

Notices

Federal Register
Vol. 71, No. 170
Friday, September 1, 2006

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2006–0119]

Fiscal Year 2007 Veterinary Diagnostic Services User Fees and Agricultural Quarantine and Inspection User Fees

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: This notice pertains to user fees for certain veterinary diagnostic services and to fees charged for agricultural quarantine and inspection services that are provided in connection with certain commercial vessels, commercial trucks, loaded commercial railroad cars, commercial aircraft, and international airline passengers arriving at ports in the Customs territory of the United States. The purpose of this notice is to remind the public of the user fees for fiscal year 2007 (October 1, 2006, through September 30, 2007).

FOR FURTHER INFORMATION CONTACT: For information concerning veterinary diagnostic program operations, contact Dr. Lee Ann Thomas, Director, National Center for Import and Export, VS,

APHIS, 4700 River Road Unit 39, Riverdale, MD 20737–1231; (301) 734–3277.

For information concerning Agricultural Quarantine program operations, contact Mr. William E. Thomas, Director for Quarantine Policy, Analysis and Support, PPQ, APHIS, 4700 River Road Unit 60, Riverdale, MD 20737–1231; (301) 734–5214.

For information concerning user fee rate development, contact Mrs. Kris Caraher, Section Head, User Fees Section, Financial Systems and Services Branch, MRPBS, APHIS, 4700 River Road Unit 55, Riverdale, MD 20737–1232; (301) 734–5901.

SUPPLEMENTARY INFORMATION:

Veterinary Diagnostic Services User Fees

User fees to reimburse APHIS for the costs of providing veterinary diagnostic services are contained in 9 CFR part 130 (referred to below as the regulations). These user fees are authorized by section 2509(c) of the Food, Agriculture, Conservation and Trade Act of 1990, as amended (21 U.S.C. 136a), which provides that the Secretary of Agriculture may, among other things, prescribe regulations and collect fees to recover the costs of veterinary diagnostics relating to the control and eradication of communicable disease of livestock or poultry within the United States.

In a final rule published in the Federal Register on May 6, 2004 (69 FR 25305–25312, Docket No. 00–024–2), and effective June 7, 2004, we established, for fiscal years 2004 through 2007 and beyond, user fees for certain veterinary diagnostic services,

including certain diagnostic tests, reagents, and other veterinary diagnostic materials and services. Veterinary diagnostics is the work performed in a laboratory to determine if a disease-causing organism or chemical agent is present in body tissues or cells and, if so, to identify those organisms or agents. Services in this category include: (1) Performing identification, serology, and pathobiology tests and providing diagnostic reagents and other veterinary diagnostic materials and services at the National Veterinary Services Laboratories (NVSL) in Ames, IA; and (2) performing laboratory tests and providing diagnostic reagents and other veterinary diagnostic materials and services at the NVSL Foreign Animal Disease Diagnostic Laboratory (NVSL FADDL) in Greenport, NY.

APHIS veterinary diagnostic user fees fall into six categories:

- (1) Laboratory tests, reagents, and other veterinary diagnostic services performed at NVSL FADDL;
- (2) Laboratory tests performed as part of isolation and identification testing at NVSL in Ames;
- (3) Laboratory tests performed as part of serology testing at NVSL in Ames;
- (4) Laboratory tests performed at the pathobiology laboratory at NVSL in Ames;
- (5) Diagnostic reagents produced at NVSL in Ames or other authorized sites; and
- (6) Other veterinary diagnostic services or materials provided at NVSL in Ames.

As specified in § 130.14(a), the user fees for diagnostic reagents provided by NVSL FADDL for fiscal year 2007 are as follows:

Reagent	Unit	User fee
Bovine antiserum, any agent	1 mL	\$165.00
Caprine antiserum, any agent	1 mL	202.00
Cell culture antigen/microorganism	1 mL	111.00
Equine antiserum, any agent	1 mL	204.00
Fluorescent antibody conjugate	1 mL	179.00
Guinea pig antiserum, any agent	1 mL	200.00
Monoclonal antibody	1 mL	243.00
Ovine antiserum, any agent	1 mL	193.00
Porcine antiserum, any agent	1 mL	167.00
Rabbit antiserum, any agent	1 mL	196.00

As specified in § 130.14(b), the user fees for veterinary diagnostic tests

performed at NVSL FADDL for fiscal year 2007 are as follows:

Test	Unit	User fee
Agar gel immunodiffusion	Test	\$33.00
Card	Test	18.00
Complement fixation	Test	40.00
Direct immunofluorescent antibody	Test	25.00
Enzyme linked immunosorbent assay	Test	29.00
Fluorescent antibody neutralization (classical swine fever)	Test	215.00
Hemagglutination inhibition	Test	63.00
Immunoperoxidase	Test	32.00
Indirect fluorescent antibody	Test	39.00
In-vitro safety	Test	630.00
In-vivo safety	Test	5,509.00
Latex agglutination	Test	26.00
Tube agglutination	Test	30.00
Virus isolation (oesophageal/pharyngeal)	Test	199.00
Virus isolation in embryonated eggs	Test	383.00
Virus isolation, other	Test	171.00
Virus neutralization	Test	58.00

As specified in § 130.14(c), the user fees for other veterinary diagnostic services performed at NVSL FADDL for fiscal year 2007 are as follows:

Veterinary diagnostic service	Unit	User fee
Bacterial isolation	Test	\$123.00
Hourly user fee services ¹	Hour	492.00
Hourly user fee services—Quarter hour	Quarter hour	123.00
Infected cells on chamber slides or plates	Slide	53.00
Reference animal tissues for immunohistochemistry	Set	187.00
Sterilization by gamma radiation	Can	1,923.00
Training (school or technical assistance)	Per person per day	1,006.00
Virus titration	Test	123.00

¹ For all veterinary diagnostic services for which there is no flat rate user fee, the hourly rate user fee will be calculated for the actual time required to provide the service.

As specified in § 130.15(a), the user fees for bacteriology isolation and identification tests performed at NVSL (excluding FADDL) or other authorized sites for fiscal year 2007 are as follows:

Test	Unit	User fee
Bacterial identification, automated	Isolate	\$53.00
Bacterial identification, non-automated	Isolate	90.00
Bacterial isolation	Sample	36.00
Bacterial serotyping, all other	Isolate	55.00
Bacterial serotyping, Pasteurella multocida	Isolate	18.00
Bacterial serotyping, Salmonella	Isolate	36.00
Bacterial toxin typing	Isolate	120.00
Bacteriology requiring special characterization	Test	92.00
DNA fingerprinting	Test	59.00
DNA/RNA probe	Test	83.00
Fluorescent antibody	Test	19.00
Mycobacterium identification (biochemical)	Isolate	114.00
Mycobacterium identification (gas chromatography)	Procedure	96.00
Mycobacterium isolation, animal inoculations	Submission	837.00
Mycobacterium isolation, all other	Submission	151.00
Mycobacterium paratuberculosis isolation	Submission	72.00
Phage typing, all other	Isolate	42.00
Phage typing, Salmonella enteritidis	Isolate	24.00

As specified in § 130.15(b), the user fees for virology identification tests performed at NVSL (excluding FADDL) or other authorized sites for fiscal year 2007 are as follows:

Test	Unit	User fee
Fluorescent antibody tissue section	Test	\$29.00
Virus isolation	Test	48.00

As specified in § 130.16(a), the user fees for bacteriology serology tests performed at NVSL (excluding FADDL) or other authorized sites for fiscal year 2007 are as follows:

Test	Unit	User fee
Brucella ring (BRT)	Test	\$36.00
Brucella ring, heat inactivated (HIRT)	Test	36.00
Brucella ring, serial (Serial BRT)	Test	54.00
Buffered acidified plate antigen presumptive	Test	7.00
Card	Test	4.00
Complement fixation	Test	16.00
Enzyme linked immunosorbent assay	Test	16.00
Indirect fluorescent antibody	Test	14.00
Microscopic agglutination—includes up to 5 serovars	Sample	24.00
Microscopic agglutination—each serovar in excess of 5 serovars	Sample	4.00
Particle concentration fluorescent immunoassay (PCFIA)	Test	36.00
Plate	Test	7.00
Rapid automated presumptive	Test	7.00
Rivanol	Test	7.00
Tube agglutination	Test	7.00

As specified in § 130.16(b), the user fees for virology serology tests performed at NVSL (excluding FADDL) or at authorized sites for fiscal year 2007 are as follows:

Test	Unit	User fee
Agar gel immunodiffusion	Test	\$16.00
Complement fixation	Test	16.00
Enzyme linked immunosorbent assay	Test	16.00
Hemagglutination inhibition	Test	14.00
Indirect fluorescent antibody	Test	14.00
Latex agglutination	Test	16.00
Peroxidase linked antibody	Test	15.00
Plaque reduction neutralization	Test	18.00
Rabies fluorescent antibody neutralization	Test	45.00
Virus neutralization	Test	13.00

