Department of Agriculture and Consumer Services

Fee Increases & Grant Consultations

Joint Legislative Commission on Governmental Operations Subcommittee on NER and Transportation November 17, 2009

Structural Pest & Pesticides Division Overview

Joint Legislative Commission on Governmental Operations Subcommittee on Transportation/Natural and Economic Resources

November 17th, 2009



Dept. of Agriculture & **Consumer Services** Board Of Agriculture Commissioner Steve Troxler Fig. c., the at Print across Approximations Faire integrations Executive Agentics / II Martina & Washing VINC Special Asia to Commissioner Bit Verburger mergancy Programs Scanor Stewart Consigne (Ing. Date L. Rager ону Сисинастиго ж сауат Ауу таар Legal Affairs May Storing Budget & France Suin Overton Marketing Toro Stone inerij û Constructio Kom Parvertor Aspertus Montes North FISCAL RESEARCH DIVISION November 13, 2009

Structural Pest Control Section

Structural Pest Control's Mission

- Protect the health and safety of the public and the environment by regulating the pest control industry and the products used;
- Improve the quality of pest control services; and
- · Reduce fraudulent, unscrupulous activities

Structural Pest Control Committee

- 9-member Committee
- Created by G.S. 106-65.23



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November 13, 2009

Pesticides Section

Pesticide's Mission

- Protect the public health, safety and welfare
- Promote continued environmental quality by minimizing and managing risks associated with the legal use of pesticides through administration and enforcement of the NC Pesticide Law of 1971 and regulations adopted by the Pesticide Board.

Pesticide Board

- 7-member Board appointed by the Governor
- Established by G.S. 143-436

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November 13, 2009

DACS Divisions

Structural Pest Control & Pesticides

Structural Pest

- Certifies, Licenses, & Monitors:
 - Insecticide
 - Fungicide
 - Rodenticide
- 22 Employees
- \$1.3 M budget FY 2008-09

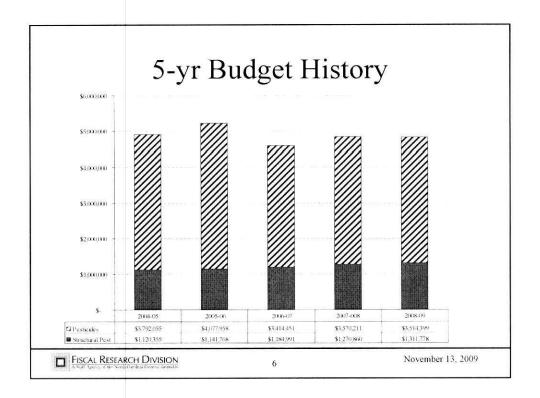
Pesticide

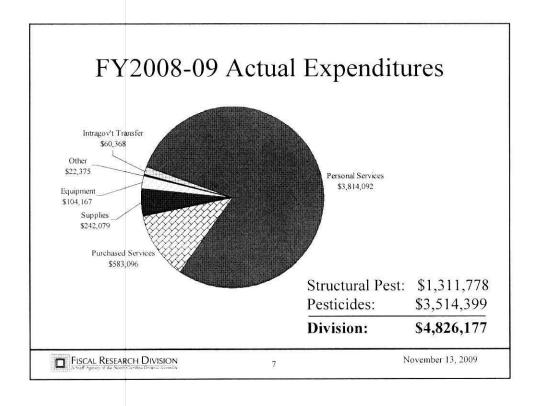
- Certifies, Licenses, Monitors & Investigates:
 - Commercial applicators
 - Public operators
 - Farmers
 - Pesticide dealers
- Pesticide Disposal
- 52 Employees
- \$3.5 M budget FY 2008-09

