



ADMINISTRATIVE RULES OF MONTANA



4.13.1001B GRAIN FEE SCHEDULE

- (1) Effective Date: The effective date of this rule is July 1, 2022.
- (2) General Provisions: These General provisions applying to all sections of this rule are as follows:
 - (a) Service Hours: Normal office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. All other hours and holidays will be considered overtime.
 - (b) Sampling Hours: Sampling hours are 8:00 a.m. to 5:00 p.m. Monday through Friday. An applicant must place service requests with the inspection office by 10:00 a.m. during regular hours for same day inspection/sampling services. All requests for sampling services to be performed outside of normal business hours must be received by 2:00 p.m. of the preceding business day. Sampling services requested to be performed outside of normal office hours, including holidays, will be charged overtime.
 - (c) Regular Hourly Rate: The regular hourly rate for travel time and stand-by fee is \$50 per hour per individual assessed in half-hour intervals with a minimum of two hours charged.
 - (d) Overtime and Holiday Hourly Rate: Overtime and holiday hourly rate is \$75 per hour per individual assessed in half-hour intervals. A minimum four-hour charge will be assessed except when before or for a continuation of a regular work day, then actual overtime hours will be charged.
 - (e) Holidays: Holidays are as adopted in 1-1-216, MCA. (e.g., New Year's Day, Martin Luther King Jr. Day, President's Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Christmas Day, and State Election Day.)
 - (f) Mileage and Travel Fees: Mileage, travel time, and travel expenses are as follows:
 - (i) Mileage Fee: Mileage charges shall be assessed per 2-18-501, MCA for State employees which is equal to the United State Internal Revenue Service (IRS) mileage allotment. Any change to the mileage rate is effective when the IRS changes their standard mileage rate. The mileage charges will be prorated where possible.
 - (ii) Hourly and Overtime Rate: For each trip requested, the applicant will be charged at the regular hourly rate, except when work is conducted while in overtime status or on holidays. Work conducted while in overtime status or on holidays will be charged at the overtime rate, prorated where possible.
 - (iii) Travel Expenses: Travel expenses (as defined by Montana Operations Manual Travel Policy with Rates) including but not limited to per diem, lodging, and mileage will be assessed to the applicant in addition to other fees and charges.

- (iv) Staffing: Montana State Grain Laboratory will determine the number of personnel to properly provide the service requested. To assure personal safety, Montana State Grain Lab may suspend sampling services due to inclement weather conditions as well as sampling rail cars at night with insufficient lighting, or other potentially hazardous conditions.
 - (v) Observation: In order to provide official services, Montana State Grain Lab must be physically able to observe elevator personnel sampling and/or sealing a railcar.
- (3) Miscellaneous Fees:
 - (a) In case of a data entry or typographical error, a corrected certificate will be issued without a fee.
 - (b) Postage: Actual postage or delivery service charges will be added to sampling and other fees.
 - (c) Special Requests: Requests for services not covered by this rule will be performed at the applicable hourly rate stated herein plus mileage and travel time if applicable.
- (4) Sanitation Inspection: A base fee of \$100 will be charged per inspection in addition to the applicable hourly rate stated herein plus mileage and travel charges.
- (5) Diverter Inspection: A base fee of \$100 will be charged per inspection in addition to the applicable hourly rate stated herein plus mileage and travel charges.
 - (a) Base fee is \$500 for certification of new diverters.
- (6) Payment of Fees and Charges: All department fees and charges for services rendered are due within thirty days of the statement date. Finance charges of \$25 per month shall accrue on any balance owed after thirty days of the statement date. If the department does not receive payment within thirty days, services may be withheld until the delinquent account is paid; or cash payment for the subsequent services may be required.
- (7) Retests/Reinspections based on a File Sample and/or New Sample: will cost the same as the original test/inspection.
- (8) Export Documentation Request: Processing and handling fee for sample preparation and export documentation.....\$7.50 per request
- (9) FGIS Administrative Tonnage Fees: In addition to all other applicable fees, FGIS administrative tonnage fees for export grain shipments inspected and/or weighed, excluding land carrier shipments to Canada and Mexico, will be assessed at the current per metric ton rate identified by FGIS Directive 9180.74 Service Fees and Billing Codes, Attachment 1. Invoices will identify assessed administrative tonnage fees as separate line items per applicable carrier/unit type.
- (10) FGIS Supervision Fees: In addition to all other applicable fees, FGIS supervision fees for domestic U.S. grain shipments inspected and/or weighed, including land carrier shipments to Canada and Mexico, will be assessed at the current per metric ton rate identified by FGIS Directive 9180.74 Service Fees and Billing Codes, Attachment 2. Invoices will identify assessed supervision fees as separate line items per applicable carrier/unit type.
- (11) United States Grain Standards Act (USGSA) Fees for official services under the United States Grain Standards Act (USGSA) as amended.
 - (a) Effective Date: The effective date of this rule is July 1, 2022.