As specified in § 130.17(a), the user fees for veterinary diagnostic tests performed at the Pathobiology Laboratory at NVSL (excluding FADDL) or at authorized sites for fiscal year 2007 are as follows:

Test	Unit	User fee
Aflatoxin quantitation	Test	\$30.00
Aflatoxin screen	Test	29.00
Agar gel immunodiffusion spp. identification	Test	13.00
Antibiotic (bioautography) quantitation	Test	65.00
Antibiotic (bioautography) screen	Test	119.00
Antibiotic inhibition	Test	65.00
Arsenic	Test	17.00
Ergot alkaloid screen	Test	65.00
Ergot alkaloid confirmation	Test	86.00
Feed microscopy	Test	65.00
Fumonisin only	Test	37.00
Gossypol	Test	98.00
Mercury	Test	145.00
Metals screen	Test	44.00
Metals single element confirmation	Test	13.00
Mycotoxin aflatoxin-liver	Test	119.00
Mycotoxin screen	Test	48.00
Nitrate/nitrite	Test	65.00
Organic compound confirmation	Test	88.00
Organic compound screen	Test	151.00
Parasitology	Test	29.00
Pesticide quantitation	Test	132.00
Pesticide screen	Test	60.00
pH	Test	26.00
Plate cylinder	Test	98.00
Selenium	Test	44.00
Silicate/carbonate disinfectant	Test	65.00
Temperature disks	Test	130.00

Test	Unit	User fee
Toxicant quantitation, other	Test	110.00
Toxicant screen, other	Test	33.00
Vomitoxin only	Test	53.00
Water activity	Test	33.00
Zearaleone quantitation	Test	53.00
Zearaleone screen	Test	29.00

As specified in § 130.18(a), the user fees for bacteriology reagents produced by the Diagnostic Bacteriology Laboratory at NVSL (excluding FADDL) or other authorized sites for fiscal year 2007 are as follows:

Reagent	Unit	User fee
Anaplasma card test antigen	2 mL	\$95.00
Anaplasma card test kit without antigen	Kit	127.00
Anaplasma CF antigen	2 mL	46.00
Anaplasma stablate	4.5 mL	175.00
Avian origin bacterial antisera	1 mL	47.00
Bacterial agglutinating antigens other than brucella and salmonella pullorum	5 mL	54.00
Bacterial conjugates	1 mL	96.00
Bacterial disease CF antigens, all other	1 mL	29.00
Bacterial ELISA antigens	1 mL	29.00
Bacterial or protozoal, antisera, all other	1 mL	60.00
Bacterial reagent culture ¹	Culture	73.00
Bacterial reference culture ²	Culture	228.00
Bacteriophage reference culture	Culture	172.00
Bovine serum factor	1 mL	18.00
Brucella abortus CF antigen	60 mL	151.00
Brucella agglutination antigens, all other	60 mL	151.00
Brucella buffered plate antigen	60 mL	172.00
Brucella canis tube antigen	25 mL	109.00
Brucella card test antigen (packaged)	Package	90.00
Brucella card test kit without antigen	Kit	113.00
Brucella cells	Gram	18.00
Brucella cells, dried	Pellet	6.00
Brucella ring test antigen	60 mL	241.00
Brucella rivanol solution	60 mL	29.00
Dourine CF antigen	1 mL	89.00
Dourine stablate	4.5 mL	109.00
Equine and bovine origin babesia species antisera	1 mL	127.00
Equine negative control CF antigen	1 mL	281.00
Flazo-orange	3 mL	13.00
Glanders CF antigen	1 mL	77.00
Hemoparasitic disease CF antigens, all other	1 mL	540.00
Leptospira transport medium	10 mL	4.00
Monoclonal antibody	1 mL	95.00
Mycobacterium spp. old tuberculin	1 mL	24.00
Mycobacterium spp. PPD	1 mL	18.00
Mycoplasma hemagglutination antigens	5 mL	180.00
Negative control sera	1 mL	18.00
Rabbit origin bacterial antiserum	1 mL	52.00
Salmonella pullorum microagglutination antigen	5 mL	15.00
Stabilates, all other	4.5 mL	678.00

¹ A reagent culture is a bacterial culture that has been subcultured one or more times after being tested for purity and identity. It is intended for use as a reagent with a diagnostic test such as the leptospiral microagglutination test.

² A reference culture is a bacterial culture that has been thoroughly tested for purity and identity. It should be suitable as a master seed for future cultures.

