

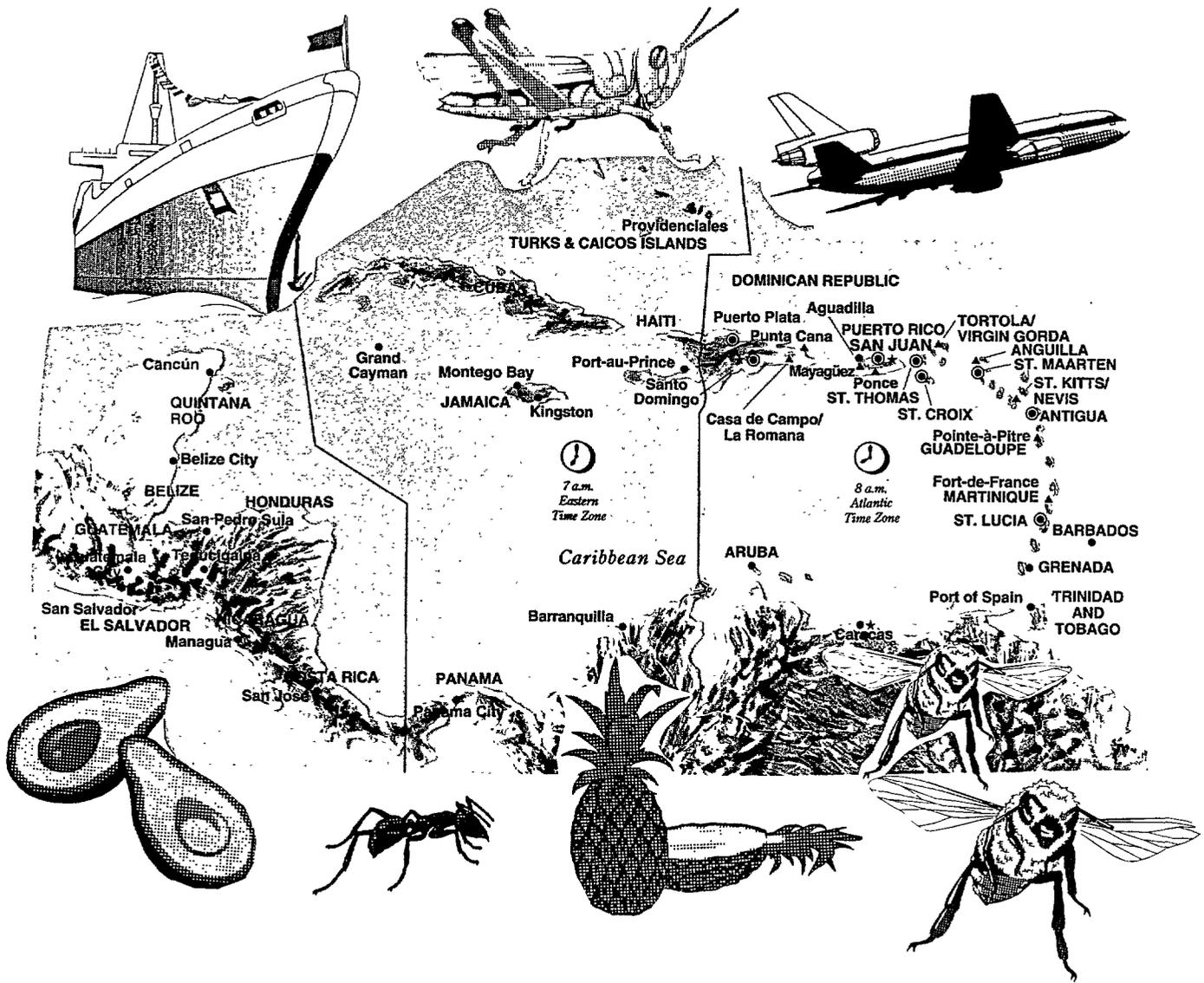
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# LAC TECH

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AGRICULTURE AND RURAL DEVELOPMENT TECHNICAL SERVICES PROJECT  
AID/LAC/DR/RD, CHEMONICS INTERNATIONAL, U.S. DEPT. OF AGRICULTURE, LAND TENURE CENTER

## PLANT PROTECTION AND QUARANTINE SYSTEM ASSESSMENT for St. VINCENT and GRENADA



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for St. VINCENT and GRENADA**

