

**2008 SUPPORTING STATEMENT  
ORGANIC ASSESSMENT EXEMPTION  
UNDER  
COMMODITY RESEARCH AND PROMOTION PROGRAMS  
OMB No. 0581-0217**

**A. Justification**

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

Under the 2002 Farm Bill, Section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (FAIR Act) was amended on May 13, 2002. The amendment exempts any person that produces and markets solely 100 percent organic products, and that does not produce any conventional or non-organic products, from paying assessments under a commodity promotion law with respect to any agricultural commodity that is produced on a certified organic farm as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502). The amendment further provides that the Secretary of Agriculture promulgate regulations reflecting the exemption provision.

The U.S. Department of Agriculture (USDA) issued a corresponding regulatory exemption for the orders, plans, and/or rules and regulations of the 17 existing research and promotion programs. The FAIR Act amendment covers research and promotion programs established under either freestanding legislation (beef, cotton, dairy, eggs, fluid milk, Hass avocados, honey, mushrooms, popcorn, pork, potatoes, soybeans, and watermelons) or the Commodity Promotion, Research, and Information Act of 1996 (blueberries, lamb, mangos, and peanuts). The freestanding legislation includes the Beef Promotion and Research Act of 1985; Cotton Research and Promotion Act; Dairy Production Stabilization Act of 1983; Egg Research and Consumer Information Act; Fluid Milk Promotion Act of 1990; Hass Avocado Promotion, Research, and Information Act of 2000; Honey Research, Promotion, and Consumer Information Act; Mushroom Promotion, Research, and Consumer Information Act of 1990; Popcorn Promotion, Research, and Consumer Information Act; Pork Promotion, Research, and Consumer Information Act of 1985; Potato Research and Promotion Act; Soybean Promotion, Research, and Consumer Information Act; and Watermelon Research and Promotion Act.

Though overseen by USDA, these programs are wholly industry-funded and –operated and charged with creating and expanding markets for the agricultural commodities they represent. Producers, handlers, importers, and others in the marketing chain pay assessments to these commodity boards to fund the programs. Industries voluntarily request these programs. Research and promotion programs allow industries to establish, finance, and carry out coordinated programs of research, producer and consumer education, and promotion to improve, maintain, and develop markets for their commodities.

The programs are administered by national boards and committees whose members (all assessment payers except for the boards with a consumer member) are appointed by the Secretary of Agriculture.

The orders, plans, and/or regulations of the 17 research and promotion programs contain a provision for producers and marketers of only products eligible to be labeled as “100 percent organic” and meeting the specified criteria to be exempt from paying assessments to any research and promotion program. These provisions are found at: 7 CFR Parts 1150 (dairy), 1160 (fluid milk), 1205 (cotton), 1206 (mangos), 1207 (potatoes), 1209 (mushrooms), 1210 (watermelons), 1215 (popcorn), 1216 (peanuts), 1218 (blueberries), 1219 (Hass avocados), 1220 (soybeans), 1230 (pork), 1240 (honey), 1250 (eggs), 1260 (beef), and 1280 (lamb). If a new program is established, similar language will be added into its order, plan, and/or regulation.

**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 orders, plans, and/or regulations governing the 17 research and promotion programs authorize the boards and councils to submit certain information as required in new or amended §§ 1150.157, 1160.215, 1205.519, 1206.102, 1207.514, 1209.252, 1210.516, 1215.300, 1216.56, 1218.53, 1219.102, 1220.302, 1230.102, 1240.114, 1250.530, 1260.302, and 1280.405.

The Agency has developed a form needed to effectively carry out the mandate of the FAIR Act amendment. The form permits producers and marketers of only products eligible to be labeled as “100 percent organic” to obtain an exemption from assessment by research and promotion programs.

**(a) Organic Exemption Request Form (AMS-15):**

Persons who produce and market only products eligible to be labeled as “100 percent organic” would apply for an assessment exemption on the Organic Exemption Request Form. Since assessment payers under the various programs include producers, importers, handlers, first handlers, seed stock producers, feeders, and exporters, the Agency considers “produce and market” to mean the function the person performs that compels the payment of an assessment. For producers and seed stock producers, produce and market means to produce the commodity; for handlers and first handlers, it means to handle; for importers, to import; for processors, to process; for feeders, to produce by feeding; and for exporters, to export.