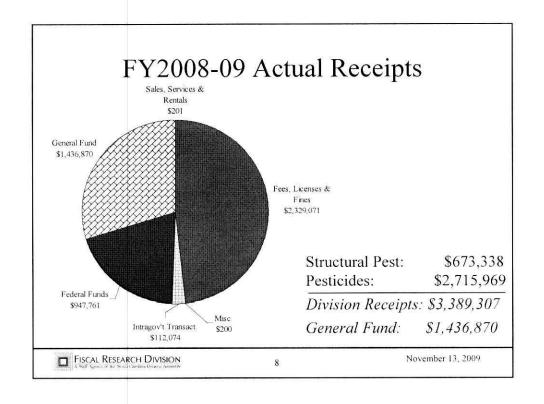
FISCAL RESEARCH DIVISION

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November 13, 2009







Fees Structural Pest Control Licenses Pest Control License - Household Pest \$ 150 Pest Control License - Wood Destroying Organisms \$ 65 Pest Control License - Fumigation \$ 65 Certified Applicator License \$ 30 Registered Technician License \$ 25 **Duplicate License** 10 License Transfer \$ 10 Duplicate Certified ID Card \$ 5 \$ 5 ID Card Transfer Fee \$ 10 Re-Inspection Fee \$ 50 2nd Re-Inspection 3rd Re-Inspection \$ 100 Pest Control Licenses Exam Fee \$ 25 Certified Applicator Exam Fee \$ 10 FISCAL RESEARCH DIVISION November 13, 2009

Pesticides	5		
Registration Fee	\$	100	
Application Certification	\$	6	
Licenses	\$	50	
Aerial Applicator Lic	cense		
Ground Applicator Lie	cense		
Dealer Lie	cense		
Consultant Lic	cense		
Aircraft Inspection	\$	25	
Delinquent Penalties	\$	200	

Special Funds

- Registered Structural Pest Control
 - Funds the development and production of materials for the Registered Technician Training Program
 - Funded by a \$25 fee for all individuals enrolled in the technician training program
- Pesticide Environmental Trust Fund
 - Supports agro-medicine programs and pesticide related programs (disposal, recycling, handling, etc)
 - Funded by an annual \$25 or \$50 environmental assessment fee on each registered brand of pesticide

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FISCAL RESEARCH DIVISION

November 13, 2009

FY2009-11 Budget Actions

- Reduced General Fund appropriation by \$500,000 to reflect increase in pesticide registration fee.
 - Increased fee from \$100 to \$150 per brand/grade of pesticide

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- Impacts all brands/ grades sold in NC

FISCAL RESEARCH DIVISION

November 13, 2009



Steve Troxler Commissioner

North Carolina Department of Agriculture and Consumer Services

To: Members of the Joint Legislative Commission on Governmental Operations

Kathy Davis, Committee Assistant

Fiscal Research Division

From: North Carolina Department of Agriculture and Consumer Services/Structural Pest Control

Committee

Date: November 2nd, 2009

Subject: Request for Consultation

Pursuant to G.S. 12-3.1, the North Carolina Department of Agriculture and Consumer Services is writing to request consultation with the Joint Legislative Commission on Governmental Operations to increase the Re-Inspection Fee allowable under the NC Structural Pest Control Law.

Background

The North Carolina Structural Pest Control Committee has proposed to amend 02 NCAC 34.1103(a), by increasing the re-inspection fee to be charged to a licensed or certified applicator following a finding by the Structural Pest Control and Pesticides Division of a primary deviation in structural pest control work. The current re-inspection fee for any primary deviation found with respect to work performed by a certified or licensed individual under the North Carolina Structural Pest Control Law is \$10.00. This fee was established effective July 1, 1976, and readopted effective November 22, 1977.

The proposed amendment increases the fee to \$25.00. G. S. 106-65.29 gives the North Carolina Structural Pest Control Committee the authority to "adopt rules with respect to:...(8) Fees for reinsertion following a finding of a deviation, as defined by the Committee."

