

§ 868.83

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considered void and shall not be subject to return or renewal.

[53 FR 3722, Feb. 9, 1988. Redesignated and amended at 60 FR 16364, 16365, Mar. 30, 1995]

§ 868.83 Automatic suspension of license by change in employment.

A license issued to an individual shall be automatically suspended when the individual ceases to be employed by the cooperator. If the individual is reemployed by the cooperator or employed by another cooperator within 1 year of the suspension date and the license has not terminated in the interim, upon request of the licensee, the license will be reinstated subject to the provisions of § 868.81(a) and (b).

[53 FR 3722, Feb. 9, 1988. Redesignated and amended at 60 FR 16364, 16365, Mar. 30, 1995]

§ 868.84 Suspension or revocation of license.

(a) *General.* (1) An inspector's, technician's, or sampler's license may be suspended or revoked if the licensee:

(i) Willfully, carelessly, or through incompetence fails to perform the duties specified in the Act, regulations, standards, or the instructions or

(ii) Becomes incapable of performing required duties.

(2) A license may not be suspended or revoked until the individual:

(i) Has been served notice, in person or by registered mail, that suspension or revocation of the license is under consideration for reasons set out in the notice and

(ii) Has been given an opportunity for a hearing.

(b) *Procedure for summary action.* In cases where the public health, interest, or safety require, the Administrator may summarily suspend an inspector's, technician's, or sampler's license without prior hearing. In such cases, the licensee shall be advised of the factors which appear to warrant suspension or revocation of the license. The licensee shall be accorded an opportunity for a hearing before the license is finally suspended or revoked.

(c) *Procedures for other than summary action.* Except in cases of willfulness or those described in paragraph (b) of this section, the Administrator, before instituting proceedings for the suspension or revocation of a license, shall provide the licensee an opportunity to demonstrate or achieve compliance with the Act, regulations, standards, and instructions. If the licensee does not demonstrate or achieve compliance, the Administrator may institute proceedings to suspend or revoke the license.

(The information collection requirements contained in paragraph (c) have been approved by the Office of Management and Budget under control number 0580-0012)

FEES

§ 868.90 Fees for certain Federal inspection services.

(a) The fees shown in Table 1 apply to Federal Commodity Inspection Services specified below.

TABLE 1—HOURLY RATES^{1 3}

[Fees for inspection of commodities other than rice]

Hourly Rates (per service representative):	
Monday to Friday	\$34.20
Saturday, Sunday, and Holidays	44.40
Miscellaneous Processed Commodities: ²	
(1) Additional Tests (cost per test, assessed in addition to the hourly rate):	
(i) Aflatoxin Test (Thin Layer Chromatography)	51.40
(ii) Falling Number	12.50
(iii) Aflatoxin Test Kit	7.50
Graded Commodities (Beans, Peas, Lentils, Hops, and Pulses):	
(1) Additional Tests—Unit Rates (Beans, Peas, Lentils):	
(i) Field run (per lot or sample)	23.00
(ii) Other than field run (per lot or sample)	13.75
(iii) Factor analysis (per factor)	5.65

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TABLE 1—HOURLY RATES ^{1 3}—Continued

[Fees for inspection of commodities other than rice]

(2) Additional Tests—Unit Rates (Hops): (i) Lot or sample (per lot or sample)	29.30
(3) Additional Tests—Unit Rates (Nongraded Nonprocessed Commodities): (i) Factor analysis (per factor)	5.65
(4) Stowage Examination (service-on-request) ⁴ (i) Ship (per stowage space) (minimum \$252.50 per ship)	50.50
(ii) Subsequent ship examinations (same as original) (minimum \$151.50 per ship)	
(iii) Barge (per examination)	40.50
(iv) All other carriers (per examination)	15.50

¹ Fees for original commodity inspection and appeal inspection services include, but are not limited to, sampling, grading, weighing, stowage examinations, pre-inspection conferences, sanitation inspections, and other services requested by the applicant and that are performed within 25 miles of the field office. Travel and related expenses (commercial transportation costs, mileage, and per diem) will be assessed in addition to the hourly rate for service beyond the 25-mile limit. Refer to § 868.92. Explanation of service fees and additional fees, for all other service fees except travel and per diem.

² When performed at a location other than the Commodity Testing Laboratory.

³ Faxed and extra copies of certificates will be charged at \$1.50 per copy.

⁴ If performed outside of normal business hours, 1½ times the applicable unit fee will be charged.

(b) In addition to the fees, if any, for sampling or other requested service, a fee will be assessed for each laboratory test (original, retest, or appeal) listed in table 2 of this section.

(c) If a requested test is to be reported on a specified moisture basis, a

fee for a moisture test will also be assessed.

