§ 62.211

(1) Adequately address any program requirement resulting in a major non-conformance;
(2) Demonstrate capability to meet any program requirement resulting in a major non-conformance;
(3) Follow and maintain its approved program or QSVP procedures;
(4) Provide corrective actions and correction as applicable in the timeframe specified;
(5) Submit significant changes to and seek approval from the Chief prior to implementation of significant changes to an approved program;
(6) Allow access to facilities and records within the scope of the approved program;
(7) Accurately represent the eligibility of agricultural products or services distributed under an approved program;
(8) Remit payment for QSVP services;
(9) Abstain from any fraudulent or deceptive practice in connection with any application or request for service under the rule; or
(10) Allow any auditor or other USDA official to perform their duties under the regulations of this part.

§ 62.212 Official assessment reports.

Official QSVP assessment reports shall be generated by the auditor at the conclusion of each assessment and a copy shall be provided to the applicant.

§ 62.213 Official identification.

The following, as shown in figure 1, constitutes official identification to show product or services produced under an approved USDA, Process Verified Program (PVP): Figure 1.

(a) Products or services produced under an approved USDA, PVP may use the “USDA Process Verified” statement and the “USDA Process Verified” shield, so long as, both the statement and shield are used in direct association with a clear description of the process verified points that have been approved by the Branch.
(b) Use of the “USDA Process Verified” statement and the “USDA Process Verified” shield shall be approved in writing by Chief prior to use by an applicant.

CHARGES FOR SERVICE

§ 62.300 Fees and other costs for service.

Fees and other charges will be levied based on the following provisions:

(a) Fees for service. Fees for QSVP services shall be based on the time required to provide service calculated to the nearest quarter hour period, including, but not limited to, official assessment time, travel time, and time required to prepare assessment reports. The hourly fee rate shall be $108 per hour.
(b) Transportation costs. Applicants are responsible for paying actual travel costs incurred to provide QSVP services including but not limited to: Mileage charges for use of privately owned vehicles, rental vehicles and gas, parking, tolls, and public transportation costs such as airfare, train, and taxi service.

(c) Per diem costs. The applicant is responsible for paying per diem costs incurred to provide QSVP services away from the auditor's or USDA officials' official duty station(s). Per diem costs shall be calculated in accordance with existing travel regulations (41 CFR, subtitle F—Federal Travel Regulation System, chapter 301).

(d) Other costs. When costs, other than those costs specified in paragraphs (a), (b), and (c) of this section, are involved in providing the QSVP services, the applicant shall be responsible for these costs. The amount of these costs shall be determined administratively by the Chief. However, the applicant will be notified of these costs before the service is rendered.

§ 62.301 Payment of fees and other charges.

Fees and other charges for QSVP services shall be paid in accordance with the following provisions. Upon receipt of billing for fees and other charges, the applicant shall remit payment within 10 business days by check, electronic funds transfer, draft, or money order made payable to USDA, AMS, in accordance with directions on the billing. Fees and charges shall be paid in advance if required by the auditor or other authorized USDA official.

MISCELLANEOUS

OMB Control Number

§ 62.400 OMB control number assigned pursuant to the Paperwork Reduction Act.

The information collection and recordkeeping requirements of this part have been approved by OMB under 44 U.S.C. Chapter 35 and have been assigned OMB Control Number 0581–0124.

PART 65—COUNTRY OF ORIGIN LABELING OF BEEF, PORK, LAMB, CHICKEN, GOAT MEAT, PERISHABLE AGRICULTURAL COMMODITIES, MACADAMIA NUTS, PECANS, PEANUTS, AND GINSENG

Subpart A—General Provisions

DEFINITIONS

Sec.
65.100 Act.
65.105 AMS.
65.110 Beef.
65.115 Born.
65.120 Chicken.
65.125 Commingled covered commodities.
65.130 Consumer package.
65.135 Covered commodity.
65.140 Food service establishment.
65.145 Ginseng.
65.150 Goat.
65.155 Ground beef.
65.160 Ground chicken.
65.165 Ground goat.
65.170 Ground lamb.
65.175 Ground pork.
65.180 Imported for immediate slaughter.
65.185 Ingredient.
65.190 Lamb.
65.195 Legible.
65.205 Perishable agricultural commodity.
65.210 Person.
65.215 Pork.
65.218 Pre-labeled.
65.220 Processed food item.
65.225 Produced.
65.230 Production step.
65.235 Raised.
65.240 Retailer.
65.245 Secretary.
65.250 Slaughter.
65.255 United States.
65.260 United States country of origin.
65.265 USDA.

COUNTRY OF ORIGIN NOTIFICATION

65.300 Country of origin notification.
65.400 Labeling.

RECORDKEEPING

65.500 Recordkeeping requirements.

Subpart B [Reserved]

AUTHORITY: 7 U.S.C. 1621 et seq.

SOURCE: 74 FR 2794, Jan. 15, 2009, unless otherwise noted.