

U.S. Department of Agriculture (USDA), Animal Plant Health Inspection Service (APHIS)
Terms and Conditions

Acceptance of Terms and Conditions. The use of your account means you accept the terms and conditions as outlined here.

Promise to Pay. You agree to pay in U.S. Dollars for all charges or fees incurred by you or anyone authorized to use your account. If you pay us in other than U.S. Dollars, we may refuse to accept the payment or charge your account our cost to convert your payment to U.S. Dollars.

Payments. All payments and credits will be applied to invoices on your account in a First in First out (FIFO) basis with Interest, Penalty, and Administrative charges being satisfied first.

Credit Balances. We will refund any credit balance upon receipt of your written request and after validation of credit balance.

Returned Check Fee. We will charge you a Returned Check Fee of \$20.00 each time you pay us with a check that is returned unpaid.

Cancellation. You may cancel your account by notifying us in writing or by telephone. Of course, you will still be responsible for any amount you owe us according to the terms of your account.

Change of Address. If you change your address you must notify us, in writing, of your new address within 15 days.

Explanation of Billing and Collections System for Reimbursable Overtime Services

Introduction - The U.S. Code and the Code of Federal Regulations provide that any person, firm or corporation having ownership, custody or control of any agricultural articles subject to inspections, and who require the services of an APHIS inspector on a Sunday, holiday, or any other time outside the regular tour of duty of that inspector, shall pay the Government for those inspection services at the current established hourly rate. The inspection will be documented on inspection report(s) and billed on a monthly statement on the first day of the month by the USDA, National Finance Center (NFC). Government regulations mandate that the current month's charges must be paid in full by the 25th of the month. Listed below is a more detailed explanation of certain features of the billing and collections system.

1. Inspection Reports - The APHIS Form 89, Report of Reimbursable Overtime Inspections, is the document used to record the inspection services performed. It has a unique preprinted number in the upper right corner of the document. These documents are the basis for all charges billed to APHIS customers. All inspection reports processed during the month are itemized on your statement by document number providing the date of service, reference information and the amount. A yellow copy of the inspections report is given to your representative at the time of inspection or upon request can be mailed to a location of your choice. For non receipt of support documentation or questions regarding the service provided (inspection, overtime, etc.), please contact the agency field office that provided the service. If you experience problems receiving copies contact the USDA, APHIS, ROT Accounts Receivable Team (ART) helpline toll free at (877) 777-2128.

2. Billing Statement - Attachment 1 shows a sample of the billing statement along with an explanation of pertinent blocks. The billing statements will be issued as of the last day of each month. Following are the recommended procedures for reconciling your monthly statement:

- Establish a folder for all APHIS invoices; These are the Report of Reimbursable Inspection and Quarantine Service, (APHIS Form 89); you receive each time service is performed. The serial number shown on the APHIS Form 89 corresponds to the document number on your monthly bill.
- Hold all invoices; for payment until they are verified against your monthly statement. If you do not have documents listed on the statement, or if there are any documents listed that you question, please call the ART. Any unresolved charges will be considered unpaid and assessed interest and penalties.
- Payments; Payments are due by the 25th of each month. Return your payment with the top portion of the statement. Be sure to record your account number on the remittance. If payment is not received in time to be processed before the next billing cycle, the unpaid balance will be carried to the next month's bill as a "previous balance". Like the major credit card systems, *we do not match payments to specific document numbers.* Submit payments to: USDA, APHIS, ROT, P.O. Box 979042, St. Louis, MO 63197-9000 (as shown on your statement).

3. Past Due Charges - As directed by regulation 31 USC, Section 3717, interest and penalties will be assessed as follows:

- Interest Charges - assessed against the full amount in the "Previous Balance" block, at a rate established by the U.S. Department of Treasury.
- Penalty Charges - assessed against any principal more than 90 days past due, at a rate of 6 percent per annum.
- Administrative Charges - administrative costs for processing "NSF" checks (\$20.00), or extraordinary costs incurred in the collection of the account (e.g., collection agency fees).

4. Past Due Accounts - In addition to the late payment penalties and in accordance with regulation 7 CFR 354.1, the following will apply:

- All debtors who are more than 60 days past due will have services placed on a cash only basis for all Sunday, holiday, or overtime inspections.
- All debtors who are more than 90 days past due will have all overtime services suspended.

If you do not resolve the matter of your delinquent debt, your account may be referred to the US Treasury for further action. Treasury actions may include:

- o Offset your federal payments, including income tax refunds, salary, certain benefit payments (such as Social Security), retirement, vendor, and travel reimbursements and advances.
- o Refer the debt to a private collection agency.
- o Report the debt to a credit bureau
- o Garnish the debtor's wages through administrative wage garnishment (no court order required).
- o Refer the debt to the Department of Justice for litigation (*In compliance* with Executive Order 12988)

This action is authorized by the Debt Collection Act of 1982 and the Debt Collection Improvement Act of 1996. Pursuant to 31 USC 3717 we will continue to add interest, penalties, and other administrative costs to your unpaid debt. *You will also be subject to additional collection fees by the entity(s) collecting this debt.* To avoid US Treasury referral, you must do one of the following:

- 1 Repay your debt. To repay your debt, send a certified check or money order to USDA, APHIS, ROT, PO Box 979042, ST LOUIS, MO 63197-9000.
- 2 Agree to a repayment plan. If you are unable to pay your debt in full, you must contact USDA, APHIS, Accounts Receivable at 1-877-777-2128, agree to a repayment plan acceptable to USDA, and make payments required in the repayment plan, or
- 3 Request a review if you believe the debt is not owed. If you believe that all or part of the amount outstanding is not due, you must submit your dispute in writing.

If you have filed bankruptcy or an automatic stay is in effect, you are not subject to Treasury referral. Please notify us and submit evidence of your bankruptcy. If you make or provide any knowingly false or frivolous statements, representations, or evidence, you may be liable for penalties under the False Claims Act 31 USC 3729-3731, and/or criminal penalties under 18 USC 286,287, 1001, and 1002.

5. In Case of Errors or Questions About Your Statement - If you need more information about a transaction on your statement, write to us on a separate piece of paper at the customer service address: USDA, APHIS, ROT Accounts Receivable Team, 100 N SIXTH STREET, SUITE 510C, Minneapolis, MN 55403. We must hear from you no later than 60 days from the closing date of the statement on which the error or problem appeared. You can telephone us, but doing so will not preserve your rights.

In your letter, give us the following information:

- Your name, phone number, company name, and account number
- The dollar amount, document number, and date of suspected error
- A description of the problem

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your bill that are not in question.

If you have any questions regarding your USDA, APHIS, PPQ, ROT account please contact our customer service:

USDA, APHIS, ROT Accounts Receivable Team
250 Marquette Ave, Suite 410
Minneapolis, MN 55403

Toll Free: (877) 777-2128
Commercial: (612) 336-3400
E-Mail: abshelpline@usda.gov
FAX: (612) 336-3563