

**SUPPORTING STATEMENT - OMB NO. 0579-0141
POULTRY IMPORTS AND EXPORT**

May 17, 2006

A. 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.

Title 21, U.S.C. authorized sections 111, 114, 114a, 114-1, 115, 120, 121, 125, 126, 134a, 134c, 134f, and 134g of 21 U.S.C.. these authorities permit the Secretary to prevent, control and eliminated domestic diseases such as brucellosis, as well as to take actions to prevent and to manage exotic diseases such as exotic Newcastle disease and other foreign diseases.

More specifically, 21 U.S.C. 111, 115, authorizes the Secretary of Agriculture to take such measures as he or she may deem proper to prevent the introduction of dissemination of any contagious or communicable disease of animals or live poultry from a foreign country into the United States or from one State to another.

Disease prevention is the most effective method for maintaining a healthy animal population and enhancing APHIS' ability to compete in exporting animals and animal products.

The agency charged with carrying out this disease prevention mission is the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture. This agency regulated the importation of animals and animal products into the US to guard against the introduction of exotic animal diseases.

The regulations under which APHIS conducts these disease prevention activities are contained in Title 9, Chapter 1, Subchapter D, parts 91 through 99 of the Code of Federal Regulations. These regulations govern the importation of animals, birds and poultry, certain animal and poultry products, and animal germplasm.

To this end, these regulations place certain restriction on the importation of poultry meat and other poultry products from regions of the world where exotic Newcastle disease is known to exist.

The primary purpose of this rule change is to allow poultry meat that originates in the US to be shipped, for processing purposes, to a region where exotic Newcastle disease exists, and then returned to the US.

The action will remove some restrictions on the importation of poultry carcasses into the US from regions affected with exotic Newcastle disease, and will be regarded by the international community as a lowering of trade barriers.

APHIS has determined that these items, imported in accordance with APHIS requirements, pose a negligible risk of introducing exotic Newcastle disease into the US.

Lowering restriction on the importation of these commodities from regions affected with exotic Newcastle disease will necessitate the use of four information collection activities in the form of a certificate of origin that must be issued, serial numbers that must be recorded, records that must be maintained, and cooperative service agreements that must be signed.

APHIS is asking OMB to approve, for an additional 3 years, its use of these information collection activities.

2. Indicate how, by whom, how frequently, 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.

Recording of serial numbers (VS Form 6-22)

Poultry carcasses that have been processed and are ready for return to the U.S. must be shipped in closed containers that have been sealed, by an official of the national government of that region, with serially numbered seals. These seal numbers must be recorded on a certificate of origin that accompanies the shipment.

Certificate of Origin from the National Government (VS Form 6-22C and VS Form 6-22D)

Every shipment of poultry carcasses from the U.S. must be accompanied by a certificate attesting to the origin of the carcasses, identifying the foreign processing establishment for which the carcasses are destined, and listing the numbers from the seals that have been applied to the shipping containers. When the shipment arrives at the foreign processing establishment, an official of the national government of that region must sign the certificate, thereby attesting to the fact that the seals on the containers were intact (not tampered with) when they arrived at the establishment.

Carcasses that have been processed and are being returned to the US must be shipped in containers that have been sealed with serially numbered seals. Shipments must be accompanied by a certificate (signed by an official of the national government of the region in which the carcasses were processed) attesting to the fact that the carcasses have been handled and processed according to APHIS requirements. The certificate must also list the numbers from the seals that have been applied to the shipping containers.

Maintain records for 2 years

The signed certificates must be kept on file at the processing establishment for 2 years after the carcasses are sent back to the US, and must be made available to USDA inspectors upon request.

Cooperative Service Agreement

Foreign processing establishments that receive and process poultry carcasses from the US must enter into a cooperative service agreement with APHIS in which they agree to pay all expenses incurred by APHIS in inspecting the establishment.

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.

There is no improved information technology currently available that can be employed to replace a hard copy of the certificates APHIS is requiring. Using an electronic form of this document would necessitate the use of equipment that is not readily available at all locations where the form must be completed and signed by appropriate personnel. However, this situation may change in the future.

In the meantime, APHIS is keeping this information collection burden to the absolute minimum necessary to obtain the data APHIS needs to effectively ensure that poultry carcasses from regions affected with exotic Newcastle disease pose a negligible risk of introducing this disease into the US.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose described in item 2 above.

The information that APHIS collects is not available from any other source. APHIS is the only Federal Agency responsible for preventing, detecting, controlling, and eradicating contagious animal diseases from the United States.

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

The recording of serial numbers and other data that must appear on the certificates is the responsibility of Federal animal health official of the region's national government, not the responsibility of individual exporters, shippers, processing plant operators or other entities involved with the exportation of processed poultry carcasses to the US.

The other information collection requirements associated with this program (signing the cooperative service agreement and maintaining certain records) are the responsibility of processing plant owner/operators. These tasks require a minimal amount of time and effort to complete.

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.

If the information was collected less frequently or not collected at all, it would significantly cripple its ability to ensure that poultry carcasses imported from regions affected with exotic Newcastle disease incursion event much more likely, with potentially devastating affects on the US poultry industry.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

This information collection is conducted in a manner consistent with the guidelines established in 5 CFR 1320.5.

8. 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 form, and on the data elements to be recorded, disclosed, or reported. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, soliciting comments on the information collection prior to submission to OMB.

In 2006, APHIS engaged in productive consultations with the following individuals concerning the information collection activities associated with this program:

Mr. James Sumner, President
U.S.A. Poultry and Egg Export Council
2300 W. Park Place Blvd., Suite 100
Stone Mountain, GA 30087
(770) 413-0006

Mr. William Roenick, Senior Vice President
National Boiler Council
1015 15th Street, NW, Suite 930
Washington, DC 20006
(202) 296-2622

Mr. Stuart Proctor, President
National Turkey Federation
1225 New York Ave., NW, Suite 400
Washington, DC 20005

(202) 898-0100

On Wednesday, May 17, 2006, pages 28655-28656, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plans to request a 3-year renewal of this collection of information. No comments from the public were received. A copy of the Federal Register notice is attached.

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

This information collection activity involves no 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.

No additional assurance of confidentiality is provided with this information collection. However, the confidentiality of information is protected under 5 U.S.C. 552a.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. 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 activity will ask no questions of a personal or sensitive nature.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

•Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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 APHIS Form 71. Burden estimates were developed from discussions with Federal animal health authorities in regions in which affected processing plants are located, as well as the owner/operators of those plants.

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

Respondents are full-time, salaried veterinarians employed by the national government of the region in which the processing plants are located. APHIS estimates the total annualized cost to these respondents to be \$690.00. APHIS arrived at this figure by multiplying the hours of estimated response time (30 hours) by the estimated average hourly wage of the above respondents (\$23.00).

13. Provide estimates 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). The cost estimates 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.

There is zero annual cost burden associated with capital and start-up costs, operation and maintenance expenditures, and purchase of services.

14. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

The annualized cost to the Federal Government is estimated at \$398.51. (See APHIS Form 79.)

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

There is no change in burden for this 3 year renewal information collection.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

APHIS has no plans to publish information it collects in connection with this program.

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.

If forms were to be discarded because of an outdated OMB expiration date, but otherwise usable, higher printing costs would be incurred by the Federal Government. Therefore, APHIS is seeking approval to not display the OMB expiration date on its forms.

18. Explain each exception to the certification statement identified in the "Certification for Paperwork Reduction Act."

APHIS can certify compliance with all provisions in the Act.

B. Collections of Information Employing Statistical Methods

There are no statistical methods associated with the information collection activities used in this program.