- (b) General Provisions: General provisions applying to all sections of this rule are as follows:
- (c) Official Lot Inspection: Official lot inspection sampling with grade, on bulk, boxcar, hopper car, or truck/trailer, per request, sampling and grade only:
 - (i) Level One: Level one official sampling service when the State Grain Laboratory furnishes the sampling crew.....\$25.00 per unit
 - (ii) Level Two: Level two official sampling service when the State Grain Laboratory furnishes a licensed sampler to write identification tickets, supervise elevator employees while sampling and seal samples for delivery to the State Grain Laboratory.....\$18.00 per unit
 - (iii) Sampling Only: Sampling only (does not include grade) on bulk, boxcar, hopper car or truck/trailer, per request, (all grains).....\$15.00 per unit
 - (A) Additional Probes (in addition to original sampling charges).....\$15.00 per unit
 - (iv) Stowage Examination: Stowage examination.....\$8.00 per unit
 - (v) Sealing Railcars: (Metal Seals) DT or Probe Railcars per Seal, Additional Labor and hourly charges may apply.....\$2.50 per seal

Supervise Elevator Personnel applying seals (recording seals on certificate).....\$4.00 per unit
 - (vi) The Montana State Grain Laboratory is not responsible for the seals after Montana State Grain Laboratory personnel leave the applicant's property. It is the applicant's responsibility to confirm that all seals have been applied by Montana State Grain Laboratory personnel to their satisfaction. In excess of one hour, the hourly rate applies.
- (d) Submitted Sample Inspection: inspection includes DKT (damaged kernels total) identified, FM (foreign material) identified, SHBN (shrunken and broken kernels), and DEF (total defects).
 - (i) Submitted Canola Samples\$16.00 per sample
 - (ii) Submitted Spring Wheat (includes DHV testing).....\$13.00 per sample
 - (iii) Submitted (other USGSA sample)\$10.00 per sample
- (e) Laboratory Analyses Fee:
 - (i) Protein Test: Near Infrared Transmittance (NIRT) on wheat, barley, and corn.....\$7.50 per sample
 - (ii) Single Factor Determination: Factor only determination\$7.00
 - (iii) Additional: Additional statements, factors, or results as requested by the applicant including the absence of particular allergens in visible form\$5.00 each
 - (iv) Malting Barley Analysis: Malting barley analysis includes actual percent of plump barley, skinned and broken kernels, and thin barley, per request\$5.00 per sample

- (v) Mycotoxin: per quantitative analysis test.....\$50.00 per sample
- (vi) Composite Sample Preparation (per sample, in composite).....\$1.25 per sample
- (vii) Composite Sample Preparation (per sample, if requested after grade).....\$2.75 per sample
- (viii) Return shipping and handling post grading (not to exceed \$30/month).....\$3.00 per sample
- (f) Official Commercial Services performed under the USGSA:
 - (i) Official commercial inspection services and fees may be negotiated on a case-by-case basis.
- (12) Pulse and Processed Commodity Fee Schedule under the Agricultural Marketing Act (AMA):
 - (a) Effective Date: The effective date of this rule is July 1, 2022.
 - (b) General Provisions: General provisions applying to all sections of this rule are as follows, including hourly rate, overtime and holiday rates.
 - (c) Fees for official services provided under the Agricultural Marketing Act of 1946 (AMA) as amended:
 - (d) Sampling Fees: Sampling fees for grade or phytosanitary certification:
 - (i) Bulk Samples: Bulk samples from boxcars, hopper cars, truck/trailers.....\$15.00 per unit
 - (A) Additional probes (in addition to original sampling charges).....\$15.00 per unit
 - (ii) Sealing: Metal Seals

DT or Probe per Seal; Additional Labor and hourly charges may apply.....\$2.50 per seal

Supervise elevator personnel applying seals (recording seals on certificate).....\$4.00 per unit