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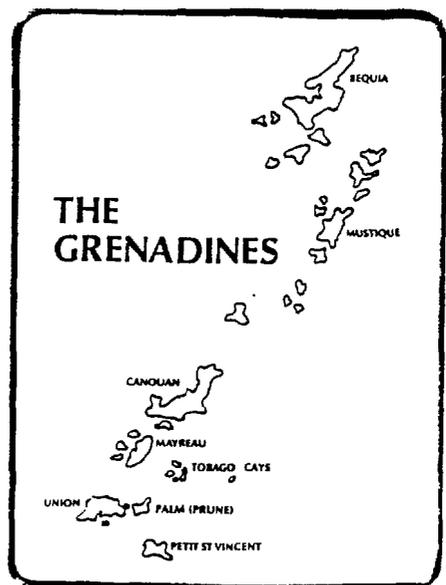
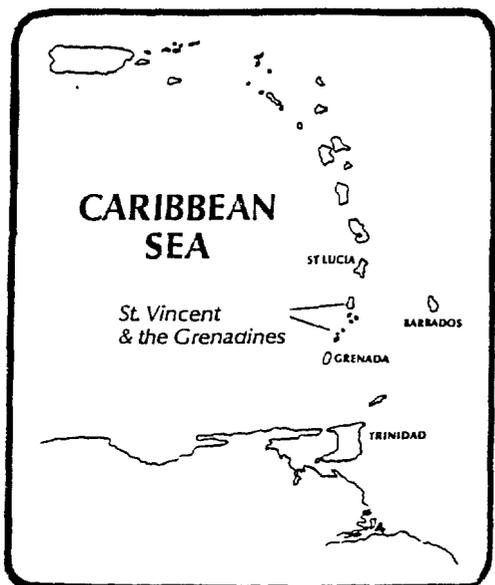
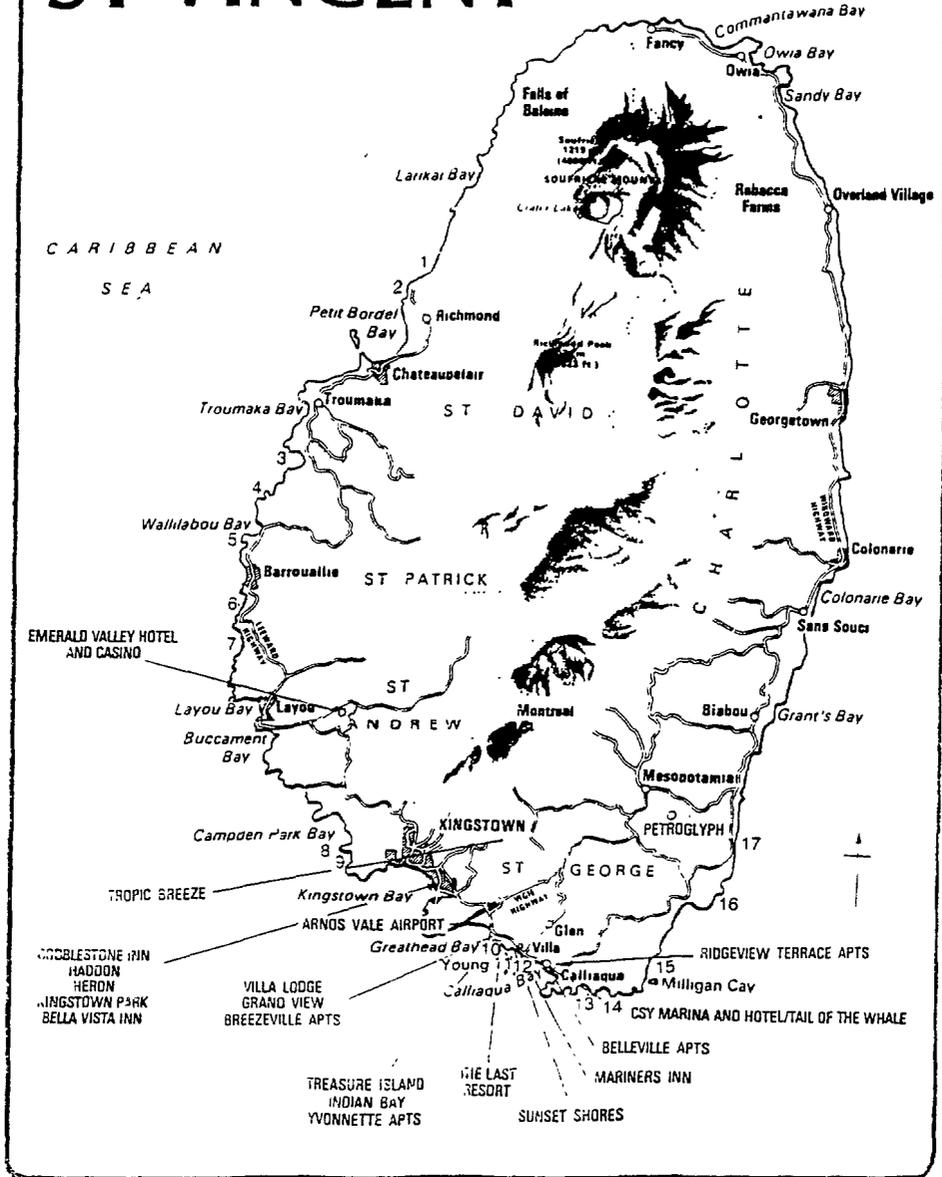


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- 1 Lance aux Epines small maritime vessel clearance (customs)
- 2 St Georges Deep Water Port maritime clearance
3. Pt. Salinas international airport
- 4 Grenville maritime clearance (customs)

# ST VINCENT



## INDEX OF ACRONYMS

APHIS	Animal Plant Health Inspection Service
CARICOM	Caribbean Economic Community
CARDI	Caribbean Agricultural Research and Development Institute
EEC	European Economic Community
FAO	Food and Agricultural Organization
GOG	Government of Grenada
IICA	Inter-American Institute for Cooperation on Agriculture
MoT	Ministry of Tourism
MoA	Ministry of Agriculture
MoH	Ministry of Health
MoS	Ministry of Statistics
O.E.C.S.	Organization of Eastern Caribbean States
PPQ	Plant Protection and Quarantine
POE	Port of Entry
PRA	Pest Risk Analysis
SVG	St Vincent and the Grenadines
USDA	United States Department of Agriculture
USAID	United States Agency of International Development
VS	Veterinary Services

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## **1. INTRODUCTION:**

In the latter part of January, 1994, the Agency for International Development (AID) Regional Development Office in the Caribbean (RDO/C), requested assistance from the LAC TECH Plant Protection and Quarantine advisor to conduct an assessment of the Agricultural Ministries' Plant Protection and Quarantine Services of the island nations of St. Vincent (SVG) and Grenada. Both SVG and Grenada currently maintain a fruit fly free status, which in turn has provided both countries with extensive fresh commodity admissible lists for export to the U.S. Admissible lists for both countries appear in Annex A.

The growing trend of free trade, both within the Caribbean community (CARICOM) and worldwide poses a potential threat of introducing exotic pests to SVG and Grenada. The loss of the existing fruit fly free status would seriously impede any agricultural diversification program.

In 1987, the APHIS area director for the Caribbean reviewed the fruit fly survey program and quarantine operations in SVG and Grenada. A synopsis of the fruit fly surveys and quarantine programs, which were the foundation for granting the current fruit fly free status, is presented in Annex B. The reader may wish to make reference to this document when appraising the changes or improvements since 1987.

Although the duration of the TDY was short (two weeks), there was sufficient time to conduct a basic review of port operations, both maritime and airport, and domestic programs in both the island nations. Although both islands retain the same unique status, the quality of the quarantine programs differs greatly.

As a follow-up, the quarantine advisor was charged with designing a strategy which identifies deficiencies in the existing systems and recommends solutions to insure both SVG and Grenada maintain their fruit fly free status. The core of the strategy focuses on four major segments: quarantine policy evaluations and reforms, port operations, domestic plant protection programs, and additional staff training needs.

In addition, the intent of this working document is to compliment a recent evaluation by the FAO on the legal aspects of harmonizing quarantine systems throughout CARICOM.

