



New Mexico Department of Agriculture

Marketing and Development Division

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July 21, 2008

MEMORANDUM

TO: Peanut Industry

FROM: I. Miley Gonzalez, Ph.D.

SUBJECT: Proposed Inspection Fees for Peanuts

This external policy establishes proposed inspection fees for peanuts effective September 1, 2008, supercedes New Mexico Department of Agriculture (NMDA) Rule 88-20, signed by the Board of Regents of New Mexico State University on October 6, 1988, and filed with the New Mexico Records Center on October 14, 1988.

Under the authority of the Produce Marketing Act [76-15-10 to 76-15-22 NMSA 1978], the New Mexico State University Board of Regents, through NMDA, is authorized to establish and collect fees for inspection of peanuts.

The following is the schedule of inspection fees:

- I. Regular Users:
 - a. Farmers Stock: Six dollars (\$6.00) per ton.
 - b. Farmers Stock Out-Grade for Loan: Six dollars (\$6.00) per ton.
 - c. Belt lot inspections, which include in-shell, shell stock, wild life feed, and oil stock: Five dollars (\$5.00) per ton.
 - d. No sale and regrade certificates: Thirty dollars (\$30) per load.
 - e. Two hundred eighty dollars (\$280) per day, per inspector.

- f. Overtime: after an assigned inspector has accumulated eight (8) hours working time on any day or forty (40) hours working time in any week, the person requesting inspection shall be assessed a charge of seventeen dollars and fifty cents (\$17.50) per hour for the overtime.
2. Travel time between inspection point and base office of inspector shall be included in the hourly and overtime calculations.
3. United States Department of Agriculture container transfer: thirty five dollars (\$35) per hour with a one (1) hour minimum.
4. Occasional users and hour work: thirty-five (\$35) per hour with a two (2) hour minimum, multiples of one half ($\frac{1}{2}$) hour thereafter, with the total fee not to be less than the schedule of inspection fees. An additional overtime charge of seventeen dollars and fifty cents (\$17.50) per hour will be assessed before 8 a.m. and after 5 p.m., Monday through Friday and on Saturdays, Sundays, and holidays.
5. Mileage rate will be specified in the Per Diem and Mileage Act (10-8-4, NMSU 1978).
 - a. Special Certification: Aflatoxin Sample preparation: thirty dollars (\$30) (if oil analysis is required, there will be an additional charge of fifteen dollars (\$15). Aflatoxin appeal lot sample will be charged at the hourly rate.
 - b. All other inspection work requiring certification including, but not limited to, shipping point inspection or sizing information: twenty dollars (\$20) minimum per certificate.
 - c. A minimum of four hours will be charged on Saturdays, Sundays and Holidays.

Whenever it is anticipated that the scheduled fees will not cover all costs, an appropriate charge will be made, and at no time will the charge be less than the equivalent scheduled fee. The director/secretary of NMDA is authorized to determine assessments for these special circumstances.

IMG/SMG/rmh