Persons would renew their exemption each year if they remain eligible. Information requested on the form includes the applicant’s name, name and address of the company, telephone and fax numbers, e-mail address (optional), a copy of the applicant’s organic farm or organic handling operation certificate provided by a USDA-accredited certifying agent under the Organic Foods Production Act of 1990 (7 U.S.C. 6502) (“OFPA”), and a signed certification that the applicant meets all of the requirements specified for an assessment exemption. This certification includes

a list of commodities marketed by the applicant, an indication of whether the applicant is certified as 100 percent organic, and an assertion that the applicant is not a split operation as defined under OFPA. Selecting information from the form's supplement list allows each board or council to modify the form, thus making its form specific to its commodity. This form and burden was included into the renewal submission of 0581-0093. However, 0581-0093 is currently at OMB for review and approval. Upon approval of 0581-0093 the Agency will submit a discontinuation request for 0581-0217.

**3. DESCRIBE WHETHER, AND TO WHAT EXTENT, THE COLLECTION OF INFORMATION INVOLVES THE USE OF AUTOMATED, ELECTRONIC, MECHANICAL, OR OTHER TECHNOLOGICAL COLLECTION TECHNIQUES, 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 form became part of the AMS Integrated e-Government Report. As with other research and promotion forms, AMS-15 is submitted directly to the applicable research and promotion committee or board. These committees and boards are not part of a Federal agency, but are industry commodity industry committees and boards that operate under Federal authority and oversight. Therefore, the provision of an electronic submission alternative is not required by GPEA. In addition, it is determined that AMS-15 will not be made available for electronic submission due to logistical constraints of the need to submit an organic certification document with the application.

The form is available in a pdf fillable format located on the program's website, allowing users to fill in and print off a copy to submit by fax or mail to the appropriate committee or board. A hard copy version is also available through the committee or board for users without Internet access.

**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 form is periodically reviewed to avoid unnecessary information collection duplication by industry and public sector agencies. At the present time, there is no duplication between Federal agencies. The information collection from these forms will be supplemented with certifications issued pursuant to the National Organic Program (7 CFR Part 205). Part of this application requires attaching a copy of the applicant's organic farm or organic handling operation certificate provided by a USDA-accredited certifying agent under the Agency's National Organic Program (NOP). This will keep the applicant from duplicating information and enables us to rely on NOP for the determination that the applicant operates under an approved organic system plan. The remainder of the form enables boards and councils to determine whether the applicant meets the threshold of solely 100 percent organic (as required by the 2002 Farm Bill)—meaning that the

applicant produces and markets only products eligible to be labeled as “100 percent organic”—and other specified criteria.

Currently, information generated by State, Federal, and private sector reports would pertain to commodities in general but would not specifically address organic commodities specified within the regulated order production areas. In addition, such information would not necessarily contain information of a proprietary nature relative to the affected producers and handlers. Therefore, such information would not be detailed enough to be used for the specific purposes required under §§ 1150.157, 1160.215, 1205.519, 1206.102, 1207.514, 1209.252, 1210.516, 1215.300, 1216.56, 1218.53, 1219.102, 1220.302, 1230.102, 1240.114, 1250.530, 1260.302, and 1280.405.

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

Information collection requirements within this package have been reduced to the minimum requirements of the orders, plans, and/or regulations. The form requires only a minimal amount of information, all of which can be supplied without data processing equipment or a trained statistical staff. As an alternative, an electronic fillable version of the form will be made available for those producers and marketers that want to use it. Most significantly, this form allows organic producers and marketers meeting specified criteria and procedures to be exempt from paying assessments and complying with other reporting requirements (covered under previously approved burden). The form is a means to alleviating burden on eligible organic producers and marketers, all of whom are deemed to be small businesses.