Explanation

The re-inspection fee was established in 1977. At that time, there were 274 pest control companies in NC, with 384 licensed and 1088 certified individuals. Today there are 817 companies; 797 licensed and 1321 certified individuals. As our State's population has continued to increase, so too have the costs of Pest Control Services to consumers whom we are charged to protect. The administrative and enforcement costs of the Structural Pest Control regulatory programs, including Inspection, compliance monitoring, laboratory analyses, and travel costs have gone up as well. The re-inspection fee which helps support all of these efforts, however, has not been increased in 32 years. Therefore, the Division is requesting that the Structural Pest Control Committee increase the Re-inspection Fee to \$25.00.



Steve Troxler Commissioner

North Carolina Department of Agriculture and Consumer Services

To:

Members of the Joint Legislative Commission on Governmental Operations

Kathy Davis, Committee Assistant

Fiscal Research Division

From:

North Carolina Department of Agriculture and Consumer Services/Pesticide Board

Date:

October 15, 2009

Subject:

Request for Consultation

Pursuant to G.S. 12-3.1, the North Carolina Department of Agriculture and Consumer Services is writing to request consultation with the Joint Legislative Commission on Governmental Operations to increase the certification/recertification fee allowable under the NC Pesticide Law.

Background

The North Carolina Pesticide Board has proposed to amend 02 NCAC 09L .1111 by increasing the fee per three year certification/recertification period. The current fee of \$6.00 per three year certification/recertification period was established on October 1, 1987 as a Temporary Adoption, with the final rule effective on March 1, 1988. The proposed amendment increases the fee to \$10.00 per three year certification/recertification period. G. S. 143-440 (b) gives the North Carolina Pesticide Board the authority to "require the certification and recertification of private pesticide applicators and, charge a fee of up to ten dollars (\$10.00)...."

Explanation

When the fee was established in 1988 at \$6.00, there were approximately 60,000 certified private pesticide applicators in North Carolina. During the next twenty years, that number decreased to approximately 17 thousand, resulting in a nearly 72 percent decrease in the numbers of certified applicators paying the certification fees every three years. During that same period, the administrative and enforcement costs of maintaining the certification and recertification record keeping and data management programs; the costs of keeping certified applicators updated on their requirements and continuing certification credit status; as well as the compliance monitoring, assistance and enforcement costs, have continued to increase. The fees that help support all of these efforts, however, continue to decrease.

Effective October 1, 2002, the Pesticide Board adopted rules to requiring an applicant for an initial private pesticide applicator's certification to pass a comprehensive written examination. The Division is responsible for developing and administering these examinations. That same year, the Pesticide Board increased the continuing certification credit requirements for private pesticide applicators requiring more

specific and verifiable training to be completed in order for a private applicator to be recertified without a written examination. Despite our ongoing efforts to seek and implement new operational efficiencies wherever possible, both of these rule changes further increased the data management, outreach and education requirements upon the Department in administering and enforcing the program without any increase in the resources to support these increased program elements.

Therefore, the Division is requesting that the Pesticide Board increase the certification/recertification fee to the maximum allowable under the North Carolina Pesticide Law, \$10.00. This in effect amounts to an increase of approximately \$1.33 per year for each certified private pesticide applicator.

Agriculture Report to November 2009 Governmental Operations Commission on Grants for FY 2009-10

