

LABORATORY APPROVAL PROGRAM - PROGRAM FEES

1. Purpose

The purpose of this document is to provide the fees for the Laboratory Approval Programs (LAP) by the Laboratory Approval Service (LAS). LAPs are developed at the request of industry, other Federal agencies, or foreign governments in support of domestic and international trade. LAS charges a fee-for-service to administer these programs. LAS approves laboratories to provide testing services to verify that the analysis of food and agricultural products meet country or customer-specified requirements.

LAS is part of the United States Department of Agriculture ([USDA](#)), Agricultural Marketing Service ([AMS](#)), Science and Technology Program ([S&T](#)), Laboratory Approval and Testing Division ([LATD](#)).

2. Scope

The provisions of this document apply to LAPs administered by LAS. It applies to a laboratory seeking to apply or maintain status as a USDA-approved laboratory.

3. Table of Contents

1. Purpose	1
2. Scope.....	1
3. Table of Contents.....	1
4. References.....	1
5. Fee Calculations.....	2
6. Program Services.....	2
7. Program Fees	3
8. Revision History	4
9. Review / Approvals	5

4. References

- 4.1. The following articles are references listed in this document. Dated references apply to the cited edition and undated references apply to the latest edition published (including attachments).
 - a) [7 CFR Part 91](#), *Services and General Information. Services and General Information*. Subchapter E – Commodity Laboratory Testing Programs. Chapter 1 – Agricultural Marketing Service (Standards, Inspections, Marketing Practices). Subtitle B – Regulations of the Department of Agriculture. Title 7 – Agriculture.

- b) AMS Service Fees Website, <https://www.ams.usda.gov/services/grading/fees>
- c) [AMS-LPS-13-0050](#). *Process for Establishing Rates Charged for AMS Services*. Federal Register. Vol. 79, No. 219. Thursday, November 13, 2014. 67313.
- d) LAP-PR.05, *Laboratory Approval Program – General Policies and Procedures*
- e) USDA AMS LATD LAS Website, <https://www.ams.usda.gov/services/lab-testing/lab-approval>

5. Fee Calculations

- 5.1. AMS has a process for establishing hourly rates it charges for services (§4.1.c). Hourly rates are published annually as a Notice in the Federal Register.
- 5.2. LAS calculates program fees based on the time required by LAS personnel to perform tasks such as a desk audit (review of application and/or documents), onsite audit (travel to and from audit site and audit time) and associated administrative activities.
- 5.3. LAS reviews hourly rates and program fees annually and adjusts as necessary to ensure that the fees are adequate to cover the cost of providing the service. Fees are publicly available and communicated to program participants.

6. Program Services

- 6.1. LAS charges fees to administer LAPs as described in the Laboratory Approval Program – General Policies & Procedures document (§4.1.d).
- 6.2. LAS applies fees for the following services:
 - a) **Admission**: Fee for reviewing an application package for entry into a LAP, scope expansion, relocation, reinstatement from suspension, withdrawal, or dismissal. Fee is billed upon initiation and/or receipt of application. If an application cannot be processed to a conclusion within 365 days of LAS receiving the application, due to the laboratory’s failure to meet the LAP requirements, an additional admission fee will be invoiced to keep the application process active.
 - b) **Initial Annual**: Fee for conducting the initial onsite audit portion of the application process. Fee is billed upon scheduling the initial onsite audit. Fee applies to the calendar year in which the applicant is granted approval, regardless of the time remaining in the calendar year. The fee is not prorated or carried over to the following year.
 - c) **Annual**: Fee for maintaining “USDA-approved laboratory” status on a calendar year basis. Fee is billed on a calendar year basis, typically billed in the first quarter of the calendar year. Fee is not refunded or prorated if participant exits, reduces scope of participation, or is suspended from a Program, prior to the end of a calendar year.

