

§ 62.211

implementation of significant changes to an approved program;

(6) Allow access to facilities and records within the scope of the approved program;

(7) Accurately represent the eligibility of agricultural products or services distributed under an approved program;

(8) Remit payment for QSVSP services;

(9) Abstain from any fraudulent or deceptive practice in connection with any application or request for service under the rule; or

(10) Allow any auditor or other USDA official to perform their duties under the regulations of this part.

(c) QSVSP services maybe be cancelled, an application may be rejected, or program assessment may be terminated if the Deputy Administrator or his designee determines that a non-conformance has remained uncorrected beyond a reasonable amount of time.

§ 62.211 Appeals.

Appeals of adverse decisions under this part, may be made in writing to the Livestock and Seed Program Deputy Administrator at STOP 0249, Room 2092-South, 1400 Independence Avenue, SW., Washington, DC 20250-0249. Appeals must be made within 30 days of receipt of adverse decision.

(a) *Procedure for Appeals.* Actions under this subparagraph concerning decision of appeals of the Deputy Administrator shall be conducted in accordance with the Rule of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes set forth at 7 CFR §1.130 through §1.151 and the Supplemental Rules of Practice in 7 CFR part 50.

(b) [Reserved]

§ 62.212 Official assessment reports.

Official QSVSP assessment reports shall be generated by the auditor at the conclusion of each assessment and a copy shall be provided to the applicant.

§ 62.213 Official identification.

The following, as shown in figure 1, constitutes official identification to show product or services produced

7 CFR Ch. I (1-1-13 Edition)

under an approved USDA, Process Verified Program (PVP):

Figure 1.



(a) Products or services produced under an approved USDA, PVP may use the "USDA Process Verified" statement and the "USDA Process Verified" shield, so long as, both the statement and shield are used in direct association with a clear description of the process verified points that have been approved by the Branch.

(b) Use of the "USDA Process Verified" statement and the "USDA Process Verified" shield shall be approved in writing by Chief prior to use by an applicant.

CHARGES FOR SERVICE

§ 62.300 Fees and other costs for service.

Fees and other charges will be levied based on the following provisions:

(a) *Fees for service.* Fees for QSVSP services shall be based on the time required to provide service calculated to the nearest quarter hour period, including, but not limited to, official assessment time, travel time, and time required to prepare assessment reports. The hourly fee rate shall be \$108 per hour.

(b) *Transportation costs.* Applicants are responsible for paying actual travel costs incurred to provide QSVSP services including but not limited to: Mileage charges for use of privately owned vehicles, rental vehicles and gas, parking, tolls, and public transportation costs such as airfare, train, and taxi service.

(c) *Per diem costs.* The applicant is responsible for paying per diem costs incurred to provide QSVSP services away from the auditor's or USDA officials' official duty station(s). Per diem costs

Agricultural Marketing Service, USDA

§ 63.1

shall be calculated in accordance with existing travel regulations (41 CFR, subtitle F—Federal Travel Regulation System, chapter 301).

(d) *Other costs.* When costs, other than those costs specified in paragraphs (a), (b), and (c) of this section, are involved in providing the QSVP services, the applicant shall be responsible for these costs. The amount of these costs shall be determined administratively by the Chief. However, the applicant will be notified of these costs before the service is rendered.

§ 62.301 Payment of fees and other charges.

Fees and other charges for QSVP services shall be paid in accordance with the following provisions. Upon receipt of billing for fees and other charges, the applicant shall remit payment within 10 business days by check, electronic funds transfer, draft, or money order made payable to USDA, AMS, in accordance with directions on the billing. Fees and charges shall be paid in advance if required by the auditor or other authorized USDA official.

MISCELLANEOUS

OMB Control Number

§ 62.400 OMB control number assigned pursuant to the Paperwork Reduction Act.

The information collection and recordkeeping requirements of this part have been approved by OMB under 44 U.S.C. Chapter 35 and have been assigned OMB Control Number 0581-0124.

PART 63—NATIONAL SHEEP INDUSTRY IMPROVEMENT CENTER

Subpart A—General Provisions

DEFINITIONS

- Sec.
- 63.1 Act.
- 63.2 Board.
- 63.3 Department or USDA.
- 63.4 Eligible entity.
- 63.5 Eligible organization.
- 63.6 Fiscal year.
- 63.7 Fund.
- 63.8 NSIIC.
- 63.9 Part.
- 63.10 Secretary.

- 63.11 Under Secretary for Rural Development.
- 63.12 Under Secretary for Research, Education, and Economics.
- 63.13 United States.

BOARD OF DIRECTORS

- 63.100 Establishment and membership.
- 63.101 Nominations.
- 63.102 Nominee's agreement to serve.
- 63.103 Appointment.
- 63.104 Vacancies.
- 63.105 Nominating organizations.
- 63.106 Term of office.
- 63.107 Compensation.
- 63.108 Removal.
- 63.109 Procedure.
- 63.110 Powers and duties of the Board.
- 63.111 Prohibited activities.
- 63.112 Conflict of interest.

NATIONAL SHEEP INDUSTRY IMPROVEMENT CENTER

- 63.200 NSIIC establishment and purpose.

REVOLVING FUND

- 63.300 Establishment.
- 63.301 Use of fund.

REPORTS, BOOKS, AND RECORDS

- 63.400 Books and records.
- 63.401 Use of information.
- 63.402 Confidentiality.

MISCELLANEOUS

- 63.500 Compliance.
- 63.501 Patents, copyrights, inventions, trademarks, information, publications, and product formulations.
- 63.502 Personal liability.
- 63.503 Separability.
- 63.504 Amendments.
- 63.505 OMB control number.

Subpart B [Reserved]

AUTHORITY: 7 U.S.C. 2008j.

SOURCE: 75 FR 43034, July 23, 2010, unless otherwise noted.

Subpart A—General Provisions

DEFINITIONS

§ 63.1 Act.

Act means section 375 of the Consolidated Farm and Rural Development Act, 7 U.S.C. 2008j, as amended by section 11009 of the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246).