Division	Official Grant Title	Grant Description	Funding Entity	FY 2009-10 Amount	FTE
Markets	National Organic Cost-Share Program	The purpose of this grant is to financially aid growers in the obtainment of organic certification	US Department of Agriculture	\$20,000	0.00
Markets	NC Commodity Asian Export Promotion	The purpose of this grant is to provide funding for a Trade Mission to China to encourage the export of NC agriculture products to China.	Tobacco Trust Fund	\$33,000	0.00
Food Distribution	FDPI ARRA Facility and Equipment Needs	The purpose of this grant is to repair the roof and gutters for a food distribution facility	US Department of Agriculture	\$50,712	0.00
Emergency Programs	NC Regional CAMET Exercise Series	The purpose of this grant is to conduct and exercise series that includes two regional Companion Animal Mobile Equipment Trailer drills and a NC Agriculture Emergency Operations Center (AgEOC) exercise in conjunction with the central region. Funds are proposed to be used for facility rental, meals, travel, and lodging for exercise participants.	US Department of Agriculture	\$25,000	0.00
Food and Drug	FDA FERN Microbiological Cooperative Agreement Program	The purpose of this grant is to support analysis of food and food products in the event of microbiological contaminations, and to conduct method development and matrix extensions as needed to support FDA and FERN food safety and defense objectives. Funds are proposed to be used for personnel, equipment, travel. materials, and supplies.	Department of Health and Human Services	\$249.774	2.00

10/16/09

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OSBM Office of State		West Jones Street, Raleigh, to both state no.us/files/pdf_files/g	NC 27603-8005, 919-807-4700, irants_instr.pdf			
1 Department	Department of Agriculture a	nd Consumer Services				
2 Division (except in DHHS)	Markets					
DHHS only, choose division from drop down list						
3 Contact person (name)	Kevin Hardison					
4 Phone number	919-733-7887					
5 E-mail	Kevin Hardison					
6 Funding Entity (grantor)	USDA,AMS					
7 CFDA number	10.163					
8 Grant title	National Organic Cost-Sh	are Program				
9 Grant application deadline (MM/DD/YY)	09/15/09					
0 Start date of grant (MM/DD/YY)	10/01/09					
1 End date of grant (MM/DD/YY)	09/30/10					
2 Application type	New					
3 Is this grant already in agency's continuation budget?	No					
4 Budget code the grant will be expended in (XXXXX)	13700					
5 Fund code (XXXX or NA)	XXXX					
6 Is there a state matching requirement?	No					
7 If yes, what is the matching requirement?						
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If yes, what is the source of state funds being used to match grant funds						
9 Is there a maintenance of effort (MOE) requirement?	No					
20 If yes, what is the MOE?						
1 Is an additional General Fund appropriation required to meet the state match requirement?	No					
2 Will any of these funds be passed through to local govern- ments or non-state entities?	No					
If yes, identify affected entities by type						
4 Will additional state monies be required to continue the program if grant expires or is reduced?	No					
5 If yes, is this a requirement of the grant?						
26 Are new FTEs funded through the grant?	No	l For 20	09-10			
			norized or Proposed			
	SFY 2008-09	SFY 2009-10	SFY 2009-10	SFY 2010-11	SFY 2011-12	SFY 2012-13
	Actual	Authorized	Proposed	Proposed	Proposed	Proposed
7 If yes, give the number by type for each year: Permanent		7 (011011200	1 Toposed	, roposed	Toposed	Flupused
	1		<u> </u>			
7 Time-Lim	rea		400 000 51			
8 Amount of grants funds applied for in each year			\$20,000 00	\$10,000.00		
9 Amount of grants funds awarded in each year						
Purpose of grant or amendment	The purpose of this grant is	to financially aid growers in th	e obtainment of organic certifica	ation		
11 Comments	The form of the section	at a La Ocom	7 0 7 0			· · · · · · · · · · · · · · · · · · ·
31 Comments	in stain is the post-notifica	ниот to OSBM 10-9-09 сору I	o Terri Overton, Catherine Stoc	ner, and Trevor Minor LP		
eturn completed form as email attachment and indicate in message that pr	pper agency sign-offs have be	en obtained. Contact your OS	BM budget analyst if you have s	questions		



