in [Item 8](#) above, AMS reached out to over 75,000 subscribers asking for public comment on this information collection through NOP’s Organic Insider email bulletin. After approval, this new information collection will be merged with currently approved information collection package for the NOP (OMB # 0581-0191). Consultation with representatives of those from whom information is to be obtained will occur once every three years as the NOP renews the information collection package and seeks public comment in that process.

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

No payments or gifts will be provided to respondents.

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

Respondents are provided confidentiality assurance as the information collected from USDA certified organic respondents are to be submitted to AMS through their certifying agent. As certifying agents accredited by AMS, certifying agents (along with all government employees and government contractors) are considered an “agent of the United States” and are held to the confidentiality statutes in the OFPA ([7 U.S.C. 6519\(a\)\(5\)](#)), which states:

§6519. Recordkeeping, investigations, and enforcement

(a) Recordkeeping

...

(5) Confidentiality

Except as provided in section 6506(a)(9) of this title, or as otherwise directed by the Secretary or the Attorney General for enforcement purposes, no officer, employee, or agent of the United States shall make available to the public any information, statistic, or document obtained from, or made available by, any person under this chapter, other than in a manner that ensures that confidentiality is preserved regarding—

(A) the identity of all relevant persons (including parties to a contract); and

(B) proprietary business information.

Certifying agents must also remain compliant with the USDA organic regulations ([7 CFR 205.501\(a\)\(10\)](#)), which incorporates additional certifying agent confidentiality requirements from OFPA ([7 U.S.C. 6515\(f\)](#)). The USDA organic regulations state:

§ 205.501 General requirements for accreditation.

(a) A private or governmental entity accredited as a certifying agent under this subpart must:

...

(10) Maintain strict confidentiality with respect to its clients under the applicable organic certification program and not disclose to third parties (except for the Secretary or the applicable State organic program's governing State official or their authorized representatives) any business-related information concerning any client obtained while implementing the regulations in this part, except:

(i) For information that must be made available to any member of the public, as provided for in § 205.504(b)(5);

(ii) For enforcement purposes, certifying agents must exchange any compliance-related information that is credibly needed to certify, decertify, or investigate an operation, including for the purpose of verifying supply chain traceability and audit trail documentation; and

(iii) If a certified operation's proprietary business information is compliance-related and thus credibly needed to certify, decertify, or investigate that operation, certifying agents may exchange that information for the purposes of enforcing the Act, but the information in question still retains its proprietary character even after it is exchanged and all of the certifying agents that are involved in the exchange still have a duty to preserve the confidentiality of that information after the exchange.

In addition to USDA certified organic respondents, all respondents to this information collection are provided confidentiality assurance as the information collected by AMS is held to the confidentiality statutes in the OFPA [[7 U.S.C. 6519\(a\)\(5\)](#)] stated above.

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.

No questions in this information collection are of a sensitive nature or are commonly considered private. AMS considers this information necessary to collect in order meet the requirements of the USDA organic regulations and OFPA. USDA organic certification is a voluntary program; therefore, certified organic operations consent to sharing requested information by applying for or maintaining certification.

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.

This burden estimate accounts for certified organic mushroom operations and certified organic pet food operations updating OSPs, mushroom operations verifying and keeping records of commercial availability exceptions for organic substrate, certifiers reviewing updated OSPs, and certifiers training inspectors to comply with the final rule.

Number of Respondents: 519

Frequency of Response: One time only (for mushroom and pet food operations) and annual (for mushroom operations only)

Annual hour burden: 2,371 total hours; 1,219 one-time hours; 1,152 annual hours

The 519 respondents include 322 certified organic operations (288 mushroom operations and 34 pet food operations), 56 certifying agents, and 141 inspectors.

