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Agricultural Quarantine and Inspection (AQI) User Fees Explained: A Small Entity Compliance Guide

Last Modified:

APHIS and U.S. Customs and Border Protection (CBP) carry out <u>AQI program</u> <u>activities</u> to intercept and keep out foreign agricultural pests and diseases that could affect U.S. agriculture, trade, and the environment. To sustain the program, APHIS charges user fees for AQI services. The fees recover the costs of providing AQI services and overhead and other indirect costs of administering the user fee program.

AQI user fee regulations are listed in the <u>Code of Federal Regulations (CFR)</u>, <u>Title 7</u>, Part 354.3, User Fees For Certain International Services.

AQI User Fees

AQI	User	Fee			
Category					

Current Fee
(Beginning
October 1,
2024) ^(1, 2)

Beginning October 1, 2026^(1, 2) Beginning October 1, 2027^(1, 2)

Commercial Vessel	\$2,903.73	\$2,981.17	\$3,059.61	\$3,139.06
Commercial				
Vessel- Great	\$837.51	\$850.03	\$862.54	\$875.06
Lakes/Cascadia ⁽³⁾				
Commercial Truck	\$12.40 ⁽⁴⁾	\$13.45 ⁽⁴⁾	\$14.50 ⁽⁴⁾	\$15.55 ⁽⁴⁾
Commercial Truck (Transponder) ⁽⁵⁾	\$622.00 ⁽⁶⁾	\$808.20 ⁽⁶⁾	\$870.60 ⁽⁶⁾	\$935.40 ⁽⁶⁾
Commercial Railroad Car	\$6.51	\$7.23	\$7.97	\$8.72
Commercial Railroad Car (Prepaid) ⁽⁵⁾	\$312.48	\$347.04	\$382.56	\$418.56
Commercial Aircraft	\$281.39	\$300.78	\$320.61	\$340.90
International Air Passenger	\$3.71	\$3.84	\$3.98	\$4.12
International Cruise (Sea) Passenger	\$1.25	\$1.29	\$1.34	\$1.39
Treatment Monitoring ⁽⁷⁾	\$240.60	\$244.19	\$247.79	\$251.38

⁽¹⁾ All fees in U.S. dollars

Announcements

• Stakeholder Announcement: APHIS Retains AQI User Fee Exemption for Certain Passenger Aircraft with 64 or Fewer Seats

⁽²⁾ As specified in the 2024 Final Rule: User Fees for AQI Services

⁽³⁾ See reference maps depicting the <u>Great Lakes</u> (420.69 KB) and <u>Cascadia</u> regions.

 $^{^{(4)}}$ Rounded down to the next \$0.05 (five-cent) increment to facilitate border operations

⁽⁵⁾ One annual payment for unlimited crossings within a calendar year

⁽⁶⁾ Prepaid fees are set at 50 times the unrounded fee rate of \$12.44, and 60 times the unrounded fee rates of \$13.47, \$14.51, and \$15.59, respectively.

⁽⁷⁾ Per enclosure

- <u>Stakeholder Announcement: APHIS Revises and Strengthens AQI Program to</u> Meet the Challenge of Protecting American Agriculture
- 2024 Final Rule: User Fees for AQI Services
- Reminder: 2023 AQI User Fee Proposed Rule Stakeholder Webinar Recordings and AQI User Fee Cost Model Rollup Reports Are Still Available for Viewing

Commercial Vessels



Commercial Trucks



Commercial Railroad Cars



Commercial Aircraft



International Air Passengers



International Cruise Passengers



Treatment Monitoring



Authority To Charge Fees

The Government charges user fees for goods or services that are normally not available to the general public. 1, 2 Section 2509(a) of the Food, Agriculture, Conservation and Trade (FACT) Act of 1990 (21 U.S.C. 136a), as amended by the Omnibus Budget Reconciliation Act of 1990 (Budget Reconciliation Act), authorizes the Secretary of Agriculture to prescribe and collect user fees sufficient to cover the costs of providing AQI services.