Notification	of Application	for Grant Fun	ds/Awards, 200	9-10		
OSBM Office of State		West Jones Street, Raleigh, bm state.nc.us/files/pdf_files/e	NC 27603-8005, 919-807-4700. grants_instr.pdf			
1 Department	Department of Agriculture a	nd Consumer Services				
2 Division (except in DHHS)	Marketing (09-088-MKT)					
DHHS only, choose division from drop down list						
3 Contact person (name)	Peter Thornton					
4 Phone number	919-733-7912					
5 E-mail	Peter Thornton					
6 Funding Entity (grantor)	Tobacco Trust Fund					
7 CFDA number						
8 Grant title	NC Commodity Asian Exp	ort Promotion				
9 Grant application deadline (MM/DD/YY)	09/22/08					
10 Start date of grant (MM/DD/YY)	10/01/08					
11 End date of grant (MM/DD/YY)	09/30/09					Į.
12 Application type	New					
13 Is this grant already in agency's continuation budget?	No				-	
14 Budget code the grant will be expended in (XXXXX)	13700					P4
15 Fund code (XXXX or NA)	xxxx					Ī.
16 Is there a state matching requirement?	No					
17 If yes, what is the matching requirement?	NO					
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If yes, what is the source of state funds being used to match grant funds						
19 Is there a maintenance of effort (MOE) requirement?	No					
20 If yes, what is the MOE?	110					
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21 Is an additional General Fund appropriation required to meet the state match requirement?	No	Constitution of the second of				
22 Will any of these funds be passed through to local govern- ments or non-state entities?	No					
23 If yes, identify affected entities by type		***************************************				
24 Will additional state monies be required to continue the program if grant expires or is reduced?	No					1
25 If yes, is this a requirement of the grant?						
26 Are new FTEs funded through the grant?	No					
_		For 20	009-10			
- M N		Complete either Aut	horized or Proposed			16
	SFY 2008-09	SFY 2009-10	SFY 2009-10	SFY 2010-11	SFY 2011-12	SFY 2012-13
	Actual	Authorized	Proposed	Proposed	Proposed	Proposed
27 If yes, give the number by type for each year: Permanent		1	1		1	
Time-Lim	ind.					
28 Amount of grants funds applied for in each year	reu		\$33,000.00			
			\$33,000.00			
29 Amount of grants funds <u>awarded</u> in each year	7					
30 Purpose of grant or amendment	Trade Mission to China to 9	ncourage me export of NC ag	ricultural products to China. Fui	naing is proposed to be us	led for travel and meetings	
31 Comments	Project Number 2008-003-1	6 This form is the post-notific	ation to OSBM 9/21/09 copy to	Terri Overton, Catherine	Stogner and Trevor Minor LF	
Return completed form as email attachment and indicate in message that pri	nner anency sign offe have be	en obtained. Contact your OS	RM history analyst if you have	n petions		
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8/28/09

