

June 24, 2014

Docket No. APHIS-2013-0021  
Regulatory Analysis and Development, PPD  
Animal and Plant Health Inspection Service  
Station 3A-03.8  
4700 River Road, Unit 118  
Riverdale, MD 20737-1238

RE: Docket No. APHIS-2013-0021 – User Fees for Agricultural Quarantine and Inspection Services

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I am writing on behalf of the National Airlines Council of Canada (NACC) with respect to the United States Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) proposed changes to User Fees for Agricultural Quarantine and Inspection Services (AQI services).

The NACC is a trade association representing Canada's largest passenger air carriers: Air Canada, Air Transat, Jazz Aviation LP and WestJet. We promote safe, sustainable and competitive air travel through the development of policies, regulations and legislation that foster a world-class transportation system. Collectively, our member airlines carry over 50 million passengers annually, directly employ 43,000 people and create over 260,000 jobs. Our members operate hundreds of highly-regarded and popular direct air services between Canada and the United States each day and work as privileged partners with your country's major tourism industry sector.

It is important to state at the outset that we recognize the important role that APHIS has in protecting the integrity of the American agriculture sector. In our view, however, the proposed changes are excessive and incompatible with the principles of the Canada-US joint declaration on perimeter security and economic competitiveness (and the ensuing Beyond the Border Action Plan and the Canada-US Regulatory Cooperation Council (RCC)). These initiatives aim to better align regulatory approaches to protect health, safety, and the environment by strategically allocating resources based on risk. The changes to the AQI services appear to be counter-productive to this objective.

The NACC and its members strongly object to the proposed APHIS fee adjustments which represent an astronomical 218 per cent increase in the fee for activities related to commercial aircraft inspection (from \$70.75 to \$225). This proposal will increase our member's cost upwards of an estimated \$8 million annually despite the decrease in the fee charged for costs associated with activities related to air passengers (from \$5 to \$4).

It is important to note that in Canada, the Canada Border Services Agency (CBSA) holds similar responsibility to that of APHIS for food plant and animal inspections upon entry into the country. By way of comparison, rules regarding inspection fees for aircraft entering Canada exempt the \$25 inspection fee for

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-2-

aircraft originating from the United States. In keeping with the principles of the Beyond the Border initiative and considering an APHIS-specific risk assessment, we urge the United States to take steps to reciprocate the acknowledgment made by Canada that there is a relative low risk of entry of foreign pests and diseases associated with aircraft travelling between the two countries and reconsider the proposed \$225 fee accordingly.

The NACC appreciates the opportunity to provide feedback on the USDA APHIS' proposed adjustment to User Fees for Agricultural Quarantine Inspection Services. We look forward to continuing to work with the USDA to ensure a safe, competitive and sustainable air transportation sector and we welcome the opportunity to discuss how the proposed AQI increase can be eliminated.

Sincerely,

**THE NATIONAL AIRLINES COUNCIL OF CANADA**

Marc-André O'Rourke  
Executive Director