## **2. POLICY EVALUATION:**

### **2.1 QUARANTINE LAWS and REGULATIONS:**

The present quarantine systems in SVG and Grenada function at a less than adequate levels due to deficiencies in the legal framework that support plant protection and quarantine activities. The FAO recently conducted an assessment and reported on the legal aspects of harmonizing plant quarantine within CARICOM. A copy of this draft report is presented in Annex C.

The FAO report does not cover Grenada, however, it does review SVG and indicates that a Plant Protection Act has been drafted which provides an adequate legal structure to support plant protection activities.

Grenada drafted its Plant Protection Act in 1985 and it became law in 1986. The Grenada Act No.19 of 1986 is presented in Annex D. However, in both countries specific regulations to implement and support the quarantine acts have not have not been promulgated and adopted. Shortly after Grenada's Plant Protection Act was ratified a set of quarantine regulations were drafted, but as of this date they have never undergone a legal review or ratification. The draft regulations for Grenada are in Annex E.

The recent Uruguay round of the GATT (General Agreement on Tariffs and Trade) negotiations requires that unjustifiable phytosanitary barriers to international trade in agricultural commodities be removed through harmonized phytosanitary measures which must be based on sound biological principles. These principles must be the basis for plant protection regulations. Therefore any rationale governing plant protection measures or activities must be transparent and specific in nature.

This implies that general or broad based phytosanitary restrictions which cannot be supported with scientific evidence may be challenged under the GATT. It is recommended that all general quarantines be evaluated for their scientific validity.

Also a lack of adequate regulations or statutory framework does not provide legal authorization for plant protection officials to perform their duties. Without legal authorization taking a quarantine action, such as preventing the entry of specific commodities, is not justified.

An explicit, well defined set of regulations that supports port operations in dealing with specific agricultural import/export issues is lacking in both St. Vincent and Grenada. This should be a priority area for the Ministry of Agriculture (MoA) in both countries. The draft regulation for Grenada should be implemented as soon as possible. Additional regulations or amendments can be incorporated at a later date.

## **2.2 WORKING RELATIONSHIPS with PORT AUTHORITIES**

In both SVG and Grenada the working relationship between port authorities, other regulatory agencies, (such as Customs), and the quarantine service is exceptionally good. Quarantine officials have unlimited access to all areas of quarantine concern. The rapport with Customs appears strong in both countries. For example, the Customs service in SVG performs 100 percent inspection on all arriving passengers at the airport. Customs provides coverage when PPQ officials are not on duty. It was also explained that Customs is included in agricultural quarantine training.

The one apparent weak area in both SVG and Grenada appears to be associated with the Ministry of Tourism (MoT). Tourism has become a major focus for development in both islands, and problems arise when the MoT perceives quarantine actions as being detrimental to the tourist industry. What is needed in this case is collaboration with MoT, incorporating them into the quarantine propaganda program, and directly involving them in the quarantine development plan. Tourism has a higher priority than plant quarantine, and alienating the MoT will only impede the continued development of plant protection and quarantine programs.

## **2.3 USER FEES POLICY:**

As a means of generating funds to augment the current quarantine budgets, and to improve the existing quarantine programs, SVG and Grenada should develop and implement a users fee program much like that of the U.S. Under the 1990 Agricultural Farm Bill, APHIS was directed by Congress to reduce their budget. By establishing a user fees program, the necessary program funding was maintained. Currently, fees are paid by all carriers (ships, aircraft and trains), and passengers entering the U.S. for quarantine inspection services.

Funds generated from a program of this kind can be directly applied to improving the present system. This will require establishing a special fund for PPQ so that monies generated can be used for ameliorating the quarantine system. Costa Rica has implemented a program of this nature, and fees generated are being used by the quarantine service to provide agricultural quarantine training, to improve inspection facilities, and to intensify the export certification program.

At the present time SVG charges five EC dollars for export certificates, and there is no charge for services in Grenada. It is recommended that the MoA in both countries identify quarantine services that could support/justify a service fee which should be applied to improving the quarantine service. A copy of the USDA APHIS user fee rule is presented in Annex F.

## **2.4 FUMIGATION POLICY:**

At the present time there are no quarantine fumigations conducted in SVG or Grenada. Importers have only two options if infested cargo is detained. These are, to re-export or to destroy the shipment. In SVG, the head of plant protection claimed the agency had the necessary equipment but lacked adequate training and confidence to perform fumigations. In Grenada, there apparently is no equipment to conduct fumigations and like SVG, the field staff have no training in this area.

It appeared that the number of interceptions of quarantine significant pests in commercial cargo was very limited. However, the lack of adequate reporting or statistics in this area made it impossible to ascertain the need for fumigation services. A fumigation program will benefit both the importing and exporting community if there is a perceived need.

This need would be demonstrated by numerous detentions at ports of destination, or by a level of interception in SVG or Grenada resulting in significant cargo rejection rates that impeded trade. Another scenario for fumigation would be in the case of an interception of illegal cargo e.g. fruit fly host material, as a safeguard measure.

Several factors must be taken into consideration if SVG and Grenada decide to provide fumigation services for the future. Will the level of interceptions escalate with the increase in worldwide trade? If the primary chemical fumigant, methyl bromide (MB), is banned, will there be other cost effective options for treating infested commodities?

It is recommended that both countries take a wait and see position until alternatives to MB are developed, and continue with the current policy of re-exporting or destroying infested cargo.

## **2.5 OVERTIME POLICY:**

All ports of entry should be staffed during the operation of the port by quarantine personnel. There is a system for paying PPQ officials overtime in both SVG and Grenada, and if quarantine staff is not available, these services are provided by Customs. Any cargo arriving when quarantine staff is not on duty is held by Customs. In Grenada overtime is currently paid by the GOG, however, in the case of garbage control outside of hours the shippers are required to cover the cost.

A viable overtime system should insure all arriving passengers, cargo and conveyances are inspected. Overtime for passenger clearance should be covered by the government, while inspection of cargo, conveyances (aircraft and ships) and supervision of offloading of garbage outside of normal working hours could be conducted on a reimbursable overtime system and paid for by the carrier or importer.

