

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Document Number AMS–FTPP–19–0064]

#### United States Warehouse Act Administrative Fees

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice.

**SUMMARY:** The Agricultural Marketing Service (AMS) is announcing the fees it will charge warehouse operators for voluntary services associated with the administration of the United States Warehouse Act. This action establishes the license action fees, service license fees, inspection fees, and annual user fees for warehouse services for fiscal year 2020, which begins October 1, 2019. AMS is increasing all these fees by approximately 10 percent to ensure fee levels are sufficient to cover the full cost of program administration.

**DATES:** August 2, 2019.

**FOR FURTHER INFORMATION CONTACT:** Dan Schofer, AMS, U.S. Department of Agriculture, Room 2530–S, 1400 Independence Avenue SW, Washington, DC 20250; telephone (202) 260–2434, or email [dan.schofer@usda.gov](mailto:dan.schofer@usda.gov).

**SUPPLEMENTARY INFORMATION:** The United States Warehouse Act (USWA), as amended (7 U.S.C. 241 *et seq.*), provides for the licensing of public warehouse operators in the business of storing agricultural products, examination of such federally licensed warehouses, and collection of fees to sustain the operation and administration of such efforts. Participation in USWA program is voluntary. Participants may choose to

obtain licensing under USWA to meet State or other industry requirements. Warehouse examinations provided by AMS examine the financial status of the operation, the integrity of the commodities stored in licensed facilities, as well as the facilities themselves.

This notice announces new fees for licensing and examining warehouses storing export food aid commodities, grain, nuts, sweeteners, wool, cotton, cottonseed and dry beans. The new fees will be effective for fiscal year 2020 (FY 2020), which begins October 1, 2019. AMS is raising the license action fees, service license fees, inspection fees, and annual user fees charged to licensed warehouses to assure recovery of operational costs projected for USWA activities in FY 2020. The FY 2020 fee adjustment reflects an approximately 10 percent increase over the current rates that have not been adjusted since 2006. AMS finds it necessary to increase fees to meet projected costs for administering the USWA program.

The regulations that effectuate the USWA are codified at 7 CFR part 735 mandate the collection of fees for costs of administering the USWA program and authorize annual rate changes, as necessary. USDA last amended the annual operational fee for warehouse operators effective January 1, 2006 (70 FR 71262; November 28, 2005). The 2006 operational fees were 5% higher than the previous rates. USDA most recently amended USWA licensing and inspection fees effective October 1, 1998 (63 FR 35186; June 29, 1998). Fee increases at that time were approximately 7.5 percent over the previous rates.

In November of 2018, the Secretary of Agriculture delegated administration of USWA programs to AMS (83 FR 61309; November 29, 2018). Previously, the administration of the USWA was delegated to the Farm Service Agency (FSA). During 2019, AMS projected a funding deficit associated with current program staff levels. Fees must cover all expenses for USWA administrative services including the maintenance of a sufficient operating reserve. Thus, rates

for USWA services for the 2020 fiscal year and beyond demonstrate a remedial action to correct the budgetary shortfall for administration of the program. USWA requires that AMS operate in an environment suitable to affect the needs of the program and mitigate any funding risks.

The fees reflect direct and indirect costs of providing services. Direct costs include the cost of salaries, employee benefits, and, if applicable, travel and some operating costs. Indirect or overhead costs include the cost of AMS administrative activities supporting the services provided to the industry. Program costs also include maintaining an operating reserve and, depending on the balance in the reserve, may provide for adding to or drawing down the reserve to assure an appropriate balance is maintained.

#### Delegation of Authority

The Secretary of Agriculture delegated to the Under Secretary for Marketing and Regulatory Programs (MRP) authority to “administer the U.S. Warehouse Act, as amended (7 U.S.C. 241–273) . . .” 7 CFR 2.22(a)(1)(xiv). The Under Secretary for MRP previously redelegated authority to administer the USWA to the Administrator of the Farm Service Agency. A rule published November 29, 2018 (83 FR 61309) transferred delegated authority to administer the USWA to the AMS Administrator. See 7 CFR 2.79(a)(21). The delegation to the Under Secretary of MRP related to administration of the U.S. Warehouse Act at 7 CFR 2.22(a)(1)(xiv) remain unchanged. The AMS Administrator has authority to administer USWA programs, including publication of this Notice. A separate Rule addresses the delegation and authority of the AMS Administrator to revise the USWA Regulations.

#### New Rates

The schedule below sets out all the relevant fees for licensing and examination services and reflects the necessary increases.

UNITED STATES WAREHOUSE ACT

7 CFR Part 735—Regulations for the United States Warehouse Act  
 Subpart A—General Provisions  
 § 735 Fees

FEE TABLE—UNITED STATES WAREHOUSE ACT (Effective 10/1/2019)

