

Agricultural Marketing Service, USDA

§ 91.4

Subpart I—Fees and Charges

- 91.37 Standard hourly fee rate for laboratory testing, analysis, and other services.
- 91.38 Additional fees for appeal of analysis.
- 91.39 Premium hourly fee rates for overtime and legal holiday service.
- 91.40 Fees for courier service and facsimile of the analysis report.
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- 91.42 Billing.
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Subpart J—Designation of Approved Symbols for Identification of Commodities Officially Tested By AMS

- 91.100 Scope.
- 91.101 Definitions.
- 91.102 Form of official identification symbols.

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EDITORIAL NOTE: Nomenclature changes to part 91 appear at 61 FR 51350, Oct. 2 1996.

Subpart A—Administration

§ 91.1 General.

This part consolidates the procedural and administrative rules of the Science and Technology of the Agricultural Marketing Service for conducting the analytical testing and laboratory audits with quality assurance reviews. It also contains the fees, charges and laboratories applicable to such services.

[58 FR 42415, Aug. 9, 1993, as amended at 65 FR 64309, Oct. 26, 2000]

§ 91.2 Definitions.

Words used in the regulations in this part in the singular form will import the plural, and vice versa, as the case may demand. As used throughout the regulations in this part, unless the context requires otherwise, the following terms will be construed to mean:

Agency. The Agricultural Marketing Service agency of the United States Department of Agriculture.

Analyses. Microbiological, chemical, or physical tests performed on a commodity.

Applicant. Any person or organization requesting services provided by the Science and Technology (S&T) programs.

Legal holidays. Those days designated as legal public holidays specified by Congress in paragraph (a) of section 6103, title 5 of the United States Code and any other day declared to be a holiday by Federal Statute or Executive Order. Under section 6103 and Executive Order 10357, as amended, if the specified legal public holiday falls on a Saturday, the preceding Friday shall be considered the holiday, or if the specified legal holiday falls on a Sunday, the following Monday shall be considered to be the holiday.

[58 FR 42415, Aug. 9, 1993, as amended at 65 FR 64309, Oct. 26, 2000]

§ 91.3 Authority.

The Deputy Administrator is charged with the administration of this subchapter.

[58 FR 42415, Aug. 9, 1993, as amended at 65 FR 64309, Oct. 26, 2000]

Subpart B—General Services

§ 91.4 Kinds of services.

(a) Analytical tests. Analytical laboratory testing services under the regulations in this subchapter consist of microbiological, chemical, and certain other analyses, requested by the applicant and performed on tobacco, seed, dairy, egg, fruit and vegetable, meat and poultry products, and related processed products. Analyses are performed to determine if products meet Federal specifications or specifications defined in purchase contracts and cooperative agreements. Laboratory analyses are also performed on egg products as part of the mandatory Egg Products Inspection Program under the management of USDA's Food Safety and Inspection Service (FSIS) as detailed in 9 CFR 590.580.

(b) *Examination and licensure.* The manager of a particular Science and Technology program administers examinations and licenses analysts in laboratories for competency in performing commodity testing services.

(c) Quality assurance reviews. The Science and Technology representative