**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.**

There would be no consequences to Federal oversight of research and promotion programs aside from failure to implement a Congressional mandate. The consequence to organic producers and marketers would be an inability to seek relief from assessments. The information must be collected annually to be consistent with marketing years and certifications under the NOP. An applicant may only apply for exemption for one year and must renew the request annually so that eligibility may be established. The information would not be accurate if collected less frequently than once a year. Also, this practice is consistent with the frequency of collection of exemption application forms for those research and promotion programs that have established *de minimis* exemptions.

**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 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**
- **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.

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.**

A 60-day notice on the information collection was published in the *Federal Register* on August 28, 2007, at 72 FR 49248. Comments were due by October 29, 2007. No comments were received.

**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.**

**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.**

The members and staffs of the boards and councils are alert to developments in other research and promotion programs through correspondence, meetings, and information received from USDA. In addition, notices of meetings of the boards and councils are made available to all in the industries. Any concerns regarding board and council business are welcomed.

This information collection was discussed with staff from the following boards and councils:

Consultation regarding the use of these forms has occurred with the following board representatives:

**Eggs** Joanne Ivy, President & CEO (847) 296-7043  
**Hass Avocados** – Valetta Weaver, Administrator, 949-341-3250  
**Mushrooms** – Bart Minor, President, 408-432-7210  
**Potatoes** – Tim O’Connor, President, 303-369-7783

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

No payments or gifts are provided to respondents.

**10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.**

The various acts governing the programs provide that information acquired from respondents will be kept confidential. Reports submitted to the boards, councils, or in some cases another party designated by a board or council are accessible only by appropriate board or council (or designated party) staff and certain USDA employees, most of whom are in Washington, D.C. Industry members of the boards and councils do not have access to any party's reports or assessment records. The board and council (or designated party) staffs, as well as USDA staff, are aware of the penalties for violating confidentiality requirements, which could include a fine, imprisonment, and removal from office.

**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 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.

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

**THIS 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.**

Estimates of the burden of collection of information have been summarized on AMS-71 spreadsheet, attached. The respondents' estimated annual cost in providing information to the boards, councils, or party designated by a board or council is \$16,953.75. This total has been estimated by multiplying 1,232.5 (rounded to 1233) total burden hours (2,465 respondents at 30 minutes per response) by \$13.75, a rate deemed to be reasonable should the respondents be compensated for their time. The hourly wage was obtained from the U.S. Department of Labor Statistic's "Occupational Wages in the United States, June 2005," published August 2006 (Bulletin 2581). This publication can be found at the following website: <http://www.bls.gov/ncs/ocs/sp/nclbo832.pdf>.

**13. 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).**

- **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 WILL 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.**

- **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 NO 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.

- 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. Boards, councils, or a party designated by a board or council will process the form using assessment funds. By law, the Federal Government does not bear any cost for overseeing research and promotion programs. All costs to the Government are reimbursed by the boards and councils.

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

The Dairy Program had an increase in respondents resulting in a overall burden increase of this collection of +150 hours.

<u>REG. NO.</u>	<u>REASON</u>	<u>PREVIOUS BURDEN</u>	<u>NEW BURDEN</u>	<u>DIFFERENCE</u>	<u>TYPE OF CHANGE</u>
1150.157	Inc. in respondents	300	450	+150	Adj.

**16. 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.**

Periodically, the Agency or the boards and councils may be asked for information concerning the amount of assessments exempted as a result of the organic rule. Any of the data obtained from this information collection would be published in the aggregate so as not to identify an individual entity. Using totals as opposed to individual information is common practice for reporting industry statistics; for example, USDA’s National Agricultural Statistics Service uses similar policies. There are no complex analytical techniques that would be applied to this data.

**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 requests approval not to display the expiration date on the new forms associated with this information collection. The boards and councils (or their designees) order forms well in advance of the time (fiscal or marketing year) they will be used so that forms may be made available to producers, handlers, importers, and other respondents in a timely manner. The boards and councils attempt to order forms in quantities large enough to obtain a price break. Thus, it is in the interest of the boards and councils to not include expiration dates so forms are not wasted. Moreover, displaying the date on similar forms has historically created confusion among respondents who believe their responses are valid through the expiration instead of for 1 year.

**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.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

The collection of information does not employ statistical methods.