Certified organic operations

AMS estimates that 322 certified organic mushroom and organic pet food operations may need to update their OSPs to comply with the final rule.⁵

AMS estimates that each certified organic **mushroom** and **pet food** operations will require one (1) response of two (2) reporting hours to read the rule and update their OSPs. AMS estimates that each respondent will require no additional recordkeeping hours, as these operations already have and store OSPs. This results in a total one-time hour burden of 644 hours for certified organic mushroom and pet food operations across 322 responses.

Because the rule allows organic mushroom operations to use nonorganic plant inputs in mushroom substrate if an organic input of a similar function is not commercially available, the operation must verify and record if organic inputs of similar function are not commercially available. AMS estimates that each operation will need to verify and document inputs approximately two (2) times a year. Each verification will require one (1) response of one (1) reporting hour and one (1) recordkeeping hour. This results in a total annual hour burden of 1,152 hours for certified organic mushroom operations across 576 responses.

Certifying agents

AMS estimates that 56 certifying agents will need to review OSPs from certified organic mushroom and pet food operations.⁶

AMS estimates that on average, certifying agents will require one (1) response of one (1) reporting hours to review OSPs for each organic mushroom and pet food operation they certify, resulting in a total of 322 hours over 322 responses. Additionally, AMS estimates each certifying agent will require one (1) response of two (2) hours to read the rule and provide training to staff and inspectors on the new requirements. AMS estimates that each respondent would require no additional reporting/recordkeeping hours as these operations already review and store OSPs (the burden to review and store these is captured under the existing ICR, OMB # 0581-0191). This results in a total one-time hour burden of 434 hours for certifying agents across 378 responses.

⁵ USDA. Organic Integrity Database. <https://organic.ams.usda.gov/IntegrityPlus/Search.aspx>. To obtain the relevant data, search for “mushroom” and “pet, dog, canine, cat, feline” in the “Certified Products” field. Accessed August 27, 2024.

⁶ Some certifiers may certify both pet food and mushroom operations but are counted as separate entities in this column.

Inspectors

AMS estimates that 141 organic inspectors will need to receive training on the final rule.⁷

AMS estimates that each organic inspector will require one (1) response of one (1) reporting hour to receive training on the final rule. AMS estimates that each respondent would require no additional recordkeeping hours. This results in a total annual hour burden of 141 hours for organic inspectors across 141 responses.

These estimates are covered in further detail in the accompanying OMB form 83-i and AMS 71 Grid spreadsheet.

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.

One form, TM-10CG (Application for Accreditation), is associated with this information collection. How information is reported is explained in further detail above in [Item 2](#).

Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

The estimated annual cost to respondents for the hour burden for this collection of information is estimated to be \$163,757.37. These estimates are covered in further detail in the “Summary Tables” and “Respondents” pages of the accompanying AMS 71 Grid spreadsheet. The Summary Tables (1, 2, and 3) are included below.

Table 1

Respondent Categories	Number of Respondents	Wage^{8,9} + Benefits^{10,11}	Total Reporting Hours	Total Recordkeeping Hours	Total Costs
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⁷ This estimate is based on data from the International Organic Inspectors Association (IOIA) Membership Directory, available at: <https://www.ioia.net/member-directory>. Based on adjustments due to public comment (see above), AMS estimates that half of inspectors are present in the IOIA Membership Directory and adjusts the number of inspectors receiving training proportionally by the percentage of certifiers certifying organic mushroom or pet food operations.

⁸ Domestic hourly wage rates are based on the National Compensation Survey: Occupational Employment and Wages, May 2023, published by the Bureau of Labor Statistics. Bureau of Labor Statistics. Occupational Employment and Wages. May 2023. https://www.bls.gov/oes/current/oes_nat.htm. Accessed August 27, 2024.

⁹ International wage rates are estimated based on the proportional average of World Bank GDP per capita rates for Organization for Economic Co-Operation and Development (OECD) countries compared to the U.S. (72.2%). World Bank. GDP per capita, PPP (current international \$), <https://data.worldbank.org/indicator/NY.GDP.PCAP.PP.CD>. Accessed August 27, 2024.

