

Kansas City, Missouri, in order to reduce ongoing operating expenses while enhancing the efficiency and timeliness of testing service.

It also requested further information regarding cost and revenue figures, including both historical and projected, before commenting on the reasonableness of the specific proposals. However, FGIS published in the proposed rule all cost and revenue information necessary for the purpose of increasing fees.

With regard to the suggestion that the Beltsville Commodity Testing Laboratory be consolidated with and moved to QARD was not germane to the proposed rule but will be considered if appropriate.

Based on all available information including the comment received, FGIS is increasing the fees charged at the Beltsville Commodity Testing Laboratory and making additional changes to Table 4 as provided in this action.

Final Action

Section 203(h) of the AMA (7 U.S.C. 1622(h)) provides for the establishment and collection of fees that are reasonable, and as nearly as practicable, to cover the costs of the services rendered. These fees cover the FGIS administrative and supervisory costs for the performance of official services. FGIS costs include personnel compensation, personnel benefits, travel, rent, communications, utilities, contractual services, supplies, and equipment.

Section 868.90, Table 4 (as currently shown in section 868.90, Table 4 of the regulations) is revised to provide for the increase in laboratory commodity testing fees and the addition of the vomitoxin laboratory testing and changes to the *Tilletia controversa kuhn* (TCK) testing as outlined in the background. Pesticide residue testing (Carbon Tetrachloride, Methyl Bromide and Ethylene Dibromide) is deleted because it is no longer conducted at the Beltsville Commodity Testing Laboratory. Such testing is provided for under the United States Grain Standards Act (7 U.S.C. 71 *et seq.*)

The increased fees for laboratory tests are: Aflatoxin test (other than TLC or Minicolumn), Aflatoxin (TLC), Aflatoxin (Minicolumn), Appearance and Odor, Ash, Bacteria count, Baking test (cookies), Bostwick (uncooked/cook test/dispersibility), Brix, Calcium, Carotenoid Color, Cold test (oil), Cooking test (other than corn soy blend), Crude fat, Crude fiber, Dough handling (baking), E. coli, Falling number, Fat (acid hydrolysis), Fat-stability (A.O.M.),

Flash point (point and closed up), Free fatty acid, Hydrogen ion activity (pH), Iron enrichment, Linolenic acid (fatty acid profile), Lovibond color, Moisture, Moisture and volatile matter, Performance test (prepared bakery mix), Peroxide value, Phosphorus, Popcorn kernels (total defects), Popping ratio/value popcorn, Potassium bromate, Protein, Salmonella, Salt or sodium content, Sanitation (light filth), Sieve test, Smoke point, Solid fat index, Unsaponifiable matter, Urease activity, Visual exam (hops pellet), Visual exam (insoluble impurities, oils, and shortening), Visual exam (pasta), Visual exam (processed grain products), Vitamin enrichment, and Water activity.

List of Subjects in 7 CFR Part 868

Administrative practice and procedure, Agriculture commodities.

For the reasons set out in the preamble, 7 CFR Part 868 is amended as follows:

PART 868—GENERAL REGULATIONS AND STANDARDS FOR CERTAIN AGRICULTURAL COMMODITIES

1. The authority citation for part 868 continues to read as follows:

Authority: Secs. 202–208, 60 Stat. 1087, as amended (7 U.S.C. 1621 *et seq.*)

2. Section 868.90 is amended by revising paragraphs (a), (b) and (c) and Table 4 and the undesignated centerhead above paragraph (a) to read as follows:

§ 868.90 Fees for certain Federal inspection services.

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Table 3 * * *

Fees for Official Laboratory Test Services Performed at the GIPSA Commodity Testing Laboratory at Beltsville, Maryland

For Processed Agricultural Products

(a) In addition to the fees, if any, for sampling or other requested service, a fee will be assessed for each laboratory test (original, retest, or appeal) as follows:

TABLE 4.—LABORATORY FEES¹

Laboratory tests	Fees
(1) Alpha monoglycerides	\$18.00
(2) Aflatoxin test (other than TLC or Minicolumn method)	22.50
(3) Aflatoxin (TLC)	48.00
(4) Aflatoxin (Minicolumn method) ..	25.00
(5) Appearance & odor	3.00
(6) Ash	8.50
(7) Bacteria count	10.00
(8) Baking test (cookies)	28.00
(9) Bostwick (cooked)	12.60

TABLE 4.—LABORATORY FEES¹—Continued

Laboratory tests	Fees
(10) Bostwick (uncooked/cook test/dispersibility)	6.50
(11) Brix	8.00
(12) Calcium	12.50
(13) Carotenoid color	12.50
(14) Cold test (oil)	10.00
(15) Color test (syrups)	6.50
(16) Cooking test (other than corn soy blend)	7.00
(17) Crude fat	10.00
(18) Crude fiber	13.00
(19) Dough handling (baking)	8.50
(20) E. coli	19.00
(21) Falling number	12.00
(22) Fat (acid hydrolysis)	14.00
(23) Fat stability (A.O.M.)	27.00
(24) Flash point (open & close cup) ..	14.00
(25) Free fatty acid	12.00
(26) Hydrogen ion activity (ph)	9.50
(27) Iron enrichment	15.00
(28) Iodine number/value	9.50
(29) Linolenic acid (fatty acid profile)	50.00
(30) Lipid phosphorous	47.00
(31) Lovibond color	10.00
(32) Margarine (nonfat solids)	23.60
(33) Moisture	6.00
(34) Moisture average (crackers)	4.00
(35) Moisture & volatile matter	8.50
(36) Performance test (prepared bakery mix)	32.00
(37) Peroxide value	13.50
(38) Phosphorus	14.00
(39) Popcorn kernels (total defects) ..	19.00
(40) Popping ratio/value popcorn	19.00
(41) Potassium bromate	20.00
(42) Protein	7.50
(43) Rope spore count	31.50
(44) Salmonella	40.00
(45) Salt or sodium content	12.50
(46) Sanitation (filth light)	24.00
(47) Sieve test	5.00
(48) Smoke point	22.00
(49) Solid fat index	85.00
(50) Specific volume (bread)	21.80
(51) Staphylococcus aureus	24.50
(52) Texture	6.50
(53) <i>Tilletia controversa kuhn</i> (TCK) (Qualitative)	25.20
(54) <i>Tilletia controversa kuhn</i> (TCK) (Quantitative)	76.00
(55) Unsaponifiable matter	25.00
(56) Urease activity	12.50
(57) Visual exam (hops pellet)	7.50
(58) Visual exam (insoluble impurities, oils & shortening)	5.00
(59) Visual exam (pasta)	10.50
(60) Visual exam (processed grain products)	12.00
(61) Visual exam (total foreign material other than cereal grains)	6.50
(62) Vitamin enrichment	7.00
(63) Vomitoxin (TLC)	40.00
(64) Vomitoxin (Qualitative)	30.00
(65) Vomitoxin (Quantitative)	40.00
(66) Water activity	20.00
(67) Wiley melting point	12.50