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D-95-13

(EFFECTIVE DATE)

**April 9, 1998
(1st Revision)**

Title/Titre

Seed Potato Certification Program - Submission/Refund of Fees for Field Inspection

Our File/Notre référence
650-3-5-4

I. SUBJECT

This directive contains the guidelines for the submission and refund of fees for field inspections under the Seed Potato Certification Program.

This directive supersedes D-94-10 dated 94/03/02 and D-95-13 (Original) dated May 31, 1995.

II. BACKGROUND

As a result of industry consultative meetings in February 1997, further clarification of D-95-13 (original) was needed. It was recognized from these meetings that only a portion of the field inspection fees could be refundable if certain conditions were met.

The *Seeds Regulations*, subsections 49 (1) and 62.1(1),(2) and (3), stipulate a \$50.00 application fee and a fee of \$20.00 for each hectare of potato fields to be inspected, be submitted with the application for crop inspection. No fee or any portion thereof is refundable after an inspector has begun an inspection of any potato field on the farm unit.

The objective of this directive is to indicate in greater detail under what conditions fees are refundable.

III. LEGISLATIVE AUTHORITY

Seeds Act, R.S., c. S-8
Seeds Regulations, C.R.C., c. 1400

IV. POLICY

1. The \$50 application fee is not refundable at any time.
2. The \$20/ha field inspection fee is fully refundable when an application for field inspection is rejected during the preliminary review of the application. The grower must be informed, in writing, of any or all fields that are ineligible for inspection.
 - 2.1 Examples for reason for rejection (for illustration only):
 - 2.1.1 the grower has planted certified class or non-certified seed on his farm unit.
 - 2.1.2 the crop is planted in a field where non-certified potatoes were grown in the previous two years.
 - 2.1.3 it cannot be shown that the equipment was cleaned (if required) prior to bringing in new seed.
3. Fifty percent (50%) of the field inspection fee for a field may be refunded upon withdrawal of the field, provided:
 - 3.1.1 The grower submits a request in writing stating the reason the application for field inspection is amended to withdraw one or all of the fields entered for certification; and
 - 3.1.2 the grower's written request is received by an inspector prior to the commencement of inspection on that farm unit.

The grower is encouraged to submit the request as early as possible. The refund, where possible, may be returned as a credit to the grower's account.

4. The application for inspection must be delivered by the date specified in the *Seed Regulations* to the Office of the Canadian Food Inspection Agency indicated on the form. Late application resulting from delays in planting caused by inclement weather may be accepted at the discretion of the Director of the Plant Protection Division.
5. A surcharge of 25% per hectare will be applied to the inspection fee for any field entered for inspection after the initial application for inspection has been received.
6. The inspection of all fields entered for inspection starts when the inspector confirms there is no changes to the application and/or enters a field on that farm unit.
7. No fee is refundable when an inspector carries out an inspection on one field of any variety and as a result of that inspection, determines that other fields will not pass inspection or are no longer eligible for certification.
8. The fee is not refundable when an inspector does not inspect a crop because of insufficient separation between fields, unacceptable virus levels in crops within 60 m of the crop to be inspected, and other reasons that only become apparent once the inspector has arrived at the field.

V. FEES

CFIA charges fees for seed potato crop inspection in accordance with the *Seeds Act and Seeds Regulations* (Part II). Clients requiring more information on fees may contact local offices of CFIA.

Dr. J.E. Hollebhone
Director
Plant Protection Division