¹⁰ Domestic benefit rates are based on data from Bureau of Labor Statistics News Release on Employer Costs for Employee Compensation. Wages account for 70.3% and Benefits account for 29.7% of total average employer compensation costs. Bureau of Labor Statistics. Employer Costs for Employee Compensation Summary. June 18, 2024. <https://www.bls.gov/news.release/ecec.nr0.htm>. Accessed August 27, 2024.

USDA Certified Mushroom Producers & Pet Food Handlers – Domestic (One-time)	268	\$56.22	536	0	\$30,134
USDA Certified Mushroom Producers & Pet Food Handlers – Foreign (One-time)	54	\$42.22	108	0	\$4,560
USDA Certified Mushroom Producers – Domestic (Annual – Commercial Availability)	239	\$56.22	478	478	\$53,746
USDA Certified Mushroom Producers – Foreign (Annual – Commercial Availability)	49	\$42.22	98	98	\$8,275
USDA Organic Operations – All	322		1,220	576	\$96,715

Table 2

Respondent Categories	Number of Respondents	Wage^{12, 13} + Benefits^{14, 15}	Total Reporting Hours	Total Costs
USDA U.S.-Based Certifiers – Mushrooms	32	\$50.00	303	\$15,150
USDA Foreign-Based Certifiers – Mushrooms	10	\$37.55	69	\$2,590

¹¹ International benefit rates are based on an average tax wedge of OECD countries (34.9% of wage rates). OECD. OECD comparative indicators. <https://stats.oecd.org/Index.aspx?DataSetCode=AWCOMP>. Accessed August 27, 2024.

¹² Domestic hourly wage rates are based on the National Compensation Survey: Occupational Employment and Wages, May 2023, published by the Bureau of Labor Statistics. Bureau of Labor Statistics. Occupational Employment and Wages. May 2023. https://www.bls.gov/oes/current/oes_nat.htm. Accessed August 27, 2024.

USDA U.S.-Based Certifiers – Pet food	10	\$50.00	49	\$2,450
USDA Foreign-Based Certifiers – Pet food	4	\$37.55	13	\$488
USDA Certifiers – All	56*		434	\$20,678

*Some certifiers may certify both pet food and mushroom operations but are counted as separate entities in this column.

Table 3

Respondent Categories	Number of Respondents	Wage^{16, 17} + Benefits^{18, 19}	Total Reporting Hours	Total Costs
USDA U.S.-based Inspectors	106	\$32.53	106	\$3,448
USDA Foreign based inspectors	35	\$24.43	35	\$855
USDA Inspectors – All	141		184	\$4,303

¹³ International wage rates are estimated based on the proportional average of World Bank GDP per capita rates for Organization for Economic Co-Operation and Development (OECD) countries compared to the U.S. (72.2%). World Bank. GDP per capita, PPP (current international \$), <https://data.worldbank.org/indicator/NY.GDP.PCAP.PP.CD>. Accessed August 27, 2024.

¹⁴ Domestic benefit rates are based on data from Bureau of Labor Statistics News Release on Employer Costs for Employee Compensation. Wages account for 70.3% and Benefits account for 29.7% of total average employer compensation costs. Bureau of Labor Statistics. Employer Costs for Employee Compensation Summary. June 18, 2024. <https://www.bls.gov/news.release/ecec.nr0.htm>. Accessed August 27, 2024.

¹⁵ International benefit rates are based on an average tax wedge of OECD countries (34.9% of wage rates). OECD. OECD comparative indicators. <https://stats.oecd.org/Index.aspx?DataSetCode=AWCOMP>. Accessed August 27, 2024.

¹⁶ Domestic hourly wage rates are based on the National Compensation Survey: Occupational Employment and Wages, May 2023, published by the Bureau of Labor Statistics. Bureau of Labor Statistics. Occupational Employment and Wages. May 2023. https://www.bls.gov/oes/current/oes_nat.htm. Accessed August 27, 2024.

