

Animal and Plant Health Inspection Service, USDA

§ 130.22

table. The user fees apply to each export health certificate⁵ endorsed for animals and birds depending on the number of animals or birds covered by the certificate and the number of tests or vaccinations required. However, there will be a maximum user fee of 12 times the hourly rate user fee listed in

§130.30(a) of this part for any single shipment. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with the provisions in §§130.50 and 130.51.

Number of tests or vaccinations and number of animals or birds on the certificate	User fee Beginning Oct. 1, 2003
<i>1-2 tests or vaccinations</i>	
Nonslaughter horses to Canada:	
First animal	\$38.00
Each additional animal	4.25
Other animals or birds:	
First animal	76.00
Each additional animal	4.25
<i>3-6 tests or vaccinations</i>	
First animal	94.00
Each additional animal	7.25
<i>7 or more tests or vaccinations</i>	
First animal	109.00
Each additional animal	8.50

(2) If an export certificate covers more than one animal, but the number of tests required for different animals are not the same, the user fee for the certificate is the fee which would be due if all the animals on the certificate required the same number of tests as the animal which requires the greatest number of tests.

(c) The user fees prescribed in this section will not apply to an export health certificate if the export health certificate is prepared for endorsement completely at the site of the inspection by an APHIS veterinarian in the course of performing inspection or supervision services for the animals listed on the certificate, and an APHIS user fee is payable under §130.30 of this part for the inspection or supervision services performed by the veterinarian.

(d) If a service must be conducted on a Sunday or holiday or at any other time outside the normal tour of duty of the employee, then reimbursable overtime, as provided for in part 97 of this chapter, must be paid for each service,

in addition to the user fee listed in this section.

(Approved by the Office of Management and Budget under control number 0579-0055)

[57 FR 771, Jan. 9, 1992, as amended at 58 FR 38958, July 21, 1993. Redesignated at 58 FR 67655, Dec. 22, 1993, and amended at 58 FR 67656, Dec. 22, 1993; 61 FR 20434, 20436, May 7, 1996; 62 FR 61007, Nov. 14, 1997; 63 FR 53796, Oct. 7, 1998; 64 FR 67700, Dec. 3, 1999; 65 FR 16124, Mar. 27, 2000; 65 FR 52009, Aug. 28, 2000; 67 FR 48524, July 25, 2002; 68 FR 51886, Aug. 29, 2003]

§ 130.21 [Reserved]

§ 130.22 User fees for inspection services outside the United States.

(a) If inspection services (including inspection, testing, and supervision services) are performed outside the United States, in accordance with this title, and the regulations do not contain a provision for payment of the cost of the service, the person requesting the service must pay a user fee under this section.

(b) Any person who wants APHIS to provide inspection services outside the United States must contact the Animal and Plant Health Inspection Service,

⁵An export health certificate may need to be endorsed for an animal being exported from the United States of the country to

which the animal is being shipped requires one. APHIS endorses export health certificates as a service.

§§ 130.23–130.29

9 CFR Ch. I (1–1–06 Edition)

Veterinary Services, National Center for Import-Export, 4700 River Road, Unit 38, Riverdale, Maryland 20737–1231, to make an agreement.

(c) All agreements must include the following:

(1) Name, mailing address, and telephone number of either the person requesting the inspection services, or his or her agent;

(2) Explanation of inspection services to be provided, including the regulations in title 9, Code of Federal Regulations which provide for the services;

(3) Date(s) and time(s) the inspection services are to be provided;

(4) Location (including street address) where inspection services are to be provided;

(5) An estimate of the actual cost, as calculated by APHIS, to provide the described inspection services for 6 months;

(6) A statement that APHIS agrees to provide the inspection services;

(7) A statement that the person requesting the inspection services, or, if appropriate, his or her agent, agrees to pay, at the time the agreement is entered into, a user fee equal to the estimated cost of providing the described inspection services for 6 months; and

(8) A statement that the person requesting the inspection services, or, if appropriate, his or her agent, agrees to maintain a user fee payment account equal to the cost of providing the described inspection services for 6 months, as calculated monthly by APHIS.

(d) APHIS will enter into an agreement only if qualified personnel can be made available to provide the inspection services.

(e) An agreement can be terminated by either party on 30 days written notice.

(f) If, at the time an agreement is terminated, any unobligated funds remain in the user fee payment account, APHIS will refund the funds to the person who requested the inspection services, or his or her agent.

[57 FR 771, Jan. 9, 1992. Redesignated at 58 FR 67655, Dec. 22, 1993; 59 FR 67617, Dec. 30, 1994]

§§ 130.23–130.29 [Reserved]

§ 130.30 Hourly rate and minimum user fees.

(a) User fees for import- or export-related veterinary services listed in paragraphs (a)(1) through (a)(13) of this section, except those services covered by flat rate user fees elsewhere in this part, will be calculated at the hourly rate listed in the following table for each employee required to perform the service. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

	User fee Beginning Oct. 1, 2003
Hourly rate	
Per hour	\$84.00
Per quarter hour	21.00
Per service minimum fee	25.00

(1) Providing services to live animals for import or entry at airports, ocean ports, and rail ports.

(2) Conducting inspections, including laboratory and facility inspections, required to obtain permits, either to import animal products, aquaculture products, organisms or vectors, or to maintain compliance with import permits.

(3) Obtaining samples required to be tested, either to obtain import permits or to ensure compliance with import permits.

(4) Providing services for imported birds or ratites that are not subject to quarantine.

(5) Supervising the opening of in-bond shipments.

(6) Providing services for in-bond or in-transit animals to exit the United States.

(7) Inspecting an export isolation facility and the animals in it.

(8) Supervising animal or bird rest periods prior to export.

(9) Supervising loading and unloading of animals or birds for export shipment.

(10) Inspecting means of conveyance used to export animals or birds.

(11) Conducting inspections under part 156 of this chapter.