(d) Laboratory tests referenced in table 2 of this section will be charged at the applicable laboratory fee.

TABLE 2—FEES FOR LABORATORY TEST SERVICES ¹

Laboratory tests	Fees
(1) Aflatoxin (Quantitative—HPLC)	\$182.00
(2) Aflatoxin (Quantitative—Test Kit)	87.00
(3) Aflatoxin (Qualitative—Test Kit)	47.00
(4) Appearance and odor	7.00
(5) Ash	17.00
(6) Brix	16.00
(7) Calcium	27.00
(8) Carotenoid Color	27.00
(9) Cold test (oil)	20.00
(10) Color test (syrops)	13.00
(11) Cooking tests (pasta)	13.00
(12) Crude fat	20.00
(13) Crude fiber	27.00
(14) Falling number	24.00
(15) Free fatty acid	24.00
(16) Insoluble impurities (oils and shortenings)	9.00
(17) Iron enrichment	30.00
(18) Lovibond color	20.00
(19) Moisture	13.00
(20) Moisture and volatile matter	17.00
(21) Oxidative stability index (OSI)	54.00
(22) Peroxide Value	27.00
(23) Popping ratio	38.00
(24) Protein	16.00
(25) Sanitation (light filth)	47.00
(26) Sieve test	11.00
(27) Smoke Point	43.00
(28) Solid fat index	168.00
(29) Visual exam	22.00
(30) Vomitoxin (Qualitative—Test Kit)	61.00
(31) Vomitoxin (Quantitative—Test Kit)	81.00
(32) Other laboratory analytical services (per hour per service representative)	67.00

¹ When laboratory tests/services are provided for GIPSA by a private laboratory, the applicant will be assessed a fee, which, as nearly as practicable, covers the costs to GIPSA for the service provided.

§ 868.91

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[61 FR 66535, Dec. 18, 1996, as amended 66 FR 17777, Apr. 4, 2001; 69 FR 1894, Jan. 13, 2004]

§ 868.91 Fees for certain Federal rice inspection services.

The fees shown in Tables 1 and 2 apply to Federal rice inspection serv-

ices. Fees for other services not referenced in Table 2 will be based on the non-contract hourly rate listed in § 868.91, Table 1.

TABLE 1—HOURLY RATES/UNIT RATE PER CWT

Service ¹	Regular workday (Monday–Saturday)	Nonregular workday (Sunday–Holiday)
Effective February 16, 2007		
Contract (per hour per Service representative)	\$54.80	\$76.00
Noncontract (per hour per Service representative)	66.80	92.10
Export Port Services (per hundredweight) ²	0.066	0.066
Effective October 1, 2007		
Contract (per hour per Service representative)	\$56.40	\$78.30
Noncontract (per hour per Service representative)	68.80	94.80
Export Port Services (per hundredweight) ²	0.068	0.068
Effective October 1, 2008		
Contract (per hour per Service representative)	\$58.10	\$80.70
Noncontract (per hour per Service representative)	70.90	97.70
Export Port Services (per hundredweight) ²	0.070	0.070
Effective October 1, 2009		
Contract (per hour per Service representative)	\$59.90	\$83.10
Noncontract (per hour per Service representative)	73.00	100.60
Export Port Services (per hundredweight) ²	0.072	0.072
Effective October 1, 2010		
Contract (per hour per Service representative)	\$61.70	\$85.60
Noncontract (per hour per Service representative)	75.20	103.60
Export Port Services (per hundredweight) ²	0.074	0.074

¹ Original and appeal inspection services include: Sampling, grading, weighing, and other services requested by the applicant when performed at the applicant's facility.

² Services performed at export port locations on lots at rest.

TABLE 2—UNIT RATES SERVICE ¹

Effective February 16, 2007	
Inspection for quality (per lot, subplot, or sample inspection):	
(a) Rough rice	\$41.90
(b) Brown rice for processing	36.00
(c) Milled rice	26.00
Factor analysis for any single factor (per factor):	
(a) Milling yield (per sample) (Rough or Brown rice)	32.50
(b) All other factors (per factor) (all rice)	15.60
Total oil and free fatty acid	50.80
Interpretive line samples: ²	
(a) Milling degree (per set)	111.00
(b) Parboiled light (per sample)	27.20
Faxed and extra copies of certificates (per copy)	3.00
Stowage Examination (service-on-request) ³	
(a) Ship (per stowage space) (minimum \$252.50 per ship)	50.50
(b) Subsequent ship examination (same as original) (minimum \$151.50 per ship)	50.50
(c) Barge (per examination)	40.50
(d) All other carriers (per examination)	15.50