¹⁷ International wage rates are estimated based on the proportional average of World Bank GDP per capita rates for Organization for Economic Co-Operation and Development (OECD) countries compared to the U.S. (72.2%). World Bank. GDP per capita, PPP (current international \$), <https://data.worldbank.org/indicator/NY.GDP.PCAP.PP.CD>. Accessed August 27, 2024.

¹⁸ Domestic benefit rates are based on data from Bureau of Labor Statistics News Release on Employer Costs for Employee Compensation. Wages account for 70.3% and Benefits account for 29.7% of total average employer compensation costs. Bureau of Labor Statistics. Employer Costs for Employee Compensation Summary. June 18, 2024. <https://www.bls.gov/news.release/ecec.nr0.htm>. Accessed August 27, 2024.

¹⁹ International benefit rates are based on an average tax wedge of OECD countries (34.9% of wage rates). OECD. OECD comparative indicators. <https://stats.oecd.org/Index.aspx?DataSetCode=AWCOMP>. Accessed August 27, 2024.

Table 4

Total Reporting Burden	Total Number of Reporting Respondents	Total Reporting Hours - All	Total Recordkeeping Hours - All	Total All Costs
Summary of Tables 1, 2, & 3	519	1,795	576	\$121,696.63

13. Provide an estimate of the total annual cost burden to respondents for recordkeepers resulting from the collection of information. Do not include the cost of any hour burden shown in items 12 and 14.

The hourly burden estimate resulting from this information collection is described in [Item 12](#). There is no other annual cost burden to respondents for recordkeepers to describe here as there are no capital and start-up costs associated with this information collection.

The cost estimate should be split into two components: (a) A total capital and start-up cost component (annualized over its expected useful life); and (b) A total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs would be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

There is no (a) capital and start-up cost estimated or (b) operation maintenance or service purchasing cost associated with this information collection. Equipment or services used by respondents to this information collection is part of customary and usual business and private practices.

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.

Burden estimates and their associated cost are described in [Item 12](#). AMS does not expect a wide range of recordkeeping or reporting burden due to this collection of information.

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.

This information collection does not require the purchase of equipment or services as equipment and services used by respondents to this information collection is part of customary and usual business and private 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.

AMS does not expect any information submitted to AMS to impact the existing annualized cost of conducting business at AMS or the NOP, accounted for under the existing ICR for the NOP, OMB # 0581-0191.

15. Explain the reason for any program changes or adjustments reported in items 13 or 14 of the OMB form 83-i.

This is a new collection.

16. For collections of information whose results would 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.

AMS does not plan to publish data obtained through this information collection. However, the NOP frequently updates the organic industry on the activities of the program at annual certification agency training (not open to the public) and at biannual National Organic Standards Board [the NOP's Federal Advisory Committee (FACA)] meetings. AMS may share summaries of variances reviewed at these events. No complex analytical techniques will be used. If published, AMS would share information such as, how many requests were received in a certain timeframe and how many requests were granted. No confidential information would be published.

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.

AMS is seeking approval to not display the expiration date for OMB approval of this information collection, as there is no form on which to display the expiration date. How information is collected is explained in further detail above in [Item 2](#).

18. Explain each exception to the certification statement identified in item 19, "Certification for Paperwork Reduction Act Submissions" of OMB form 83-i.

AMS is not claiming any exceptions to the certification statement identified in Item 19 of the OMB form 83-i.

In Item 19 (Certification for Paperwork Reduction Act Submissions) of OMB 83-i, AMS

certifies that the collection of information encompassed by this request complies with 5 CFR 1320.9. The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - i. Why the information is being collected;
 - ii. Use of information;
 - iii. Nature of response (voluntary, required for a benefit, or mandatory);
 - iv. Nature and extent of confidentiality; and
 - v. Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of the instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.