

**Supporting Statement
Phytosanitary Export Certification
OMB 0579-0052**

A. JUSTIFICATION

December 2011

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 (USDA), 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 within the United States, and eradicating those imported pests when eradication is feasible. The Plant Protection Act (PPA) authorizes the Department to carry out this mission.

Section 418 of the PPA authorizes the Secretary of Agriculture to certify as to the freedom of plants, plant products, or biological control organisms from plant pests or noxious weeds, or the exposure of plants, plant products, or biological control organisms to plant pests or noxious weeds, according to phytosanitary or other requirements of the countries to which the plants, plant products, or biological control organisms may be exported.

In addition to its mission, APHIS also provides export certification services to assure other countries that the plants and plant products they are receiving from the United States are free of plant diseases and insect pests.

The export certification regulations contained in Title 7 of the Code of Federal Regulations (CFR), Part 353 describes the procedures for obtaining certification for plants and plant products offered for export or re-export.

It should be noted that APHIS' regulations do not require that APHIS engage in export certification activities; however, APHIS performs this work as a service to exporters who are shipping plants or plant products to countries that require phytosanitary certification as a condition of entry.

APHIS is asking OMB to approve, for an additional 3 years, its use of information collection activities associated with its efforts to certify plants and plant products for export are considered to be free from plant diseases and insect pests, and conform to the requirements of the receiving country.

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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.

APHIS uses the following information activities to ensure that the plants or products being exported meet the requirements of the receiving country by completing PPQ 572 and to assess the condition of the plants or plant products intended for export (i.e., after conducting a phytosanitary inspection), an inspector (who may be an APHIS employee or a State or county plant regulatory official) will issue an internationally recognized phytosanitary certificate (PPQ Form 577), a phytosanitary certificate for reexport (PPQ Form 579), or an export certificate for processed plant products (PPQ Form 578). These forms are critical to APHIS' ability to certify plants and plant products for export. Without them, APHIS would be unable to conduct an export certification program.

Application for Inspection & Certification (PPQ Form 572)

Anyone wishing to export domestic plants or plant products must request APHIS to perform a phytosanitary inspection to ensure that the plants or products meet the requirements of the receiving country. The exporter requests this service by completing and submitting an Application for Inspection and Certification (PPQ Form 572). The exporter completes the "Description of Consignment" section of this form before submitting it to appropriate PPQ personnel for further processing.

Federal Phytosanitary Certificate (PPQ Form 577)

This form certifies that the domestic plants or plant products described by the exporter have been inspected according to appropriate procedures and are considered to be free from plant diseases and insect pests, and are considered to conform to the requirements of the receiving country.

Export Certificate for Processed Plant Products (PPQ Form 578)

This form is designed to assist in the foreign marketing of processed and manufactured plant products not otherwise eligible for certification under the Phytosanitary Certificate (PPQ Form 577). This document affirms that processed or manufactured products described by the exporter are believed to be free from injurious plant pests based upon inspection, or based upon the processing to which the products have been subjected.

Federal Phytosanitary Certificate for Reexport (PPQ Form 579)

This form is used to certify that the foreign plants or plant products described on the form were imported into the United States from a specified country of origin, were packed in the original containers, or were repacked in new ones. This form also certifies that, based on the country of origin's phytosanitary certificate and/or an additional inspection, the plants or plant products are considered to conform to the current phytosanitary

regulations of the receiving country and have not been subjected to the risk of infection or infestation during storage in the United States.

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.

PPQ Form 572 (Application for Inspection & Certification) – This form, and instruction sheet is downloadable at: www.aphis.gov/ppq/pim/exports/certificates&forms.htm

PPQ Form 578 (Export Certificate for Processed Plant Products) – This form will be posted at www.aphis.usda.gov/ppq/pim/exports/certificates&forms.htm and will be for viewing purposes only. It will not be automated because it is an accountable document. Therefore, there are no instructions posted with this form.

PPQ Form 577 (Phytosanitary Certificate) – This form will be posted at: www.aphis.usda.gov/ppq/pim/exports/certificates&forms.htm and will be for viewing purposes only. It will not be automated because it is an accountable document. Therefore, there are no instructions posted with this form.

PPQ Form 579 (Phytosanitary Certificate for Reexport) – This form will be posted at: www.aphis.usda.gov/ppq/pim/exports/certificates&forms.htm and will be for viewing purposes only. It will not be automated because it is an accountable document.

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 exclusive to its mission of providing export certification services to exporters. This information 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.

APHIS estimates that 30 percent of the respondents are small entities.

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.

Failure to provide this service would have a devastating impact on many United States exporters, who would no longer be able to engage in the business of exporting plants or plant products overseas.

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.**

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.

The following individuals were consulted during 2011:

American Seed Trade Association
Mr. Richard Dunkle, Senior Director
225 Reineckers Lane, Suite 650
Alexandria, Virginia 22314-2875
703-837-8140

Mallory Alexander Incorporated
Lori Myers
4294 Swinnea Rd.
Memphis, Tennessee 36118
901-383-5102

Classic American Hardwoods, Incorporated
Judy Bradbury
1245 N.7th St.
Memphis, Tennessee 38107
901-652-7901

On Wednesday, June 8, 2011, pages 33192 - 33193, 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. APHIS received one comment from the National Grain and Feed Association / North American Export Grain Association who stated its support and appreciation for the work that APHIS does to meet the phytosanitary inspection needs of importers and exporters.

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 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 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 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.**

The cost to the public was determined by multiplying the total number of burden hours (352,631) times the wage per hour rate. APHIS, PPQ, estimates that the average hourly wage is \$26.15. $352,631 \times 26.15 = \$9,221,301$.

\$26.15 is the hourly rate derived from the U.S. Department of Labor, Bureau of Labor Statistics may 2009 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 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, operation and maintenance, 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.

The estimated cost to the Federal Government is \$ 20,327,812 (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-I.

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	1,433,566	0	-96,000	-1,077,434	0	2,607,000
Annual Time Burden (Hr)	352,631	0	-2,880	-1,420,369	0	1,775,880
Annual Cost Burden (\$)	0	0	0	0	0	0

There is an adjusted decrease of -3,909 respondents because a downturn in the economy has caused fewer people to use the forms associated with this collection, thus resulting in -1,077,434 fewer annual responses. Also, the program determined that the time required to complete PPQ forms 577 and 579 is .5 hours instead of 1.2 hours as previously reported. The reduced time to complete the forms along with the reduction of respondents and annual responses caused a decrease in the burden hours of -1,420,369.

The requirement for recordkeeping was removed because the information is now maintained in the Phytosanitary Certificate Issuances Tracking (PCIT) system. This resulted in a **program change** of -96,000 annual responses and -2,880 burden hours.

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

APHIS has no plans to tabulate or publish the information APHIS is collecting.

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 has no plans to seek approval for not displaying the OMB expiration date on the PPQ forms used in this collection.

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.