

November 18, 2010

**SUPPORTING STATEMENT**

Citrus Canker; Interstate Movement of Regulated Nursery Stock  
And Fruit From Quarantined Areas  
OMB No. 0579-0317

**This information collection includes information collection requirements currently approved by OMB control numbers 0579-0317 (Citrus Canker; Interstate Movement of Regulated Nursery Stock from Quarantined Areas) and 0579-0325 (Citrus Canker; Movement of Fruit from Quarantined Areas). After OMB approves and combines the burden for both collections under a single collection (0579-0317), the Department will retire number 0579-0325.**

A. Justification

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

The United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), is responsible for preventing plant diseases or insect pests from entering the United States, preventing the spread of pests and noxious weeds not widely distributed in the United States, and eradicating those imported pests when eradication is feasible.

Under the Plant Protection Act (7 U.S.C. 7701 et seq.), the Secretary of Agriculture, either independently or in cooperation with the States, is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests (such as citrus canker) new to or widely distributed throughout the United States. APHIS' Domestic Quarantines (7 CFR Part 301) are issued under this authority.

APHIS has regulations in place to prevent the interstate spread of citrus canker. These regulations, contained in 7 CFR 301.75-1 through 301.75-17, restrict the interstate movement of regulated articles from and through areas quarantined because of citrus canker.

APHIS amended the citrus canker quarantine regulations to prohibit the interstate movement of regulated nursery stock from a quarantined area. The interstate movement of nursery stock from an area quarantined for citrus canker poses an extremely high risk of spreading citrus canker outside the quarantined area. The regulations allow kumquat plants that are highly resistant to citrus canker to move interstate from a quarantined area under a protocol designed to ensure their freedom from citrus canker. APHIS is also continuing to allow the interstate movement of regulated nursery stock for immediate export, under certain conditions.

These regulations are necessary to address the risk associated with the interstate movement of citrus nursery stock and other regulated articles from areas quarantined for citrus canker.

APHIS is asking OMB to renew this information activity for an additional three years to prevent the interstate movement of citrus canker into noninfested areas of the United States.

**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.**

**Compliance Agreement (PPQ Form 519)** – If the fruit is repackaged after being packed in a commercial packinghouse and before it is moved interstate from the quarantined area, the person that repackages the fruit must enter into a compliance agreement with APHIS in accordance with §301.75-13 and issue and attach a certificate for the interstate movement of the fruit in accordance with §301.75-12.

**Limited Permits (PPQ 530)** - Limited permits may be issued for the interstate movement of regulated articles only by an inspector or by persons operating under a compliance agreement. Limited permits are used to authorize movement of regulated articles that are not certifiable to specified destinations for processing, treatment, or utilization.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, 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.**

Compliance Agreements (PPQ Form 519) are automated and posted at:  
<http://www.aphis.usda.gov/library/forms/index.shtml#ppq>

The Limited Permit (PPQ 530) is a pressure sensitive form and is not practicable for automation.

**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 APHIS collects is exclusive to its mission of preventing the incursion or interstate spread of plant pests and noxious weeds and is not available from any other source.

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

The information APHIS collects associated with this program is the minimum needed to prevent the spread of citrus canker into noninfested areas of the United States. APHIS has determined 100 percent of the respondents are small entities.

**6. Describe the consequences of 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.**

Failing to collect this information or if this information was collected less frequently could cause a severe economic loss to the citrus 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:**

- **requiring respondents to report information to the agency more often than quarterly;**
- **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 three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **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.**

No special circumstances exist that would require this collection to be conducted in a manner inconsistent with the general information collection guidelines 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 2010, APHIS held productive consultations with the following citrus producer associations concerning the information collection activities associated with citrus canker:

Florida Citrus Mutual  
Attn: Michael W. Sparks  
302 South Massachusetts Ave.  
Lakeland, FL 33802  
(863) 682-1111

Peckett's Inc.  
Chester Peckett  
5643 Round Tree Lake Rd.  
Apopka, FL 32712  
(407) 886-5901

Florida Fruits and Vegetables Association  
P.O. Box 948153  
Maitland, FL 32794-8153  
(321) 214-5200

On Thursday, June 17, 2010, pages 34419-34420, 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.

**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 (other than appropriate, program-related payments) or gifts to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in status, 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 and attitudes, religious beliefs, and others that are 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 asks 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 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 for hour burden estimates.

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

APHIS arrived at the total cost to respondents by multiplying the total burden hours (875) by the estimated average hourly wage of respondents (\$27.75) = \$24,281.25.

\$27.75 is the hourly rate derived from the U.S. Department of Labor; Bureau of Labor Statistics May 2008 Report – Occupational Employment and Wages in the United States. See <http://www.bls.gov/news.release/ocwage.t03.htm>.

**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 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.**

There is zero annual burden associated with capital and start-up costs, maintenance costs, and purchase of services in connection with this program.

**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.**

See APHIS Form 79 for annualized cost to the Federal Government. This cost is based on the estimated average time required to process fund request applications. These one-time costs are estimated to be \$27,920.

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

There is a program change of -80 hours and -80,000 responses for removing a statement "Not for Distribution in AX, CA, HI, LA, TX, and American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands of the United States" from the collection because it is no longer required due to the revision of the quarantine which covers the interstate movement of fruit from the listed locations. There is an adjustment of 835 hours for combining the two collections 0317 and 0325. In addition, there was an adjustment of increase of +2,963 annual responses, of which 113 are due to the merging of 0325, and the remaining 2,850 responses is a result of an increase in respondents from 8 to 113 in 0317. PPQ also incorrectly calculated the 'hours per response' for the PPQ 530. It should have been recorded as .16 hours per response instead of .2, and this has now been corrected in this collection.

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

APHIS has no plans to tabulate or publish the information collected.

**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.**

PPQ Form 519 is used in 11 information collections; and the PPQ 530 is used in 8 collections; therefore, it is not practical to include an OMB expiration date because of the various expiration dates for each collection. APHIS is seeking approval to not display the OMB expiration date on these forms.

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

APHIS is able to certify compliance with all the provisions under the Act.

## **B. Collections of Information Employing Statistical Methods**

Statistical methods are not used in this information collection.