Notification	of Application	for Grant Fund	ds/Awards, 20	09-10		•
OSBM Office of State		West Jones Street, Raleigh, N bm state nc us/files/pdf_files/gr		0		
1 Department	Department of Agriculture ar	nd Consumer Services				
2 Division (except in DHHS)	Food Distribution (10-013-FI	DD)				
DHHS only, choose division from drop down list						7/
3 Contact person (name)	Rosemary Elliott					
4 Phone number	919-575-4490					7.
5 E-mail	Rosemary Elliott					
6 Funding Entity (grantor)	USDA					
7 CFDA number	10.567					
8 Grant title	FDPI R ARRA - Facility and	L Equipment Noods				
	To the tracking and	Legarphient (teeds)				
9 Grant application deadline (MM/DD/YY)	03/03/09					
10 Start date of grant (MM/DD/YY)	08/02/09					
11 End date of grant (MM/DD/YY)	08/30/10					
12 Application type	New					
	No					
13 Is this grant already in agency's continuation budget?	13700			A way all a		¥
14 Budget code the grant will be expended in (XXXXX)						
15 Fund code (XXXX or NA)	xxxx	***************************************				8 2
16 Is there a state matching requirement?	No					
17 If yes, what is the matching requirement?						
	1					
18 If yes, what is the source of state funds being used to match grant funds.	Other					
19 Is there a maintenance of effort (MOE) requirement?	No					
20 If yes, what is the MOE?						
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21 Is an additional General Fund appropriation required to meet the state match requirement?	No					
22 Will any of these funds be passed through to local govern- ments or non-state entities?	No					
23 If yes, identify affected entities by type						
24 Will additional state monies be required to continue the program if grant expires or is reduced?	No		W			
25 If yes, is this a requirement of the grant?	-					
	No					
26 Are new FTEs funded through the grant?	ING					
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	SFY 2008-09	SFY 2009-10	SFY 2009-10	SFY 2010-11	SFY 2011-12	SFY 2012-13
	Actual	Authorized	Proposed	Proposed	Proposed	Proposed
27 If yes, give the number by type for each year: Permanent						
Time-Lim	ited					
28 Amount of grants funds applied for in each year	Γ		\$50.712.00			
29 Amount of grants funds awarded in each year	 	\$50,712.00				
30 Purpose of grant or amendment	To repair roof and gutters fo	(100 x 20 x			L	
31 Comments	Award # 5NC440603-Fundi	ng for this project is provided the	nrough ARRA funds This fo	rm is the post-notification to O	SBM_ 8/26/09 copy to Terri C	verton and Trevor Minor
Return completed form as email attachment and indicate in message that pr	LP oper agency sign-offs have be	en obtained. Contact your OSB	M budget analyst if you hav	e questions	u i i i i i i i i i i i i i i i i i i i	



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	Budget and Management, 116 Instructions at http://www.ost	West Jones Street, Raleigh, NC bm state nc.us/files/pdf_files/gra	27603-8005, 919-807-4700			
1 Department	Department of Agriculture an					
2 Division (except in DHHS)	Emergency Programs (10.00	06-EP)				
DHHS only, choose division from drop down list						
3 Contact person (name)	Joseph Gilroy					
4 Phone number	919-807-4301					
5 E-mail	Joseph Gilroy					
6 Funding Entity (grantor)	USDA, APHIS, VS					
7 CFDA number	10 025					
8 Grant title	North Carolina Regional C	AMET Exercise Series				
9 Grant application deadline (MM/DD/YY)	07/31/09					
10 Start date of grant (MM/DD/YY)	08/05/09					
11 End date of grant (MM/DD/YY)	08/04/10					
12 Application type	New					
13 Is this grant already in agency's continuation budget?	No				\$1 20	
14 Budget code the grant will be expended in (XXXXX)	13700	POSINS WIRESPYCE SIGNED STREET		У 2	5 × 5 × 5	-
15 Fund code (XXXX or NA)	1017					
16 Is there a state matching requirement?	Yes	X				
17 If yes, what is the matching requirement?	\$26,829 74					ě
If yes, what is the source of state funds being used to match grant funds	General Fund		A CONTRACTOR OF THE CONTRACTOR			
19 Is there a maintenance of effort (MOE) requirement?	No					
20 If yes, what is the MOE?						
21 Is an additional General Fund appropriation required to meet the state match requirement?	No					
22 Will any of these funds be passed through to local govern- ments or non-state entities?	No					
23 If yes, identify affected entities by type						
24 Will additional state monies be required to continue the program if grant expires or is reduced?	No					
25 If yes, is this a requirement of the grant?						*
26 Are new FTEs funded through the grant?	No					
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27 If yes, give the number by type for each year: Permanent				- 977 RW		
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28 Amount of grants funds applied for in each year	*	\$25,000.00	\$25,000 00			
29 Amount of grants funds awarded in each year						ACT COLL TO A NO
30 Purpose of grant or amendment	NCDA&CS-Emergency Pro Agriculture Emergency Ope lodging for exercise particip	grams plans to conduct an exer erations Center (AgEOC) exerci pants	cise series that includes two r se in conjunction with the cen	egional Companion Animal tral region Funds are propi	Mobile Equipment Trailer (CAI osed to be used for facility rent	MET) drills and a NC al, meals, travel, and
31 Comments	CA# 09-6100-0047-CA Th	is form is the post-notification t	o OSBM. 9/28/09 copy to Ter	ri Overton and Trevor Minor	. LP	
Return completed form as email attachment and indicate in message that p	proper agency sign-offs have be	een obtained. Contact your OSI	BM budget analyst if you have	questions		



