

the proposed change in the fee structure from an hourly fee that recovers all costs to a service-specific fee structure requires a listing of specific services currently funded by the hourly rate. These service-specific fees will be a mixture of hourly rates and unit fees and will apply to: Grain Grading Seminars, Certification of Diverter Samplers, Special Weighing Services: Scale Testing and Certification, Evaluation of Weighing and Material Handling Systems, National Type Evaluation Program (NTEP) Prototype Evaluation of Railroad Track Scales, Mass Standards Calibration and Reverification, Special Projects, Foreign Travel, On Line Customized Data Export Grain Information System (EGIS) Service, Samples Provided to Interested Parties, Divided-Lot Certificates, Extra Copies of Certificates, Faxing, Special Mailing, and Preparing Certificates Onsite.

Further, FGIS is proposing to establish a unit fee to recover expenses

incurred when FGIS employees are requested to provide consulting services outside the United States. Currently, there is no fee for recovering costs of salary, travel, per diem, and related costs which is not related to an official service provided on a shipment of grain at the time of export from the United States. For example, an exporter may ask for an FGIS microbiologist to consult with microbiologists in an importing country to resolve a dispute on the presence of grain fungi; or a USDA cooperator may request an FGIS inspector to conduct training for inspectors in an importing country.

FGIS is also proposing corresponding changes to §§ 800.72 and 800.73 of the regulations to further clarify the application of fees covered in Schedule A. Specifically, service provided under Schedule A will cover service provided within 25 miles of the employee's assigned duty point. Travel, per diem, and other related costs will be assessed for providing service beyond the 25-mile limit. A minimum fee will be

established for services identified in Table 2 performed outside of normal business hours Monday through Friday.

#### List of Subjects in 7 CFR Part 800

Administrative practice and procedure, Grain.

For the reasons set out in the preamble, 7 CFR part 800 is proposed to be amended as follows:

#### PART 800—GENERAL REGULATIONS

1. The authority citation for part 800 continues to read as follows:

Authority: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*)

2. Section 800.71 is revised to read as follows:

#### § 800.71 Fees assessed by the Service.

Schedule A—Fees for Official Inspection and Weighing Services Performed in the United States

Table 1

#### *Fees for Official Services Performed at an Applicant's Facility in an Onsite FGIS Laboratory<sup>1</sup>*

##### (1) Inspection and Weighing Services

##### HOURLY RATES

[Per Service Representative]

	Monday to Friday (6 a.m. to 6 p.m.)	Monday to Friday (6 p.m. to 6 a.m.)	Saturday, Sunday, and over- time <sup>2</sup>	Holidays
1-year contract .....	\$23.00	\$24.80	\$32.40	\$39.00
6-month contract .....	25.00	26.80	34.40	43.60
3-month contract .....	28.00	29.80	37.40	46.60
Noncontract .....	33.00	35.00	42.80	52.60
(2) Additional Tests (cost per test, assessed in addition to the hourly rate) <sup>3</sup>				
(i) Aflatoxin (other than Thin Layer Chromatography) .....				\$8.50
(ii) Aflatoxin (Thin Layer Chromatography method) .....				20.00
(iii) Soybean protein and oil (one or both) .....				1.50
(iv) Wheat protein (per test) .....				1.50
(v) Sunflower oil (per test) .....				1.50
(vi) Vomitoxin (qualitative) .....				7.50
(vii) Vomitoxin (quantitative) .....				12.50
(viii) Waxy corn (per test) .....				1.50
(ix) Fees for other tests not listed above will be based on the lowest noncontract hourly rate.				
(x) Other services				
(a) Class Y Weighing (per carrier)				
(1) Truck/container .....				.30
(2) Railcar .....				1.25
(3) Barge .....				2.50
(3) Administrative Fee (assessed in addition to all other applicable fees, only one administrative fee will be assessed when inspection and weighing services are performed on the same carrier)				
(i) All outbound carriers (per-metric-ton) <sup>4</sup>				
(a) 1—1,000,000 .....				0.090
(b) 1,000,001—1,500,000 .....				0.082
(c) 1,500,001—2,000,000 .....				0.042
(d) 2,000,001—5,000,000 .....				0.032
(e) 5,000,001—7,000,000 .....				0.017
(f) 7,000,001— .....				0.002