The overtime system used by APHIS could be used as a model for SVG and Grenada. The U.S. system provides the PPQ official with travel and a set hourly minimum (two) for overtime. This is a reimbursable system, and the importer/carrier pays for the officer's time and for the agency's overhead. Both St Vincent and Grenada may wish to review their current overtime policy and perhaps adopt a system similar to that used in the U.S.

## **2.6 CIVIL PENALTY SYSTEM:**

Neither SVG or Grenada has a system of civil penalties. Under Grenada's plant protection act, any violator must be taken to court by the ministry as there is no punitive judgement such as fines. No one has ever been taken to court, nor will anyone likely be prosecuted as the system is arduous and complicated.

In effect, this implies there is no enforcement component built in to the present quarantine systems of SVG and Grenada. There is no means to enforce the correction of a violation or to prevent it's reoccurrence. The intent of a civil penalty system is not to punish the traveling public or commercial importer, or to generate funds for the ministry, but rather to insure that trafficking in prohibited agri-products is discouraged and foreign garbage violations are kept to a minimum. If violators are reprimanded through a system that permits fining, the reoccurrence of the problem is less likely to happen.

It is virtually impossible to control quarantine violations unless the law provides a mechanism to penalize/fine offenders. For example, the U.S. did not have a system of civil penalties until the mid 1980s. Prior to this, there was really no disincentive for the public or commercial transporters to convey prohibited agricultural products.

In the U.S, APHIS has the authority to fine when: APHIS quarantine seals are broken, when a carrier fails to provide advance notice of arrival, when compliance agreements are broken, for maritime and airport garbage violations, arriving passengers failure to declare or smuggling prohibited agricultural materials, and for unauthorized movement of regulated cargo.

It is highly recommended that the GOG and SVG design and implement a system of fines/civil penalties to control: (1) passengers bringing prohibited material in their luggage; (2) maritime garbage violations; (3) prohibited material in mail and, (4) penalty for compliance agreement violations. Of the four groups the highest quarantine risk is associated with prohibited material in luggage.

For this reason, both island nations need to amend their customs declaration to include a section on agriculture quarantine in conjunction with adopting a civil penalty policy. A sample of the relevant U.S. Customs declaration form is provided in Annex G. The customs form is used as a formal declaration.

## **2.7 COMPLIANCE AGREEMENTS**

At the present time there is no mechanism, such as a compliance agreement, to strengthen the quarantine programs in SVG and Grenada. Compliance agreements are contracts with private parties, such as catering operations and maritime refuse disposal services, to perform the duties of offloading and disposal of contraband materials.

A set of compliance agreements should be established and programmed under the auspices of the MoA. A series of compliance agreements would reduce the workload in areas with limited staffing, while ensuring that quarantine safeguards are maintained. The U.S system relies heavily on compliance agreement programs.

It is recommended that SVG and Grenada adopt compliance agreement programs and work with their private sectors in developing programs to further support their quarantine services. For example, agreements should be established to provide services for maritime garbage disposal for yachts, which at this time is a weak area for both SVG and Grenada. A set of USDA APHIS compliance agreements is presented in ANNEX H.

## **3 PORT OPERATIONS**

### **3.1 QUARANTINE PHYTO/ZOOSANITARY OPERATIONS**

Phyto/zoosanitary operations are divided, yet there is overlapping and excellent coordination and collaboration between the PPQ and Veterinary Services (VS) in both St Vincent and Grenada.

In SVG Veterinary Services controls the imports/exports of meat and poultry and live animals. VS has a staff of eight, two veterinarians and six technical persons who cover eight districts. All meat/poultry require import permits and most come from an identified source. Live animal imports are limited and originate in low risk countries like the U.S., Canada, and the United Kingdom. There is no animal quarantine station in either SVG or Grenada. Live animals are quarantined at the importer's premises.

In SVG animal byproducts such as butter, cheese, eggs, etc are the responsibility of the ministry of health (MoH). The MoH is the party responsible for control of garbage from all foreign carriers.

The head of plant protection in SVG explained that the agricultural programs are broken down as such: three inspectors for PPQ services, two trappers for fruit fly surveys, three officials for rodent control, and six officials for chemical control. The PPQ service regulates all imports/exports of fresh agricultural products and conducts trapping programs.

The MoH controls garbage and inspects processed foods and animal byproducts. VS controls the import/export of meat/poultry and live animals and is also involved in extension work.

Grenada's phyto/zoosanitary programs closely resemble U.S. operations. VS covers the import/export of live animals and meat and poultry, whereas PPQ controls all fresh commodities, animal byproducts, and live chicks. All importation of agricultural commodities requires permits and inspection at ports of entry in both SVG and Grenada.

Since there is apparent overlapping of services between VS and PPQ, it would be of mutual benefit to cross train officials in both departments. VS staff should receive basic plant quarantine inspection courses, and PPQ would benefit from veterinarian inspection course. Another consideration would be to rotate officers through the different departments in the same agency. VS should also consider using compliance agreement in their quarantine of live animals to insure importers do not violate or break quarantine laws.

### **3.2 AGENCY IMAGE**

Currently no uniforms are worn by quarantine staff in SVG or Grenada and officials are not readily distinguishable from the traveling public or dock workers. In order to improve the agency's professional image and provide quarantine officials with a higher profile of authority, it is essential that a uniform be designed and adopted by the quarantine staff at all ports of entry.

New uniforms will also significantly boost the morale of officials and provide a high profile for quarantine at all ports of entry, which in itself is a deterrent to trafficking in prohibited agri-products. Grenada has included new uniforms for the quarantine staff in this year's budget, and it is advised that SVG do the same. Uniforms should be practical, comfortable, and non intimidating to the traveling public. A paramilitary uniform is not called for in islands where tourism is of high priority.

Furthermore, each official should be provide with an inspection kit consisting of a hand lens, flashlight, buck knife, dissecting kit, insect vials with alcohol, and small envelopes for submitting interceptions.

### **3.3 TRANSPORTATION and COMMUNICATION**

In Grenada all PPQ officers use their own private vehicles for work purposes and transportation doesn't appear to be a problem. However, when officers are in the field for domestic programs or traveling to ports of entry they are incommunicado. This problem could be resolved by purchasing officers beepers or by installing CB units in the vehicles.

The PPQ office at the present time shares a telephone line, which is usually busy. It is often very difficult to reach the office. It is further recommended that the quarantine office have an independent line.