The FACT Act shifts most of the AQI program's costs from taxpayers to the carriers, owners, and importers of the goods, whose entry into the United States creates a risk of introducing pests and diseases. APHIS charges user fees to individuals or firms who use AQI program services. We structure the fees to recover both APHIS and CBP's costs to carry out AQI program activities, which are separate from other fees CBP charges under other statutes. The U.S. Treasury maintains an AQI user fee account containing all user fees collected for AQI program services, as well as associated late payment penalties and interest charges.

How We Calculate AQI User Fees

¹ <u>User Fee Design Guide, GAO-08-386SP Federal User Fees, A Design Guide</u>

² Office of Management and Budget Circular A-25, User Charges

To calculate each user fee, APHIS uses an activity-based cost model. This cost accounting method determines a fee by identifying the costs to provide a specific service. This is a two-step process:

- 1. The program's costs are allocated to a series of activities.
- 2. The costs assigned to those activities are allocated to the fee areas based on the level of effort (measured in frontline full time equivalent hours) associated with each fee area.

For example, the costs associated with the cargo inspection activity (which include the costs of providing the service, as well as the administrative and overhead costs associated with providing the service) are allocated to the commercial vessel, truck, railroad car, and aircraft fees based on the level of effort in each of those fee areas. This cost allocation approach avoids cross-subsidization (for example, cargo inspection costs do not get assigned to passengers or treatment users).

AQI user fees require periodic adjustment to ensure they accurately reflect the cost of providing AQI services. These periodic adjustments occur via the rulemaking process, in which APHIS publishes a proposed rule in the Federal Register to solicit public comments on the proposed fee changes. Each comment is evaluated by subject matter experts and addressed in the final rule.

Contact Us

Download contacts

APHIS AQI User Fee Policy

Cost and Fee Analysis Division

Email: aqi.user.fees@usda.gov

Phone: <u>301-851-2338</u>

Local APHIS AQI-Related Questions

Contact the APHIS plant health director in your State or Territory.

- Select a State - ▼

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APHIS Financial/Payment Information

For financial and remittance submission questions:

Accounts Receivable Team

AQI Accounts Receivable Team

Email: <u>abshelpline@usda.gov</u>

Phone: 612-336-3400

Alt-Phone: 877-777-2128

Fax: <u>612-336-3563</u>

Credit Card Payments

www.pay.gov

Payment Mailing Address

USDA, APHIS, AQI

P.O. Box 979044

St. Louis, MO 63197

Physical Mailing Address (Overnight Mail)

USDA, APHIS, AQI

Attn: Gov't Lockbox, P.O. Box 979044

1005 Convention Plaza | St. Louis, MO 63101

Credit Card Payments

www.pay.gov

CBP Policy Questions

For U.S. Customs and Border Protection (CBP) policy questions:

CBP's Agriculture Program and Trade Liaison Process Resolution and Risk Management branch

CBP Agriculture Programs and Trade Liaison

Email: <u>aptlprocessres@cbp.dhs.gov</u>

CBP Financial/Payment Information

For CBP financial or payment information and help desk:

U.S. Customs and Border Protection Revenue Division

Email: CUFIUFHelp@cbp.dhs.gov

Phone: <u>317-381-5400</u>

Helpful Links

- CBP Revenue Division Help Desk Directory
- CBP Website

Mailing Address

CBP-CUF & CBP-IUF, Attn: User Fee Team

6650 Telecom Dr., Suite 100

Indianapolis, IN 46278

Helpful Links

- CBP Revenue Division Help Desk Directory
- CBP Website

Agricultural Quarantine and Inspection (AQI) User Fees Explained: A Small Entity Compliance Guide Contacts

A Small Entity Compliance Guide

This AQI user fee landing page and associated subpages constitute compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (<u>Pub. L. No. 110-28</u>, <u>enacted March 29</u>, 1996) (SBREFA), as amended by the Fair Minimum Wage Act of 2007 (<u>Pub. L. No. 110-28</u>, <u>enacted May 25</u>, 2007) (FMWA) as APHIS' Small Entity Compliance Guide for the AQI Program User Fee Regulations.

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