As specified in § 130.18(b), the user fees for virology reagents produced by the Diagnostic Virology Laboratory at NVSL (excluding FADDL) or at authorized sites for fiscal year 2007 are as follows:

Reagent	Unit	User fee
Antigen, except avian influenza and chlamydia psittaci antigens, any	2 mL	\$61.00
Avian antiserum except avian influenza antiserum, any	2 mL	48.00
Avian influenza antigen, any	2 mL	33.00
Avian influenza antiserum, any	6 mL	103.00
Bovine or ovine serum, any	2 mL	127.00
Cell culture	Flask	151.00
Chlamydia psittaci spp. of origin monoclonal antibody panel	Panel	95.00
Conjugate, any	1 mL	73.00

Reagent	Unit	User fee
Diluted positive control serum, any	2 mL	24.00
Equine antiserum, any	2 mL	45.00
Monoclonal antibody	1 mL	102.00
Other spp. antiserum, any	1 mL	52.00
Porcine antiserum, any	2 mL	105.00
Porcine tissue sets	Tissue set	157.00
Positive control tissues, all	2 cm ² section	60.00
Rabbit origin antiserum	1 mL	52.00
Reference virus, any	0.6 mL	180.00
Viruses (except reference viruses), chlamydia psittaci agent or chlamydia psittaci antigen, any	0.6 mL	30.00

As specified in § 130.19(a), the user fees for other veterinary diagnostic services or materials available from

NVSL (excluding FADDL) for fiscal year 2007 are as follows:

Service	Unit	User fee
Antimicrobial susceptibility test	Isolate	\$105.00
Avian safety test	Test	4,075.00
Check tests, culture	Kit ¹	176.00
Check tests, serology, all other	Kit ¹	361.00
Fetal bovine serum safety test	Verification	1,114.00
Hourly user fee services: ²		
Hour	Hour	84.00
Quarter hour	Quarter hour	21.00
Minimum		25.00
Manual, brucellosis culture	1 copy	114.00
Manual, tuberculosis culture (English or Spanish)	1 copy	172.00
Manual, Veterinary mycology	1 copy	172.00
Manuals or standard operating procedure (SOP), all other	1 copy	34.00
Manuals or SOP, per page	1 page	2.00
Training (school or technical assistance)	Per person per day	331.00

¹ Any reagents required for the check test will be charged separately.

² For veterinary diagnostic services for which there is no flat rate user fee the hourly rate user fee will be calculated for the actual time required to provide the service.

Agricultural Quarantine and Inspection Services User Fees

User fees to reimburse APHIS for the costs of providing inspections of certain commercial conveyances are found in 7 CFR part 354 (referred to below as the regulations). These user fees are authorized by Section 2509(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (21 U.S.C. 136a),

which authorizes APHIS to collect user fees for agricultural quarantine and inspection (AQI) services.

In a final rule published in the **Federal Register** on December 9, 2004 (69 FR 71660–71683, Docket No. 04–042–1), and effective January 1, 2005, we established, for fiscal years 2005 through 2010 and beyond, user fees for each of the types of conveyances or persons to whom AQI services are

provided, *i.e.*, commercial vessels (watercraft), commercial trucks, loaded commercial railroad cars, commercial aircraft, and international airline passengers. The regulations provide specific information regarding the applicability of, and exceptions to, AQI user fees. As specified in 7 CFR 354.3, the user fees for these AQI services for fiscal year 2007 are as follows:

Service	Unit	Amount
Inspection of commercial vessels of 100 net tons or more (see 7 CFR 354.3(b))	Per entry ¹	\$490.00
Inspection of commercial trucks (see 7 CFR 354.3(c))	Per entry ²	5.25
Inspection of commercial railroad cars (see 7 CFR 354.3(d))	Per entry ³	7.75
Inspection of commercial aircraft (see 7 CFR 354.3(e))	Per entry	70.50
Inspection of international aircraft passengers (see 7 CFR 354.3(f))	Per entry	5.00

¹ Not to exceed 15 payments in a calendar year (*i.e.*, no additional fee will be charged for a 16th or subsequent arrival in a calendar year).

² A prepaid AQI permit valid for 1 calendar year may be obtained for an amount 20 times the AQI user fee for each arrival (\$105.00 from October 1, 2006, through September 30, 2007).

³ The AQI user fee may be prepaid for all arrivals of a commercial railroad car during a calendar year for an amount 20 times the AQI user fee for each arrival (\$155.00 from October 1, 2006, through September 30, 2007).

Done in Washington, DC, this 28th day of August 2006.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E6-14562 Filed 8-31-06; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Farm Service Agency

Information Collection; Certified Mediation Program

AGENCY: Farm Service Agency, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Farm Service Agency (FSA) is seeking comments from all interested individuals and entities on the extension and revision of a currently approved information collection that supports the Certified Mediation Program. The collection of information by mail, phone, fax, in person, and by the internet utilized by FSA to initially determine whether the State meets the eligibility criteria to be a recipient of grant funds, and to determine if the grant is being properly administered. Lack of adequate information to make these determinations could result in the improper administration and appropriation of Federal grant funds.