In SVG, transportation is a major problem for PPQ. There is only one vehicle which is shared by quarantine and the trapping program. Recently this vehicle was not functioning for several weeks and traps were not serviced for almost a month. The ministry appears to have a total of three vehicles for use by several departments. There is one vehicle for PPQ and the trapping program, one for rodent control and one for the chemical control department. The closing of an FAO program may provide the ministry with additional vehicles, but how these vehicle will be distributed is unknown. It is highly recommend that the ministry purchase additional transportation or provide a mechanism for reimbursing officials for use of their private vehicles.

Failure to continuously service trap lines, which is a condition for fruit fly free status, because of a non-functioning vehicle is not a legitimate excuse. This is a priority area and the ministry must insure that adequate transportation is available or the USDA may reconsider the validity of the SVG fruit fly program.

### **3.4 INSPECTION FACILITIES and COMMODITY SAMPLING**

In Grenada PPQ has an office and inspection area in the Pt. Salinas International airport although customs conducts all primary inspections. PPQ is alerted by Customs when there is an interception of quarantine concern. Commodity contraband, (intercepted agricultural products) is cut and examined for pests and refuse can be burned in the incinerator at the airport. The St. Georges deep water port has no facilities for PPQ. The quarantine service has been trying to obtain office space at the maritime port. Inspection of maritime cargo is conducted at the port warehouses. Interception of contraband (prohibited fruits and vegetables) is logged but statistics on interceptions/hosts and volume are not readily available.

In SVG there are no officially designated inspection facilities for PPQ. Customs conducts 100 percent inspections of passengers arriving at the airport. PPQ is notified when an interception occurs. Inspections at the Kingstown maritime port are cursory as no facilities are available. The operation at the maritime port is extremely chaotic. Intercepted contraband and fruit collected from the trapping program (mandatory) is transferred to the agriculture lab for cutting. Statistical reporting on interceptions is ineffectual. A copy of the 1993 statistics for imported commodities for SVG is present in Annex I.

Each major port of entry should be properly equipped with suitable inspection resources and facilities to support quarantine activities. PPQ should be actively involved as a primary agency in inspecting arriving passengers.

Designated areas for inspection at maritime ports needs to be established in both SVG and Grenada. The inspection area must have adequate lighting and be protected from the elements, such as inclement weather. If adequate space in unavailable PPQ can institute a portable inspection system (inspection table on wheels with lighting).

Also the quarantine agencies in SVG and Grenada needs to initiate improved practices of gathering baseline data on intercepted pests and disease, volume of contraband intercepted (commercial and passenger), and imported agricultural cargo. These types of statistics can be used to identify high risk areas and to justify budget augmentation and funding allocation for the quarantine services.

### **3.5 SHIP and AIRCRAFT QUARANTINE PROCEDURES**

In SVG there are two major ports of entry, the airport and the maritime port in Kingstown. The SVG quarantine service does not board ships, yachts, or aircraft. There is no phytosanitary control/inspection of ship stores, reefers, or garbage. International garbage is not permitted to offload at this time, and SVG is not in a position to handle this operation. This must change as CARICOM harmonizes its quarantine programs.

Aircraft are not boarded, but there are no intentional flights since the airport in SVG is too small. The airport serves only inter-regional or local flights, which do not serve food (only drinks), and garbage control is the sole responsibility of the ministry of health (MoH). The airport seldom receives any quarantine significant air cargo and all passengers are inspected by customs. All intercepted fruit at the airport is confiscated and held in a quarantine container.

Maritime operations represent the greatest quarantine risk for SVG, but until legislation is passed and regulations promulgated, there is no legal authorization to board vessels. Another shortcoming is that only fresh agricultural maritime cargo is inspected. No unprocessed seed or grain or miscellaneous cargo is reviewed. SVG receives maritime shipments from world wide sources, as indicated by the ministry of statistics, and this poses a potential pest risk. SVG imports from Kaphra Beetle (a major pest of stored grains) endemic countries, so special attention should be given to all shipment coming from this high risk area. Kaphra Beetle information and endemic countries is provide in Annex J.

Grenada has an international airport and like SVG, the primary inspection agency is Customs. Air cargo is limited and is held by Customs until it is inspected and released by quarantine. No international aircraft are boarded because of the short turn around time (1/2 hr.) before these aircraft continue to Barbados. If any international aircraft remains overnight, it is inspected. Inter-regional flights do not present a significant quarantine concern, as mentioned earlier.

International garbage is permitted to offload and is disposed of under the supervision of PPQ. The carrier's agent must obtain a garbage disposal certificate from PPQ before the garbage is released.

The St Georges deep water port is the major maritime port in Grenada. PPQ boards all vessels to control garbage and ships stores, however, fruit fly host material from endemic countries is not sealed on board. The ship's agent must notify PPQ to arrange for offloading of garbage under PPQ supervision. No tour ships are inspected, nor are passengers cleared as the ministry of tourism considers this impediment to tourism. The port of Lance aux Epines handles all small maritime craft. MoA does not board yachts and disposal of garbage is a concern. Garbage disposal is covered under section 3.6.

Neither SVG nor Grenada has a system for notice of arrival for carriers. Customs notifies PPQ when carriers/vessels arrive or are in port. There is a need for tighter control in this area, as all conveyance may act as a vector for quarantine significant pests.

In summary with respect to St. Vincent and Grenada quarantine procedures, the following areas need attention. All ships should be boarded to control garbage and ship stores. All fruit fly host material from fruit fly endemic countries should be sealed on board ship. Not only must agricultural cargo be inspected but also any miscellaneous cargo that can act as a conveyance for quarantine pests. The MoA must be a primary agency when it comes to inspecting for agricultural purposes and not rely solely on Customs. Both SVG and Grenada should work with the Customs Service directly in the clearances of yachts.

All cruise ship tour lines should be inspected and passengers cleared if they disembark. Finally legislation and regulation must be in place to support all of these quarantine activities.

### **3.6 SUPERVISING SAFEGUARDING, OFFLOADING and DISPOSAL of QUARANTINE CONTRABAND**

In SVG, no international garbage is permitted to be offloaded and all inter-regional refuse from ships and aircraft is under the jurisdiction of the MoH. All confiscated contraband from arriving passengers is held for disposal by PPQ. In Grenada, the quarantine service controls all offloading and disposal of international refuse from the maritime port and airport. No garbage is permitted to leave the port without a certificate of disposal. A copy of this form is presented in Annex K. Under CARICOM's plan to harmonize quarantine, international garbage will be permitted to offload, thus SVG needs to develop a viable system to control and dispose of international refuse under appropriate safeguard measures.

