

## Agricultural Marketing Service, USDA

## § 52.51

### § 52.48 Charges for plant survey and inspection.

(a) The fees to be charged for a plant survey and inspection shall be at the rates prescribed in §§ 52.42 and 52.51.

(b) Fees charged for a plant survey and a sanitation inspection under § 52.42 of this part will be credited back to plants entering into an in-plant inspection contract with AMS within 60 days of the survey.

[38 FR 25168, Sept. 12, 1973. Redesignated at 42 FR 32514, June, 27, 1977 and at 46 FR 63203, Dec. 31, 1981; 51 FR 20445, June 5, 1986]

### § 52.49 Charges for copies of inspection documents and/or inspection data.

If the applicant for inspection service requests additional copies of inspection documents and/or inspection data referable to the processed product covered thereby, the applicant may obtain such copies from the supervisor in the office of inspection serving the area where the service was performed at a charge of ½ hour per copy in accordance with the rate in § 52.42: Provided, that no charge shall be made for one copy if requested at the time of the original request for inspection. Inspection certificates issued in accordance with § 52.21 may be supplied to any financially interested party at a charge of ½ hour per certificate for each seven (7), or fewer copies in accordance with the rate in § 52.42.

[54 FR 50732, Dec. 11, 1989]

### § 52.50 Travel and other expenses.

Charges may be made to cover the cost of travel time incurred in connection with the performance of any inspection service, including appeal inspections, at the rate of \$52.00 per hour. This includes time spent waiting for transportation as well as time spent traveling, but not to exceed eight hours of travel time for any one person for any one day: And provided further, that if travel is by common carrier, no hourly charge may be made for travel

time outside the employee's official work hours.

[56 FR 27898, June 18, 1991, as amended at 58 FR 11186, Feb. 24, 1993; 59 FR 41378, Aug. 12, 1994; 61 FR 25550, May 22, 1996; 63 FR 50746, Sept. 23, 1998; 65 FR 66487, Nov. 6, 2000; 68 FR 61734, Oct. 30, 2003]

### § 52.51 Charges for inspection services on a contract basis.

(a) Irrespective of fees and charges prescribed in foregoing sections, or in this section, the Administrator may enter into contracts with applicants to perform continuous inspection services or other types of inspection services pursuant to the regulations in this part and other requirements as prescribed by the Administrator in such contract, and the charges for such inspection service provided in such contracts shall be on such basis as will reimburse the Agricultural Marketing Service of the Department for the full cost of rendering such inspection service including an appropriate overhead charge to cover as nearly as practicable administrative overhead expenses as may be determined by the Administrator.

(b) Irrespective of fees and charges prescribed in the foregoing sections, or in this section, the Administrator may enter into a written memorandum of understanding or contract, whichever may be appropriate, with any administrative agency charged with the administration of a marketing agreement or a marketing order effective pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.) for the making of inspections pursuant to said agreement or order on such basis as will reimburse the Agricultural Marketing Service of the Department for the full cost of rendering such inspection service including an appropriate overhead charge to cover as nearly as practicable administrative overhead expenses as may be determined by the Administrator. Likewise, the Administrator may enter into a written memorandum of understanding or contract, whichever may be appropriate, with an administrative agency charged with an administration of a similar program operated pursuant to the laws of any State.

(c) Charges for year-round in-plant inspection services on a contract basis