

## Agricultural Marketing Service, USDA

## § 52.46

divided by direct hours, which is then multiplied by the next year's percentage of cost of living increase, plus the benefits rate, plus the operating rate, plus the allowance for bad debt rate. If applicable, travel expenses may also be added to the cost of providing the service.

(2) *Overtime rate.* The total AMS inspection program personnel direct pay divided by direct hours, which is then multiplied by the next year's percentage of cost of living increase and then multiplied by 1.5 plus the benefits rate, plus the operating rate, plus an allowance for bad debt. If applicable, travel expenses may also be added to the cost of providing the service.

(3) *Holiday rate.* The total AMS inspection program personnel direct pay divided by direct hours which is then multiplied by the next year's percentage of cost of living increase and then multiplied by 2, plus benefits rate, plus the operating rate, plus an allowance for bad debt. If applicable, travel expenses may also be added to the cost of providing the service.

(b) For each calendar year, based on previous fiscal year/historical actual costs, AMS will calculate the benefits, operating, and allowance for bad debt components of the regular, overtime and holiday rates as follows:

(1) *Benefits rate.* The total AMS inspection program direct benefits costs divided by the total hours (regular, overtime, and holiday) worked, which is then multiplied by the next calendar year's percentage cost of living increase. Some examples of direct benefits are health insurance, retirement, life insurance, and Thrift Savings Plan (TSP) retirement basic and matching contributions.

(2) *Operating rate.* The total AMS inspection program operating costs divided by total hours (regular, overtime, and holiday) worked, which is then multiplied by the percentage of inflation.

(3) *Allowance for bad debt rate.* Total AMS inspection program allowance for bad debt divided by total hours (regular, overtime, and holiday) worked.

(c) The calendar year cost of living expenses and percentage of inflation factors used in the formulas in this section are based on the most recent Of-

fice of Management and Budget's Presidential Economic Assumptions.

[79 FR 67321, Nov. 13, 2014]

### **§ 52.43 Fees to be charged and collected for sampling when performed by a licensed sampler.**

Such sampling fees as are specifically prescribed by the Administrator in connection with licensing of the particular sampler will be assessed and collected from the applicant by the office of inspection serving the area where services are performed: *Provided*, That if the employee is an employee of a state, the appropriate authority of the state may make the collection.

[48 FR 12326, Mar. 24, 1983]

### **§ 52.44 Inspection fees when charges for sampling have been collected.**

For any lot of processed products from which a sample is drawn by a licensed sampler and the applicable sampling fee is collected, as provided in § 52.43, the fees for the other inspection services with respect to such lot shall not include charges for sampling.

[48 FR 12326, Mar. 24, 1983]

### **§ 52.45 Inspection fees when charges for sampling have not been collected.**

For any lot of processed products from which a sample is drawn by a licensed sampler and the sampling fee is not collected by the appropriate authority as provided in § 52.43, the fees and charges for inspection services with respect to such lot shall be the applicable fees and charges prescribed in § 52.42.

[48 FR 12326, Mar. 24, 1983]

### **§ 52.46 Fee for appeal inspection.**

The fee to be charged for an appeal inspection shall be at the rates prescribed in this part for other inspection services: *Provided*, That, if the result of any appeal inspection made for any applicant other than the United States or any agency or instrumentality thereof, discloses that a material error was made in the inspection on which the appeal is made, no inspection fee shall be assessed.