An apparent problem area in garbage control relates to small maritime vessels (yachts). It was noted in Grenada that garbage from yachts was disposed of in a common dumpster at the port. Domestic and foreign garbage are commingled and disposed of by a private entity. Both SVG and Grenada need to develop a program which designates a particular port for disposal and provides highly visible quarantine containers at the port. The program would require yacht owners to separate their food refuse from non-quarantine garbage, and to seal it in a plastic container for disposal in a quarantine receptacle. Another option is to have a private party collect quarantine refuse from yachts anchored around the island by barge under a compliance agreement. The owner of the yacht would pay for this service, or the owner could depose of their refuse at the designated area in the quarantine receptacle.

Information on disposal should be provided through the Customs, services and a quarantine official should periodically board yachts to inform the owner and crew of quarantine requirements/prohibitions for disposing of refuse. This action will no doubt require drafting of new regulations.

### **3.7 PASSENGER CLEARANCE**

Clearance of airport passengers in SVG and Grenada is done by customs officials. If agricultural products are detected, PPQ is notified. In SVG, customs conducts a 100 percent inspection of all arriving passengers. There is no system in SVG or Grenada for profiling passengers which keys on particular high risk groups. It appears there is more attention paid to CARICOM citizens than tourists. Records of contraband interceptions from arriving passengers should be collected and evaluated to establish a profile so officials can target particular groups which have demonstrated a high risk of transporting prohibited materials..

It was noted that cruise/tourist ship passengers are not cleared. PPQ should work with all tourist lines that pay a port of call to provide information to ship captains and crews so tourists can be informed of quarantine regulations. A uniformed officer should be on hand to clear arriving cruise ship passengers and to inform them of the quarantine regulations, to prevent anyone from carrying prohibited commodities off the ship. PPQ will need to work the ministry of tourism to assure them that this type of quarantine measure is not an impediment to the tourist industry.

### **3.8 CONTROL and INSPECTION of CARGO**

With respect to controlling cargo for PPQ in both SVG and Grenada, the focus is strictly on fresh agricultural commodities. As stated earlier, air cargo is limited in both countries, so maritime represents the bulk of imports. Neither SVG nor Grenada receives notice of arrivals from carriers, nor does the quarantine service review manifests from non-agricultural cargo.

Customs holds all agricultural products for inspection by the different agencies. There is some overlapping of inspection for animal byproducts with VS, and in Grenada, PPQ inspects live chicks.

In SVG, the MoH is responsible for inspecting animal byproducts, (such as cheese, milk, eggs), while VS controls meat and poultry. It appears that all products are physically inspected by an official from the MoA or MoH.

An area in which both countries can improve upon is to expand their inspection focus to cover miscellaneous areas by targeting exporting countries based on risk. As an example of this is, the U.S. requires a mandatory treatment for brass artware from India as a precaution for Kaphra Beetle. Although the artware is not of quarantine concern, it has been a conveyance for serious quarantine pest as demonstrated by past interceptions. Another example, marble from Europe acts a conveyance for a number of quarantine significant snails.

Besides fresh commodities, additional areas for inspection should include the following:

- 1 All unprocessed seeds
- 2 Cut flowers and foliage
- 3 Seeds in bulk for propagation
- 4 Miscellaneous cargo
  - a. Logs, lumber, wood crating, and dunnage
  - b. Household goods
  - c. Dried, ornamental plant material
  - d. Maritime containers
  - e. Used burlap or jute bagging
  - f. Vehicles
  - g. Hides and skins/animal trophies

Target organisms for the items listed above include the following:

- 0 Soil and Earth
- 0 Egg masses
- 0 Pupae
- 0 Hitch hiking pests
- 0 Weeds and weed seed
- 0 Animal secretions
- 0 Ticks
- 0 Wood borers
- 0 Snails
- 0 Kaphra Beetle
- 0 Africanized Honey Bees

- 0 Weevils
- 0 Termites

As is evident from the listings above, it is essential that quarantine personnel review **all manifests** to determine if there is a potential quarantine risk. A basic agreement with the customs service should permit this arrangement. One of the common problems concerning quarantine is that all too often the focus is exclusively on high profile pests such as fruit flies.

To illustrate trade risk, a listing of countries actively exporting to Grenada is provided in Annex L. If you cross reference this with the Kaphra Beetle endemic list, you'll note several countries also on the former list. Also, countries with africanized honey bees (South & Central America) are exporting to both Grenada and SVG. This pest does not exist in either island nation.

### 3.9 QUARANTINE FORMS and MANUALS

The use of quarantine forms in both SVG and Grenada is extremely limited. It was noted that there is no declaration form for arriving passengers to indicate whether they are carrying agricultural products. SVG has proposed the use of a declaration form but has not adopted it for use. A copy of this form, along with the U.S. declaration form, is provided as a model in Annex G. A formal declaration form is an integral element of phytosanitary control for the traveling public, which represents the highest agricultural risk.

The primary forms used in SVG and Grenada are import permits and export certification forms. Grenada also utilizes forms for ship boarding and for garbage release permits.

As both island nations work to comply with a harmonized quarantine system under CARICOM, the need for quarantine forms will become evident as additional tasks (such as boarding all arriving carriers) will likely be included under the quarantine mandate by CARICOM.

Both islands should consider adopting the series of quarantine forms listed below.

- o **Cargo Hold and Record** .... This form is used to hold cargo of quarantine concern for PPQ. It serves as a warning, hold, informational, and clearance document when attached to the front of a manifest.
- o **Disposition of Plant and Plant or Animal Products** ..... This form is designed for use when commodity shipments are ineligible for entry or when the importer refuses to take the required PPQ treatment on an infested cargo.

- o **Baggage Information Data** ..... This form serves two purposes: (1) As a daily tally to record the number of referrals and quarantine actions taken on passenger and crew baggage at airports, (2) As a semiannual report for the ministry of agriculture to indicate level of work/inspections.
  
