

# Notices

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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

### Agricultural Marketing Service

[Document No. AMS-CN-21-0064]

#### 2021/2022 Rates Charged for AMS Services: Revised Tobacco Grading Rates

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The Agricultural Marketing Service (AMS) is announcing revisions to the 2021/2022 rates it will charge for voluntary grading services for tobacco. Revised rates are based on financial information obtained since the 2021/2022 rates were announced on April 21, 2021, and will be applied to all services provided since July 1, 2021, and thereafter.

**DATES:** September 1, 2021.

**FOR FURTHER INFORMATION CONTACT:** Dr. Stephen Slinsky, Economist, Cotton and Tobacco Program, AMS, USDA, 3275 Appling Road, Memphis, TN 38133; telephone (901) 384-3000, or email [stephen.slinsky@usda.gov](mailto:stephen.slinsky@usda.gov).

**SUPPLEMENTARY INFORMATION:** The Agricultural Marketing Act of 1946, as amended (AMA) (7 U.S.C. 1621-1627), provides for the collection of fees to cover costs of various inspection, grading, certification, or auditing services covering many agricultural commodities and products. More specifically, the Tobacco Inspection Act (7 U.S.C. 511-511s) provides for the recovery of costs associated with tobacco inspection and grading services.

On November 13, 2014, the U.S. Department of Agriculture (USDA) published in the **Federal Register** a final rule that established standardized formulas for calculating fee rates charged by AMS user-funded programs (79 FR 67313). Every year since then, USDA has published in the **Federal Register** a notice announcing rates for its user-funded programs.

On April 21, 2021, the notice announcing the 2021/2022 fee rates was published in the **Federal Register** (86 FR 20476). Since publication of this notice, per-unit rates necessary to cover direct and indirect costs associated with providing tobacco inspection and grading services and necessary to maintain mandated financial reserves have decreased. Therefore, AMS is announcing revisions to the 2021/2022 rates it will charge for voluntary grading services for tobacco. Revised rates are based on updated financial information and will be applied to all services provided since July 1, 2021, and thereafter.

Rates reflect direct and indirect costs of providing services. Direct costs

include the cost of salaries, employee benefits, operating costs and, if applicable, travel costs. Indirect or overhead costs include the cost of Program and Agency activities supporting services provided to the industry. The formula used to calculate these rates also considers the need to maintain operating reserves.

Services provided to the tobacco industry include the grading and certification of quality factors in accordance with established U.S. Grade Standards. The quality grades serve as a basis for market prices and reflect the value of agricultural commodities to both producers and consumers. AMS's grading and certification services are voluntary tools paid for by the users on a fee-for-service basis. Industry participants may choose to use these tools to promote and communicate the quality of tobacco to consumers. AMS is required by statute to recover costs associated with providing these services.

#### Rates Calculations

AMS calculated rates for services, on a per-unit basis, by dividing total AMS operating cost associated with tobacco grading, inspection and certification by the total number of units graded, inspected and certified the previous year, which is then multiplied by the next year's percentage of cost-of-living increase, plus an allowance for bad debt rate. If applicable, travel expenses may also be added to the cost of providing the service.

### 2021/2022 RATES

#### Tobacco fees

7 CFR Part 29—Tobacco Inspection:

Subpart A—Policy Statement and Regulations Governing the Extension of Tobacco Inspection and Price Support Services to New Markets and to Additional Sales on Designated Markets; Subpart B—Regulations;

§§ 29.123–29.129 Fees and Charges; § 29.500 Fees and charges for inspection and acceptance of imported tobacco

Subpart F—Policy Statement and Regulations Governing the Identification and Certification of Non-quota Tobacco Produced and Marketed in Quota Area;

§ 29.9251 Fees and Charges

|   | Regular        | Overtime | Holiday | Includes travel costs in rate | Start date    |
|---|----------------|----------|---------|-------------------------------|---------------|
| Domestic Permissive Inspection and Certification (re-grading of domestic tobacco for processing plants, re-testing of imported tobacco, and grading tobacco for research stations). | \$55.00        | \$64.00  | \$72.00 | .....                         | July 1, 2021. |
| Export Permissive Inspection and Certification (grading of domestic tobacco for manufacturers and dealers for duty drawback consideration).   | \$0.0025/pound |          |         | X .....                       | July 1, 2021. |

|  | Regular | Overtime                         | Holiday | Includes travel costs in rate | Start date    |
|--|---------|----------------------------------|---------|-------------------------------|---------------|
| Grading for Risk Management Agency (for Tobacco Crop Insurance Quality Adjustment determinations).   |         | \$0.015/pound                    |         | X .....                       | July 1, 2021. |
| Pesticide Test Sampling (collection of certified tobacco sample and shipment to AMS National Science Laboratory for testing).  |         | \$0.0065/kg or \$0.0029/pound    |         | X .....                       | July 1, 2021. |
| Pesticide Retest Sampling (collection of certified tobacco sample from a previously sampled lot for re-testing at the AMS National Science Laboratory; fee includes shipping). |         | \$115.00/sample and \$55.00/hour |         | X .....                       | July 1, 2021. |
| Standards Course (training by USDA-certified instructor on tobacco grading procedures).  |         | \$1,250.00/person                |         | .....                         | July 1, 2021. |
| Import Inspection and Certification (grading of imported tobacco for manufacturers and dealers).   |         | \$0.0170/kg or \$0.0080/pound    |         | X .....                       | July 1, 2021. |

Authority: 7 U.S.C. 511, 511s; and 7 U.S.C. 1621–1627.