Notification	of Application	for Grant Fund	ls/Awards, 2	009-10		
	Budget and Management, 116	West Jones Street, Raleigh, N	27603-8005, 919-807-4			
		sbm.state.nc.us/files/pdf_files/gr	ants_instr.pdf	- Carlonia		
1 Department	Department of Agriculture a	and Consumer Services				
2 Division (except in DHHS)	Food & Drug (10-021-FD)					
DHHS only, choose division from drop down list						
3 Contact person (name)	Betty Gautier			2000 T 200		
4 Phone number	919-733-7366					
5 E-mail	Betty Gautier			ESTERNIC TO 1		
6 Funding Entity (grantor)	DHHS-OEMS					
				AND ALL		
7 CFDA number	93 103					
8 Grant title	FDA FERN Microbiologica	al Cooperative Agreement Pro	gram	MARINE .		
9 Grant application deadline (MM/DD/YY)	07/29/09					
10 Start date of grant (MM/DD/YY)	09/21/09					
11 End date of grant (MM/DD/YY)	06/30/10					
12 Application type	New					
13 Is this grant already in agency's continuation budget?	No					
14 Budget code the grant will be expended in (XXXXX)	13700					
15 Fund code (XXXX or NA)	xxxx					
16 Is there a state matching requirement?	No					
	INO					
17 If yes, what is the matching requirement?				7.5% (18.5%)		
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18 If yes, what is the source of state funds being used	Y			A Section 1		
to match grant funds.				30 2 tes		
19 Is there a maintenance of effort (MOE) requirement?	No					
20 If yes, what is the MOE?						
20 If you, what is the mode,						
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21 Is an additional General Fund appropriation required to meet	No					
the state match requirement?						
22 Will any of these funds be passed through to local govern-	No			1		
ments or non-state entities?						
23 If yes, identify affected entities by type				-		
24 Will additional state monies be required to continue the	No					
program if grant expires or is reduced?	INO					
25 If yes, is this a requirement of the grant?						
26 Are new FTEs funded through the grant?	Yes			4		
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		For 200				
		Complete either Auth				
	SFY 2008-09	SFY 2009-10	SFY 2009-10	SFY 2010-11	SFY 2011-12	SFY 2012-13
	Actual	Authorized	Proposed	Proposed	Proposed	Proposed
27 If yes, give the number by type for each year: Permanent						
Time-Lim	ited	2.000				
28 Amount of grants funds applied for in each year				\$250 000 00	\$250,000.00	
29 Amount of grants funds <u>awarded</u> in each year		\$249.774.00		0250,000,00	\$250,000.00	
30 Purpose of grant or amendment	Agroomont# 11/19ED00395			1		
50 Fulpose of grant of amendment	matrix extensions as neede	8-01 To support analysis of food d to support FDA and FERN foo	and rood products in the	event of microbiological contain	nations, and to conduct metho	d development and
	supplies	o to capport i direction Entition	a salety and deterrate obje	ctives. Turius are proposed to	be used for personner, equipme	in, iravei, materiais and
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31 Comments	This form is the post-notific	ation to OSBM. 10/21/09 copy t	Terr: Overton, Catherine	Stogner and Trevor Minor LP		
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leturn completed form as email attachment and indicate in message that pr	oper agency sign-offs have be	een obtained. Contact your OSB	M budget analyst if you ha	ve auestions		