- d) For-cause: Fee for performing an investigation including, but not limited to, situations such as: verifying resolution of a nonconformance, resolving a complaint, or substantiating a reason for dismissal. Fee is estimated when the audit is scheduled based on the hours expected to perform the audit; however, the final fee will be billed based on actual hours to complete the audit.
- e) Trichinae Training: Fee for conducting onsite training for up to three analysts in a single session including classroom materials, and samples.
- f) Trichinae Proficiency Testing (PT) Program, Yearly PT Samples: Fee for supplying yearly PT sample set, per analyst, to maintain analyst certification for trichinae testing. Fee is applied on an annual basis due to the resources needed to administer this PT program. Fee is billed with the annual fee. Fee is not refunded or prorated if an analyst leaves the trichinae certification during the calendar year; however, the remainder of a yearly sample set (four rounds) may be transferred from a leaving analyst to a new analyst upon certification (e.g., Analyst A leaves the certification program in July, leaving two rounds of sample sets. Analyst B may use those two rounds of sample sets without an additional fee after being certified that same July).
- g) Trichinae PT Program, Certification Sample: Fee for supplying certification samples, per analyst, when a new analyst requires a certification sample outside the cycle of quarterly PT sample set issuance. Fee is billed in conjunction with Trichinae Training fee.

6.3. LAS bills fee prior to performing service, except in the case of an assessment for cause.

6.4. The applicant or USDA-approved laboratory is responsible for paying the program fees as invoiced by USDA’s National Finance Center.

7. Program Fees

7.1. The program fees are provided by LAP (Table 1 through Table 4).

7.2. LAP requirement documents can be accessed on the [LAS website](#).

Table 1. Fees for LAP for Analysis of Mycotoxins.

Commodities, Analytes, or Groups (#)	Admission (\$)	Initial Annual (\$)	Annual (\$)
1	2970	6650	6250
2	3820	9410	9010
3	4700	11050	10650

Table 2. Fees for LAP for the Microbiological Testing of Poultry Products for the Federal Purchasing Program.

Commodities, Analytes, or Groups (#)	Admission (\$)	Initial Annual (\$)	Annual (\$)
1	3820	7740	6770

Table 3. Fees for LAP for Export of Meat and Poultry Products.

Commodities, Analytes, or Groups (#)	Admission (\$)	Initial Annual (\$)	Annual (\$)
1	1200	4730	3280
2	1880	5540	3710
3	2480	6310	4230
4	3080	7140	4760
5	3690	7950	5290
6	4290	8800	5810
7	4890	9550	6320
8	5490	10370	6850
9	6090	11200	7350
10	6690	12030	7880

Table 4. Additional fees for LAP Export of Meat and Poultry Products for analysis of Trichinae.

Service	(\$)
Trichinae Proficiency Test Program (per analyst, 4 PT sample sets per year)	1880
Trichinae Proficiency Test Program (per analyst, certification sample set)	470
Trichinae Training Course	3870

8. Revision History

03/28/18 Original. This document was created because the LAP General Policies and Procedures and Fees were removed from the body of the program specific documents. History of fees from prior years can be found in the older versions of the program specific documents. The Initial Annual fee was formerly labeled as the Initial Yearly Fee. The Annual fee was formerly labeled as the Yearly Fee. Prepared by Grace Vaillant, Branch Chief

01/28/19 Revised for 2019 Fees. Removed FR Vol. 82, No. 88. Added FR Vol. 83, No. 83. Added guidance for receiving fee before performing service. §5.1: Added guidance for charging fee if decision to move to on-site is not made within 365 days of application. §5.2: Added guidance for fee not being prorated and that initial fee covers one year and if not approved within that calendar year, it is billed the next calendar year. §5.3: Clarified that billing is by calendar year. §5.6: Reorganized into §5.6.1 and §5.6.2. §5.6.1: Clarified yearly PT samples and how billed. §5.6.2: added certification sample fee to address when training does not align with quarterly PT issue. Prepared by Kerry R. Smith, LATD Director

01/07/20 Revised for 2020 Fees. §4: Removed FR Vol. 83, No. 93. Added general link to AMS Service Fees webpage which will link to the current Federal Registrar document. §6: Removed year and added text explaining fee calculation process. Table 1: Removed year. Prepared by Grace Vaillant, Branch Chief; Kerry R. Smith, LATD Director

11/01/23: Throughout: Changed header, edited sentence structure to begin statements with role followed by an action and then definitions as needed, incorporated cross-references for citations. §1 and §2 Edited to align language and order with LAP-GPP. §4: Added statement about applicability of dated and undated references, removed 7 CFR Part 90. §5: Added section and consolidated information about calculating fees. §6: Reorganized information to follow similar order for each term. §7: Divided original table into 4 pieces to make it easier to read and 508 compliant. §8: Changed format. Prepared by Grace Vaillant, Branch Chief



9. Review / Approvals

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