

USDA Proposes Increased Import/Export User Fees

Comment deadline for this proposal is August 4th.

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The Issue

The U.S. Department of Agriculture (USDA) is proposing to amend its current regulations on import/export related services for animals. The agency is asking for public comments on a proposed rule that would increase fees on import/export services from 2009 to 2013.

The Impact

The proposed rule offers to increase user fees for import/export services provided by the USDA's Animal and Plant Health Inspection Service (APHIS) for animals, animal products, birds, germ plasm, organisms and vectors. The intent of increasing fees reflects the rise in the costs of providing import/export services, which include direct labor costs, local support costs, agency overhead and departmental charges.

User fees apply for the following services provided by APHIS:

User fees for processing import permit applications – Fees are charged to process applications for permits to import certain animals and animal products.

User fees for inspecting and approving import/export facilities and establishments – Fees apply to embryo collection centers, establishments approved by APHIS for receipt and handling of restricted import animal products or byproducts and bio-security level three laboratories that handle foreign or domestic animal disease agents, organisms or vectors which require special bio-containment measures.

User fees for endorsing export certificates – Importing countries often require certificates to show that an animal has tested negative to specific animal diseases, or that an animal product has not been exposed to specific animal diseases.

User fees for exclusive use of space for animals quarantined in APHIS Import Centers – Applies when an importer uses a quarantine building at an Animal Import Center.

User fees for animals in APHIS Import Centers – A daily user fee is charged for each animal quarantined in an Animal Import Center.

User fees for inspection of live animals at ports of entry – Fees to inspect animals for foreign diseases provided at U.S. border ports, airports and ocean ports.

User fees for pet birds – Pet birds are normally quarantined for 30 days in an APHIS facility in which a daily user fee applies to cover costs of housing, feeding, handling and caring for the birds, but does not apply to testing costs.

User fees for Miscellaneous Services.

USDA User Fees

The USDA acknowledges that increased user fees could affect some importers/exporters of live animals, animal products and animal byproducts. The proposed rule states that the increase in annual collections from user fees would be about \$5.3 million in 2009, and would rise to about \$14 million in 2013. The USDA does not know the proportion of import and export services that are provided to small entities, and says that the degree to which any firm, whether small or large, would be impacted by these changes is dependent on their level of participation in import or export trade. The proposed rule also provides that, based on the information available, the effects of the proposed changes should be small whether the entity affected is small or large.

This proposed rule also puts forth alternative plans the USDA considered instead of increasing fees and provides why these plans were rejected. The proposal also provides charts for each of the services listed above, with estimated user fees increases from 2009 through 2013.

Action

Increased user fees could substantially affect the pet industry in many ways. The USDA is accepting public comments on this proposed rule until August 4th. Comments may be submitted electronically via www.regulations.gov/fdmspublic/component/main?main=DocketDetail&d=APHIS-2006-0144 or by postal mail by sending two copies to Docket No. APHIS-2006-0144, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road, Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. APHIS-2006-0144.



In your comments, please address any expected economic effects on small entities, and on how the proposed rule could be modified to reduce expected costs or burdens for small entities consistent with its objectives. Any comment suggesting changes to the proposed criteria should be supported by an explanation of why the changes should be considered.

You may read the entire text of the proposed rule, including the projected user rate fees charts, on the online version of this PetAlert on the "Breaking News" page of the PIJAC website, www.pijac.org.