- o **Ship Inspection Report** ..... Acts as a port record for ship inspections, as an order for the captain or responsible ship's officer to take or observe designated safeguards, and as a documented agreement to those safeguards.
  
- o **Pest Interception Worksheet** ..... Provides information pertaining to the interception and provides a compilation of pest/host data that can be entered into a data base for statistical reporting which may assist in identifying areas, countries and commodities that represent high risks.
  
- o **Report of Violation** ..... Used to report unauthorized movements of regulated cargo, for not presenting required certificates or permits, and to report violations of garbage regulations and compliance agreements.
  
- o **Compliance Agreement** ..... Provides a signed written agreement with shippers, dealers, carriers, garbage handlers and processors to indicate their understanding of conditions and procedures necessary for compliance with PPQ regulations
  
- o **Notice of Alleged Violation** ..... Used to assess civil penalties for passengers and crew who attempt to smuggle prohibited or restricted agricultural items in their baggage or who fail to declare the items. This form is also used to assess civil penalties on crew members and service personnel who remove regulated articles without authorization.
  
- o **Notice of Violation** ..... This form is used to document garbage violations on carriers, the improper breaking of quarantine seals and failure to provide advance notice of arrival

Copies of the above mentioned USDA PPQ forms and forms currently used by Grenada are provided in Annex M, and can be used as models for SVG and Grenada. Regular use of these forms will assist the system by: compiling statistics which can help identify areas of high quarantine concern, legally documenting violations to support a civil penalty system, and demonstrating workload and justifying additional budget allocations for PPQ.

With regard to manuals, both SVG and Grenada have simplistic operations manual that do not provide quarantine officials with clear guidance in all matters of quarantine issues and concerns. A copy of both SVG's and Grenada's port operations manuals are presented in Annex N. The U.S. system uses a series of manuals which deals with specific areas and provides officials with clear guidance on proper actions to take, and under what authorization.

As a guide the LAC TECH advisor is arranging for copies of APHIS's Airport and Maritime Operation (AMO) manual to be sent to each ministry.

Another area for consideration is the development of an import summary which covers all areas of quarantine concern and the necessary requirements for importing and exporting entities. Most countries currently exporting to the U.S. have worked with APHIS in developing these types of summaries to provide exporters and host country importers with basic guidelines on what is prohibited/restricted. A copy of the Dominican Republic's summary of requirements is provide in Annex O. Such a summary, which lays out prohibited/restricted commodities by class, would assist agricultural officials and importing entities on enterability issues and proper quarantine actions to follow.

### **3.10 TREATMENT FACILITIES**

Neither SVG nor Grenada has facilities for conducting quarantine treatments/fumigations. PPQ in SVG has the necessary equipment but lacks the training and confidence to perform quarantine treatments. Grenada, on the other hand, has neither equipment nor trained personnel to conduct fumigations.

There is sufficient room at the ports of entry to develop a quarantine treatment program, but the volume of imports verses the number of interceptions is extremely inconsequential. Also to take into consideration is the phase out of the primary quarantine fumigant, methyl bromide (MB). If this product is canceled and there is no viable alternative, there is really no sense in developing a fumigation program in the islands as this is the major chemical fumigate used on infested cargo. At the present time, the quarantine policy in SVG and Grenada is to simply reject any cargo that is infested.

## **4 DOMESTIC PLANT PROTECTION PROGRAMS**

### **4.1 TRAPPING PROGRAMS**

As a condition for maintaining a fruit fly free status, a viable trapping program must be in place which meets the standards set forth by USDA APHIS. Both SVG and Grenada have active trapping programs for fruit flies.

Grenada's trapping program follows USDA protocol and is well managed. Mcphail and Jackson traps are serviced weekly, sites are recorded correctly, and traps are located in proper hosts. The trapping density is light but is keyed to high risk areas. APHIS recently requested that lures for the Jackson traps be maintained independent and not mixed together.

The SVG trapping program is remiss and in need of rudimentary improvement. There was faulty logging of trap sites and poor selection of hosts. Traps were hung in trees without fruit, while available hosts were present at the same site. Trap lines had not be serviced in almost a month. McPhail traps were completely dry and Jackson traps sticky boards had not been replaced and were not functioning. Also the pheromone bait needed changing. The MoA claimed trapping had lapsed due to an inoperative vehicle. This is not a legitimate excuse. The trapping program in SVG should be reviewed by APHIS, and retraining of the trapping staff needs to be conducted.

Both SVG and Grenada should implement a quality control component for their trapping program. This would entail periodically placing a quarantine significant fruit fly in a selected trap (salting a trap) to insure that the trapping staff are not only servicing their traps but are cognizant of the target pests they are responsible for detecting. Salting traps is an excellent tool for training staff and for evaluating their performance. This quality control program could be performed by an independent group such as IICA.

#### **4.2 EMERGENCY ERADICATION PROGRAMS**

In the event of an exotic disease or pest, such as fruit flies, establishing itself a program for emergency response and eradication should be designed and available for immediate implementation. Also for consideration is that the legal authorization to conduct emergency programs must be established. At this time, there is no program or strategy to deal with a potential infestation or emergency eradication in either SVG or Grenada.

It was explained that IICA was in the process of developing a regional strategy to address this issue. The loss of the existing fruit fly free status due to the lack of programmatic capability would seriously impede or put an end to any agricultural diversification program. The MoA in both SVG and Grenada should move forward in this area and solicit assistance from APHIS and IICA in developing emergency response plans to deal with potential pest outbreaks.

#### **4.3 PEST RISK ASSESSMENT**

Under the recent ruling of the GATT, non tariff barriers such as unjustified sanitary and phytosanitary measures are not permitted to impede international trade. This implies that all phytosanitary and zoosanitary actions be rational and biologically sound. In order to support any quarantine action, the MoA must be able to conduct basic pest risk assessments (PRA) which will provide the basis for establishing or taking quarantine actions. If unsound phytosanitary barriers are used to impede trade, they can be challenged under the GATT. An independent board will then rule on the quarantine action to insure it is within the parameters of the GATT.

A PRA requires a complete listing or knowledge of agricultural pests that occur in the host country as well as the significant pests that attack the proposed commodity for import from the country of origin. For example, SVG has a listing of significant pests, which is presented in Annex P and Grenada, at the present time uses the Caribbean Plant Protection Commission publication on "Pests of Quarantine Importance to the Caribbean" as their sole source of information to base all PRAs.