**Erin Morris,**  
Associate Administrator, Agricultural Marketing Service.  
[FR Doc. 2021–18771 Filed 8–30–21; 8:45 am]  
**BILLING CODE P**

**DEPARTMENT OF AGRICULTURE**

**Animal and Plant Health Inspection Service**

[Docket No. APHIS–2019–0053]

**Concurrence With OIE Risk Designations for Bovine Spongiform Encephalopathy**

**AGENCY:** Animal and Plant Health Inspection Service, USDA.  
**ACTION:** Notice.

**SUMMARY:** We are advising the public of our decision to concur with the World Organization for Animal Health’s (OIE) bovine spongiform encephalopathy (BSE) risk designations for Ecuador and Serbia. The OIE recognizes Ecuador as being of controlled risk for BSE and Serbia as being of negligible risk for BSE. We are taking this action based on our review of information supporting the OIE’s risk designations for these regions.

**FOR FURTHER INFORMATION CONTACT:** Dr. Kari Coulson, Senior Staff Veterinarian, Strategy and Policy, VS, APHIS, 920 Main Campus Drive, Suite 200, Raleigh, NC 27606; (919) 480–9876; email: AskRegionalization@usda.gov.

**SUPPLEMENTARY INFORMATION:** The regulations in 9 CFR part 92 subpart B, “Importation of Animals and Animal Products; Procedures for Requesting BSE Risk Status Classification With Regard To Bovines” (referred to below as the regulations), set forth the process by which the Animal and Plant Health Inspection Service (APHIS) classifies regions for bovine spongiform

encephalopathy (BSE) risk. Section 92.5 of the regulations provides that all countries of the world are considered by APHIS to be in one of three BSE risk categories: Negligible risk, controlled risk, or undetermined risk. These risk categories are defined in § 92.1. Any region that is not classified by APHIS as presenting either negligible risk or controlled risk for BSE is considered to present an undetermined risk. The list of those regions classified by APHIS as having either negligible risk or controlled risk can be accessed on the APHIS website at <https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-and-animal-product-import-information/animal-health-status-of-regions>. The list can also be obtained by writing to APHIS at Regionalization Evaluation Services, 4700 River Road, Unit 38, Riverdale, MD 20737.

Under the regulations, APHIS may classify a region for BSE in one of two ways. One way is for regions that have not received a risk classification from the World Organization for Animal Health (OIE) to request classification by APHIS. The other way is for APHIS to concur with the classification given to a country or region by the OIE.

If the OIE has classified a region as either BSE negligible risk or BSE controlled risk, APHIS will seek information to support concurrence with the OIE classification. This information may be publicly available information, or APHIS may request that regions supply the same information given to the OIE. APHIS will announce in the **Federal Register**, subject to public comment, its intent to concur with an OIE classification.

In accordance with this process, we published a notice<sup>1</sup> in the **Federal Register** on October 25, 2019 (84 FR 57384–57385, Docket No. APHIS 2019–0053), in which we announced our

<sup>1</sup> To view the notice, go to [www.regulations.gov](http://www.regulations.gov) and enter APHIS–2019–0053 in the Search field.

intent to concur with the OIE risk classifications of the following regions:

- *Regions of negligible risk for BSE:* Serbia.

- *Regions of controlled risk for BSE:* Ecuador.

We solicited comments on the notice for 60 days ending on December 24, 2019. We did not receive any comments by this date.

Therefore, in accordance with the regulations in § 92.5, we are announcing our decision to concur with the OIE risk classifications for Ecuador and Serbia.

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs designated this action as not a major rule, as defined by 5 U.S.C. 804(2).

Authority: 7 U.S.C. 1622 and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 25th day of August 2021.

**Michael Watson,**  
Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2021–18788 Filed 8–30–21; 8:45 am]  
**BILLING CODE 3410–34–P**

**DEPARTMENT OF AGRICULTURE**

**Food and Nutrition Service**

**National School Lunch, Special Milk, and School Breakfast Programs, National Average Payments/Maximum Reimbursement Rates; Correction**

**AGENCY:** Food and Nutrition Service (FNS), USDA.  
**ACTION:** Notice, correction.

**SUMMARY:** The Food and Nutrition Service published a document on July 16, 2021, concerning reimbursement rates for the National School Lunch, Special Milk, and School Breakfast Programs. The document contained an incorrect table entry.

**FOR FURTHER INFORMATION CONTACT:** Mike Rizzo 703–305–4364.