

**§ 58.43**

performance of any inspection or grading service.

[53 FR 20278, June 3, 1988]

**§ 58.43 Fees for inspection, grading, sampling, and certification.**

Except as otherwise provided in §§ 58.38 through 58.46 and through the last day of January 2014 inclusive, charges shall be made for inspection, grading, and sampling service at the hourly rate of \$75.00 for services performed between 6 a.m. and 6 p.m. and at \$82.40 for services performed between 6 p.m. and 6 a.m. for service performed for the time required to perform the service calculated to the nearest 15-minute period, including the time required for preparation of certificates and reports and the travel time of the inspector or grader in connection with the performance of the service. Starting the first day of February 2014, the hourly rate will be equal to \$82.00 for service performed between 6 a.m. and 6 p.m. and \$90.20 for services performed between 6 p.m. and 6 a.m. calculated in the same manner. A minimum charge of one-half hour shall be made for service pursuant to each request or certificate issued. Charges for service performed in excess of the assigned tour of duty shall be made at a rate of 1½ times the rate stated in this section. The hourly rate for work regarding compliance with European Union Health Certification Program derogation applications and/or review shall be assessed at \$68.00.

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**§ 58.45 Fees for continuous resident services.**

Irrespective of the fees and charges provided in §§ 58.39 and 58.43, charges for the inspector(s) and grader(s) assigned to a continuous resident program shall be made at the rate of \$69.00 per hour for services performed during the assigned tour of duty until the last day of January 2013. Starting the first day of February 2014, the hourly rate shall be assessed at \$76.00 for services calculated in the same manner. Charges for service performed in excess of the assigned tour of duty shall be

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made at a rate of 1½ times the rate stated in this section.

[78 FR 38544, June 27, 2013]

**§ 58.46 Fees for service performed under cooperative agreement.**

The fees to be charged and collected for any service performed under cooperative agreement shall be those provided for by such agreement.

**MARKING, BRANDING, AND IDENTIFYING PRODUCT**

**§ 58.49 Authority to use official identification.**

Whenever the Administrator determines that the granting of authority to any person to package any product, inspected or graded pursuant to this part, and to use official identification, pursuant to §§ 58.49 through 58.57, will not be inconsistent with the Act and this part, he may authorize such use of official identification. Any application for such authority shall be submitted to the Administrator in such form as he may require.

**§ 58.50 Approval and form of official identification.**

(a) Any package label or packaging material which bears any official identification shall be used only in such manner as the Administrator may prescribe, and such official identification shall be of such form and contain such information as the Administrator may require. No label or packaging material bearing official identification shall be used unless finished copies or samples thereof have been approved by the Administrator.

(b) Inspection or grade mark permitted to be used to officially identify packages containing dairy products which are inspected or graded pursuant to this part shall be contained in a shield in the form and design indicated in Figures 1, 2, and 3 of this section or such other form, design, or wording as may be approved by the Administrator.