DATES: Comments on this notice must be received on or before October 31, 2006 to be assured consideration.

ADDRESSES: Comments concerning this notice should be addressed to Chester Bailey, Mediation Coordinator, USDA, FSA, Outreach Staff, Suite 508 Portals Building, Stop 0511, 1400 Independence Avenue, SW., Washington, DC 20250 and to: the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503. Comments may be submitted by e-mail to chester.bailey@wdc.usda.gov. Copies of the information collection may be obtained by contacting Chester Bailey at (202) 720-1471.

FOR FURTHER INFORMATION CONTACT: Chester Bailey, FSA, Outreach Staff, telephone (202) 720-1471.

SUPPLEMENTARY INFORMATION:

Title: Certified Mediation Program.

OMB Control Number: 0560-0165.

Expiration Date of Approval: March 31, 2007.

Type of Request: Extension and Revision of Currently Approved Information Collection.

Abstract: This information is needed for FSA to effectively administer the Certified Mediation Program in accordance with Subtitles A and B of Title V of the Agricultural Credit Act of 1987 (Pub. L. 100-233), as amended. FSA requires some of the information it collects to be reported in a standard manner. Although other institutions, public and private, generally require and collect information similar to that requested by FSA, there is a wide diversity in reporting practices.

The amendment contained in this information collection that requires clearance by OMB is "Agricultural Mediation and Related Requirements including, State Certification and Grant Administration Provisions." The information to be collected includes an application for certification, re-verification for subsequent annual approval, SF-424 Application for Federal Assistance, financial management systems and reporting requirements, and audit reports. No additional information is being requested; however, the estimated number of respondents has increased from 29 to 32.

The information requested is reported annually and is necessary for the FSA to determine eligibility and administer the mediation grant program in an equitable and cost-effective manner.

Estimate of Burden: The public reporting burden for this information collection is estimated to average 34 hours per respondent.

Respondents: State Agencies.

Estimated Number of Respondents: 32.

Estimate Number of Responses per Respondent: 6.

Estimated Total Annual Burden on Respondents: 1088 hours.

Comment is invited on: (a) Whether the collection of information is necessary for the above stated purposes and the proper performance of FSA, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information being collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice will be a matter of public record.

Signed in Washington, DC, on August 24, 2006.

Teresa C. Lasseter,

Administrator, Farm Service Agency.

[FR Doc. E6-14554 Filed 8-31-06; 8:45 am]

BILLING CODE 3410-05-P

DEPARTMENT OF AGRICULTURE

Foreign Agricultural Service

Assessment of Fees for Dairy Import Licenses for the 2007 Tariff-Rate Import Quota Year

AGENCY: Foreign Agricultural Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces that the fee to be charged for the 2007 tariff-rate quota (TRQ) year for each license issued to a person or firm by the Department of Agriculture authorizing the importation of certain dairy articles which are subject to tariff-rate quotas set forth in the Harmonized Tariff Schedule of the United States (HTS) will be \$150.00 per license.

EFFECTIVE DATE: January 1, 2007.

FOR FURTHER INFORMATION CONTACT: Bettyann Gonzales, Dairy Tariff-Rate Import Quota Program, Import Policies and Programs Division, STOP 1021, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Washington, DC 20250-1021 or telephone at (202) 720-1344 or e-mail at Bettyann.Gonzales@fas.usda.gov.

SUPPLEMENTARY INFORMATION: The Dairy Tariff-Rate Import Quota Licensing Regulation promulgated by the Department of Agriculture and codified at 7 CFR 6.20-6.37 provides for the issuance of licenses to import certain dairy articles that are subject to TRQs set forth in the HTS. Those dairy articles may only be entered into the United States at the in-quota TRQ tariff-rates by or the account of a person or firm to whom such licenses have been issued and only in accordance with the terms and conditions of the regulation.

Licenses are issued on a calendar year basis, and each license authorizes the license holder to import a specified quantity and type of dairy article from a specified country of origin. The use of licenses by the license holder to import dairy articles is monitored by the Dairy Import Quota Manager, Import Policies and Programs Division, Foreign Agricultural Service, U.S. Department of Agriculture, and the U.S. Customs and Border Protection, U.S. Department of Homeland Security.

The regulation at 7 CFR 6.33(a) provides that a fee will be charged for