The Montana State Grain Laboratory is not responsible for the seals after Montana State Grain Laboratory personnel leave the applicant's property. It is the applicant's responsibility to confirm that all seals have been applied by Montana State Grain Laboratory personnel to their satisfaction.
 - (iii) Bagged Lots: bagged lots or totes.....Hourly Rate
 - (e) Inspection Fee:
 - (i) Grade Only: grade only per lot or submitted sample: field run.....\$24.00 per sample
 - (ii) Grade Only: grade only per lot or submitted sample: other than field run.....\$20.00 per sample

- (iii) Single Factor Determination: one factor only determination.....\$7.00
 - (iv) Additional: additional statements, factors, or results as requested by the applicant.....\$5.00 per factor
 - (f) Composite Sample Preparation (per sample in composite).....\$1.25 per sample
 - (i) Composite Sample Preparation (per sample, if requested after grade).....\$2.75 per sample
 - (ii) Seed Count per Ounce.....\$5.00 per ounce
 - (iii) Return shipping and handling post grading (not to exceed \$30/month).....\$3.00 per sample
 - (g) Laboratory Analysis Fee:
 - (i) Falling Number Determinations: falling number determination for wheat.....\$18.00 per sample
- (13) Fees for laboratory services not performed under the USGSA or AMA: Commodities inspected under Montana Standards
 - (a) General Provisions: general provisions applying to all sections of this rule are as follows:
 - (b) Lot Inspection: Lot inspection sampling with grade for bulk, boxcar, hopper car or truck-trailer, per request, sampling and grade only:
 - (i) Level One: Sampling service fee when the Montana State Grain Laboratory furnishes the sampling crew.....\$25.00 per sample
 - (ii) Level Two: Sampling service fee when the Montana State Grain Laboratory furnishes a licensed sampler to write identification tickets, supervise elevator employees while sampling, and seal samples for delivery to the Montana State Grain Laboratory.....\$18.00 per sample
 - (iii) Lot reinspection based on file sample.....all regular fees assessed
 - (iv) Sampling Only: sampling only (does not include grade)—bulk, boxcar, hopper car or truck/trailer, per request (all grains).....\$15.00 per sample
 - (A) Additional Probes (in addition to original sampling charges).....\$15.00 per unit
 - (B) Sealing: Metal Seals:
 - DT or Prober per Seal; Additional Labor and Hourly Charges may apply.....\$2.50 per sample
 - Supervise Elevator Personnel applying seals (recording seals on certificate).....\$4.00 per unit

The Montana State Grain Laboratory is not responsible for the seals after the Montana State Grain Laboratory personnel leave the applicant's property. It is

the applicant's responsibility to confirm that all seals have been applied by Montana State Grain Laboratory personnel to their satisfaction.

- (v) Stowage Examination: Stowage examination.....\$8.00 per unit
- (vi) After First Hour.....Hourly rate applies
- (c) Submitted Sample Inspection: Submitted sample inspection includes DKT (damaged kernels total) identified, FM (foreign matter) identified, SHBN (shrunken and broken kernels), and DEF (total defects).
 - (i) Submitted Sample: Submitted Montana specialty crop grades (unless specifically listed) per sample.....\$10.00 per sample
 - (ii) Non Official Single Factor Determination.....\$7.00 per factor
 - (iii) Additional: Additional statements, factors, or results as requested.....\$5.00 per factor
- (d) Submitted Buckwheat Grades:
 - (i) Processed Buckwheat Sample.....\$14.00 per sample
 - (ii) Field Run Buckwheat Sample.....\$15.00 per sample
- (e) Hulless or Hulless Waxy Barley:
 - (i) Submitted hulless or hulless waxy barley.....\$14.00 per sample
- (f) Laboratory Analysis Fee:
 - (i) Protein Test: non-official NIRT (e.g., Khorasan).....\$7.50 per sample
 - (ii) Malting Barley Germination: Malting barley: germination 72-hour blotter.....\$10.00 per determination
 - (iii) Non-Official Falling Number: Falling number determination on commodities other than wheat (e.g. Khorasan).....\$18.00 per determination
 - (iv) Mycotoxin: per quantitative analysis test \$50.00 per sample
 - (v) Composite Sample Preparation (per sample in composite).....\$1.25 per sample
 - (vi) Composite Sample Preparation (per sample, if requested after grade).....\$2.75 per sample
 - (vii) Return shipping and handling post grading (not to exceed \$30/month).....\$3.00 per sample

Authorizing statute(s): 80-4-403, 80-4-721, MCA

Implementing statute(s): 80-4-721, MCA

History: NEW, 2018 MAR p. 629, Eff. 3/31/18; AMD, 2022 MAR p. 797, Eff. 7/1/22.