APHIS Retains Agricultural Quarantine and Inspection (AQI) User Fee Exemption for Certain Passenger Aircraft with 64 or Fewer Seats

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) recently published a delay of effective date and request for comment (RFI) in the Federal Register (90 FR 13272) seeking data on small aircrafts' risk of introducing invasive pests as compared to the risk posed by other commercial aircraft. APHIS received 125 comments by the close of the comment period on April 21, 2025. Based on the information obtained through the RFI, APHIS will retain the current Agricultural Quarantine and Inspection (AQI) user fee exemption for certain passenger aircraft with 64 or fewer seats until further notice and will address the issue in future rulemaking. The current exemption (7 CFR 354.3(e)(2)(iv)) states:

Any passenger aircraft with 64 or fewer seats, which is not carrying the following cargo: Fresh fruits, fresh vegetables, plants, unprocessed plant products, cotton or covers, sugarcane, or fresh or processed meats; and which does not offer meal service other than beverages and prepackaged snacks that do not contain meats derived from ruminants, swine, or poultry or fresh fruits and fresh vegetables. Aircraft exempt from the user fee under this paragraph would still be subject to the

garbage handling requirements found in § 330.400 of this chapter and 9 CFR 94.5.

Official notice of this change will publish in the Federal Register in the coming weeks. To learn more about AQI user fees and the Commercial Aircraft user fee, visit AQI User Fees Explained.

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