

**SUPPORTING STATEMENT - OMB NO. 0579-0278
HEALTH CERTIFICATES FOR THE EXPORT OF LIVE
CRUSTACEANS, FINFISH, MOLLUSKS, OR RELATED PRODUCTS**

July 20, 2011

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.

The Animal Health Protection Act (AHPA) of 2002 is the primary Federal law governing the protection of animal health. The law gives the Secretary of Agriculture broad authority to detect, control, or eradicate pests or diseases of livestock or poultry. The Secretary may also prohibit or restrict import or export of any animal or related material if necessary to prevent the spread of any livestock or poultry pest or disease. The AHPA is contained in Title X, Subtitle E, Sections 10401-18 of P.L. 107-171, May 13, 2002, the Farm Security and Rural Investment Act of 2002.

The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture is responsible for, among other things, protecting the health of the Nation's livestock and poultry populations by preventing the introduction and spread of serious diseases and pests of livestock and poultry and for eradicating such diseases and pests from the United States when feasible. Disease prevention is the most effective method for maintaining a healthy animal population and enhancing the ability of U.S. producers to compete in the global market of animal and animal product trade. U.S. trading partners are increasing import requirements, which must be addressed using one of the three Veterinary Services (VS) export health certificates or country specific export health certificates.

APHIS is asking the Office of Management and Budget (OMB) to approve the use of these information collection activities for an additional 3 years.

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.

APHIS uses the following information activities to protect the health of the Nation's livestock and poultry populations by preventing the introduction and spread of serious diseases and pests of livestock and poultry and for eradicating such diseases and pests from the United States.

Export Health Certificate (VS Form 17-141 (Health Certificate for the Export of Live Finfish, Mollusks, and Crustaceans (and their Gametes)), VS Form 17-140 (U.S. Origin Health Certificate), APHIS Form 7001 (United States Interstate and International Certificate of Health Examination for Small Animals), or country specific health certificate of export

APHIS requires U.S. exporters to complete an export health certificate before exporting any live crustaceans and their gametes, live finfish and their gametes, or live mollusks and their gametes, if requested by the importing country. Exporters meet this requirement by completing one of the aforementioned forms. The certificates will be completed by an accredited veterinarian with assistance from the producer, and must be signed by the accredited veterinarian and endorsed by APHIS as the competent Federal authority who certifies the health status of the shipment being exported. The health certificate identifies the names of the species being exported from the United States, their age and weight, place of origin, country of destination, date and method of transport, and whether they are cultured stock or wild stock.

By issuing and endorsing the health certificate, the accredited veterinarian and the Federal official (respectively) certify (1) that the live aquatic animals in the consignment have - as their place of production - a country, zone, or aquaculture establishment that has been subjected to an official health surveillance scheme according to the procedures described in the World Organization for Animal Health (OIE) Diagnostic Manual for Aquatic Animal Diseases; (2) that the country, zone, or aquaculture establishment is officially recognized as being free from all of the pathogens causing the diseases identified on the specific health certificate being endorsed; or (3) other health requirements specified by the importing country.

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.

The health certificates (VS 17-140 and VS 17-141) employed in this program are available from APHIS VS Area Offices or by writing USDA APHIS, 4700 River Road Unit 39, Riverdale, MD 20737.

An electronic PDF version of APHIS 7001 is available at <http://www.aphis.usda.gov/library/forms/pdf/APHIS7001.pdf>

Some country specific health requirements are posted on the International Regulations Retrieval system at <http://www.aphis.usda.gov/regulations/vs/iregs/animals>

To be valid, the certificates are required to contain an original signature from an accredited veterinarian and endorsement by APHIS. These forms (when used) physically accompany the shipment from the United States to the country of destination. Therefore, these forms are not a candidate for electronic submission. However, APHIS is exploring the use of electronic certifications through the use of pilot projects with specific countries.

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 in connection with aquatic animal health activities for export of aquatic animals 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 majority of respondents (95 percent) in this information collection will be small businesses. The information APHIS is collecting in connection with this program is the minimum needed to ensure the health status of certain aquatic animals exported from the United States.

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.

Exported live crustaceans, finfish, mollusks, or related products, if regulated by the importing country, are typically accompanied by an export health certificate needed to meet the requirements of importing countries. Since producers and accredited veterinarians are required to fill out these forms before submitting to APHIS for endorsement, a certain amount of information is required to be collected. If this information were not collected, or collected less frequently, export trade would decrease. These certificates allow APHIS to address the increasing health attestations of importing countries with minimal burden to the public.

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 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 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.**

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 2011, APHIS engaged in productive discussions with the following individuals concerning the information collection activities associated with this program:

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On Friday, December 16, 2011, page 78227, 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. During that time, APHIS received no comments.

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. Any and all information obtained in this collection shall not be disclosed except in accordance with 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 hits burden, and an explanation of how the burden was estimated.

•Indicate the number of respondents, frequency of response, annual hits burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hits burden estimates for each form and aggregate the hits burdens in Item 13 of OMB Form 83-1.

See APHIS Form 71. Burden estimates were developed from discussions with accredited veterinarians and producers who will be completing the export health certificate.

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

APHIS estimates the total annualized cost to these respondents to be \$ 33,741.60. APHIS arrived at this figure by multiplying the total burden hours (1,020) by the estimated average hourly wage of the above respondents (\$33.08). The average hourly rate is derived from the U.S. Department of Labor's Bureau of Labor Statistics May 2010 Report - National Occupational Employment and Wage Estimates United States. See <http://www.bls.gov/oesl#tables>.

Accredited veterinarians \$44.51 [29-1131 Veterinarians]

Livestock producers \$21.65 [45-1011 First-Line Supervisors of Farming, Fishing, and Forestry Workers]

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 hits 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 \$21,408. (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.

ICR Summary of Burden:

| | Requested | Program Change Due to New Statute | Program Change Due to Agency Discretion | Change Due to Adjustment in Agency Estimate | Change Due to Potential Violation of the PRA | Previously Approved |
|----------------------------|-----------|-----------------------------------|---|---|--|---------------------|
| Annual Number of Responses | 1,976 | 0 | 1,726 | 50 | 0 | 200 |
| Annual Time Burden (Hr) | 1,020 | 0 | 895 | 25 | 0 | 100 |
| Annual Cost Burden (\$) | 0 | 0 | 0 | 0 | 0 | 0 |

There is an overall program change of +49 respondents, + 1726 responses and +895 total burden hours. The program change is due to APHIS now accepting the options to use VS Form 17-140,

APHIS Form 7001, or Country Specific Health Certificate of Export. The form completed varies depending on the importing countries' requirements.

There is an adjustment of -20 respondents, +50 responses resulting in an increase of +25 total burden hours. With respondents able to use the additional forms there is a decrease in the number of respondents using the VS form 17-141. The increase in the number of times a respondent responded is due to 1) more foreign countries accepting the form 2) more producers using the form and 3) more accurate/precise tracking during this renewal.

A book keeping change was made to remove the individual and household IC and add them to business IC because they should have been included as businesses all along.

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.

APHIS is not seeking approval to not display the OMB expiration date on VS Form 17-141 and APHIS Form 7001.

The VS Form 17-140 is used in in multiple 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 this form.

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

APHIS can certify compliance with all provisions of the Act.

B. Collections of Information Employing Statistical Methods

Statistical methods are not employed in this information collection activity.