	License action fee	Inspection fee	Annual user fees			
			Annual fee		Locations	
Export Food Aid Commodities.	\$110	\$1,100 for 1 to 3 locations ..... \$330 for each location over 3 .....	\$1,650 for .....	1 to 3. location over 3.		
	License action fee	Service license fee	Inspection fee	Annual user fees		
				Licensed capacities (in bushels)	Annual fee for each warehouse location with a CCC storage agreement	Annual fee for each warehouse location without a CCC storage agreement
Grain .....	\$90	\$40	\$19 for each 10,000 bushels. MIN \$190; MAX \$1,900	1–150,000 150,001–250,000 250,001–500,000 500,001–750,000 750,001–1,000,000 1,000,001–1,200,000 1,200,001–1,500,000 1,500,001–2,000,000 2,000,001–2,500,000 2,500,001–5,000,000 5,000,001–7,500,000 7,500,001–10,000,000 10,000,001+	\$170 340 500 675 840 1,010 1,180 1,340 1,515 1,680 1,855 2,025 * 2,025	\$340 680 1,000 1,350 1,680 2,020 2,360 2,680 3,030 3,360 3,710 4,050 ** 4,050
				* Plus \$55 per million bushels above 10,000,000, or fraction thereof. ** Plus \$105 per million bushels above 10,000,000, or fraction thereof.		
	License action fee	Service license fee	Inspection fee	Annual user fees		
				Licensed capacities (in short tons)	Annual fee for each warehouse location with a CCC storage agreement	Annual fee for each warehouse location without a CCC storage agreement
Nuts .....	\$90	\$40	\$9.35 for each 100 short tons of Peanuts. MIN \$190; MAX \$1,900; and \$17 for each 1,000 hundredweight of other nuts; MIN \$190; MAX \$1,900	1–4,500 4,501–7,500 7,501–15,000 15,001–22,500 22,501–30,000 30,001–36,000 36,001–45,000 45,001–60,000 60,001–75,000 75,001–150,000 150,001–225,000 225,001+	\$275 450 640 820 995 1,165 1,340 1,515 1,690 1,860 2,025 * 2,195	\$550 900 1,280 1,640 1,990 2,330 2,680 3,030 3,380 3,720 4,040 ** 4,390
				* Plus \$12 per 100 short tons above 225,000 short tons, or fraction thereof. ** Plus \$21 per 100 short tons above 225,000 short tons, or fraction thereof.		
	License action fee	Service license fee	Inspection fee	Annual user fees		
				Annual fee	Licensed capacities	
Sweeteners .....	\$90	\$40	\$7.15 for each 5,000 gallons of liquid. MIN \$190; MAX \$1,900; or \$7.15 for each 55,000 pounds of pounds of dry capacity; MIN \$190; MAX \$1,900	\$7.15 for each \$750 MIN or \$7.15 for each \$750 MIN	5,000 gallons of liquid, or fraction thereof or 55,000 pounds of dry capacity, or fraction thereof.	
	License action fee	Service license fee	Inspection fee	Annual user fees		
				Annual fee	Licensed capacities	
Wool .....	\$90	\$40	\$19 for each 100,000 pounds. MIN \$190; MAX \$1,900	\$19 for each. \$750 MIN	100,000 pounds, or fraction thereof.	

	License action fee	Service license fee	Inspection fee	Annual user fees		
				Licensed capacities (in bales)	Annual fee for each warehouse location with a CCC storage agreement	Annual fee for each warehouse location without a CCC storage agreement
Cotton .....	\$90	\$40	\$95 for each 1,000 bales. MIN \$190; MAX \$1,900	1–20,000 20,001–40,000 40,001–60,000 60,001–80,000 80,001–100,000 100,001–120,000 120,001–140,000 140,001–160,000 * 160,001	\$645 850 1,035 1,230 1,620 1,935 2,260 2,585 * 2,585	\$1,290 1,700 2,070 2,460 3,240 3,870 4,520 5,170 ** 5,170
				* Plus \$65 per 5,000 bale capacity above 160,000 bales, or fraction thereof. ** Plus \$130 per 5,000 bale capacity above 160,000 bales, or fraction thereof.		
	License action fee	Service license fee	Inspection fee	Annual user fees		
				Annual fee	Licensed capacities	
Cottonseed .....	\$90	\$40	\$19 for each 1,000 short tons. MIN \$190; MAX \$1,900	\$19 for each \$750 MIN	1,000 short tons, or fraction thereof.	
	License action fee	Service license fee	Inspection fee	Annual user fees		
				Licensed capacities (in hundredweight)	Annual fee	
Dry beans .....	\$90	\$40	\$19 for each 1,000 hundredweight. MIN \$190; MAX \$1,900	100–90,000 90,001–150,000 150,001–300,000 300,001–450,000 450,001–600,000 600,001–720,000 720,001–900,000 900,001–1,200,000 1,200,001–1,500,000 1,500,001–3,000,000 3,000,001+	\$925 1,290 1,670 2,040 2,405 2,765 3,145 3,520 3,880 4,245 * 4,620	
				** Plus \$1.55 per 1,000 hundredweight above 3,000,000, or fraction thereof.		

**Authority:** 7 U.S.C. 241–256.

Dated: July 29, 2019.

**Greg Ibach,**

*Under Secretary, Marketing and Regulatory Programs.*

[FR Doc. 2019–16409 Filed 7–31–19; 8:45 am]

**BILLING CODE 3410–02–P**

**DEPARTMENT OF AGRICULTURE**

**Submission for OMB Review; Comment Request**

July 29, 2019.

The Department of Agriculture will submit the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. Comments are requested regarding: Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency’s estimate of burden including

the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, Washington, DC; New Executive Office Building, 725 17th Street NW, Washington, DC 20503. Commenters are encouraged to submit their comments to OMB via email to: *OIRA\_Submission@omb.eop.gov* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602.

Comments regarding these information collections are best assured of having their full effect if received by September 3, 2019. Copies of the

submission(s) may be obtained by calling (202) 720–8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

**Agricultural Marketing Service**

*Title:* Swine Contract Library.

*OMB Control Number:* 0581–0311.

*Summary of Collection:* The Swine Packer Marketing Contracts subtitle of the Livestock Mandatory Reporting Act of 1999 (LMRA) amended the Packers and Stockyards (P&S) Act to mandate the establishment of a library of swine packer marketing contracts (swine contract library), and a monthly report of types of contracts in existence and available, and commitments under such contracts. On February 17, 2016, a final rule was published in the **Federal**