Neither country is fully aware of its own pest/host status. For example, Grenada prohibits the import of pineapples from Guyana because of fruit flies, however, the U.S. permits importation of this commodity except into Hawaii. Pineapples are a poor host for fruit flies, and this quarantine action appears as a non-tariff barrier which is not biologically sound. Unless Grenada can demonstrate that Guyana has a particular pest of quarantine concern, the importation of pineapples should be authorized.

The FAO commissioned a survey of crop pests and their natural enemies in Grenada in July, 1989. This was to be an ongoing survey which the MoA fully participated in. Insect samples were sent to Gainesville, Florida for identification, however, Grenada has not received any information from the project as of this date. Without sufficient information on the pests of Grenada and SVG, a viable PRA cannot be conducted and a blanket quarantine cannot be justified.

In the U.S. when a new commodity is solicited for import approval, APHIS conducts a complete PRA through a literature search from worldwide sources. If the proposed commodity does not present a biological risk or the risk can be controlled through a quarantine treatment, authorization is granted. A flow chart to clarify the USDA import authorization process has been provided in Annex P.

The cost involved in obtaining and maintaining a database on worldwide pests and diseases is exorbitant; neither SVG or Grenada can afford to buy the required informational data bases. It is suggested that the Organization of Eastern Caribbean States (O.E.C.S.) collectively develop a system for conducting PRAs using a lead agency such as IICA, CARDI or ADCU to perform this function on a reimbursable basis. Furthermore all parties in the O.E.C.S. should be encouraged to survey the pests and diseases of all agricultural crops in the region.

APHIS may be able to assist in designing a program and training of personnel for pest risk assessment. The ability to conduct a basic PRA is a critical component in any agricultural diversification program. Also PRAs will be essential in the defence of a quarantine action or position to satisfy any GATT phytosanitary ruling.

#### 4.4 POST OFFICE INSPECTION

At the present time, inspection of agricultural products at the post office is the responsibility of the Customs service. PPQ in both SVG and Grenada are not legally authorized to detain or open any package suspected of concealing agricultural products. A discussion in Grenada with the Custom personnel at the mail facility indicated that the level of agricultural products in the mail was very limited. Most of the material inspected at the post office are seeds or bulbs from mail order seed companies.

Since PPQ cannot open packages, it is highly recommended that customs officials receive additional training on agricultural products of quarantine concern with a specific focus on the types of methods used to smuggle illegal commodities. Also of concern is that in some cases noxious weed seeds are imported for use as an agricultural crop. For instance, in the U.S. there are interceptions of Ipomea aquatica (chinese spinach seeds), which is a aquatic noxious weed, at mail facilities.

#### 4.5 POST ENTRY QUARANTINE

The MoA PPQ services in SVG and Grenada are interested in implementing a post entry quarantine (PEQ) program to support agricultural diversification. Post entry quarantine is designed to allow the importation of planting material/nursery stock under special conditions to prevent the entry of plant diseases and pests. Under a post entry program, propagative material is grown under controlled conditions which permits or allows the PPQ service to exam the material for specific diseases such as viruses, which may appear only while plant material is actively growing.

At the present time this type of program is not feasible on a country by country basis in the Caribbean due to scarcity of technical capacity, budget allocations, and the lack of volume of imported propagative material.

The O.E.C.S. should develop a collaborative post entry program on a regional basis. A centralized PEQ program would permit samples of propagative material to be grown under controlled conditions for a specific time period at a regional station. If there is no problem, material from the same lot would be authorized for import with a phytosanitary certificate to be cultivated on a MoA approved site at the residence of the importer. The field site would be under a PEQ compliance agreement that requires weekly site visits by the PPQ service, and if quarantine problems were detected at this stage, the material would be destroyed without compensation.

This type of program should be under the auspices of CARDI or IICA in a location that can easily serve the O.E.C.S. First, however, the need for this service should be evaluated to assess its practicality, as diversification throughout the Caribbean is not readily evident. Also for consideration is the legal framework that would authorize this service is not in place.

## **5 TRAINING REVIEW**

### **5.1 INSPECTORS and LINE OFFICIALS**

There is no official system for training PPQ officials in either SVG or Grenada. Both quarantine programs are small with limited staff and the turnover of personnel is practically nonexistent. All of the quarantine officials in Grenada, except one, received quarantine training by APHIS at the training center in Frederick, Maryland. The Chief agricultural officer in SVG attended the USDA quarantine assessment course and line officials have general backgrounds in agriculture.

The one apparently weak area concerns the SVG trapping and survey staff. There is a need to retrain this group as this is a critical component for maintaining a fruit fly free status. APHIS or the FAO should be approached to provide a short course to insure that the trapping program performs at a adequate level.

It is also recommended that specialized training in specific areas, such as pests of major quarantine concern, be designed and provided to all staff. A system to rotate officers to different areas within plant protection should be evaluated, as this will provide for better trained, more efficient, and more motivated officials.

### **5.2 SPECIALISTS**

Specialists, such as entomologist and plant pathologists, are nonexistent in SVG or Grenada. Grenada has a officer who works as the plant pathologist, but he has been selected to become the next head of PPQ. SVG has sent one of their personnel for entomology training at Gainesville, Florida, but there is no specialist staff readily available. The MoA labs appeared to be adequately supplied with equipment, but both labs lacked appropriate reference sources and insect/disease collections, both wet and dry.

The MoAs in SVG and Grenada are considering recruiting specialists through the Peace Corps, however this would only be a short term solution. It is recommended that the O.E.C.S. through CARDI or IICA, recruit long term positions for a plant pathologist, an entomologist, a virologist, and a nematologist to provide identification and pest survey service from a centralized location. If the plans for implementing a PEQ program are developed, these types of specialists will be needed and can backstop the above mentioned services.

### **5.3 CROSS TRAINING**

Cross training can be an essential tool, especially where resources such as manpower are limited, for developing a stronger working rapport with other agencies that are in positions to assist the MoA's quarantine service.

The U.S. quarantine service cross trains customs, immigration, and military cooperators, and once trained these officials are designated as quarantine officials with limited authority to work in collaboration with the plant health inspection service.

The U.S. cross training program consists of an eight hour course which explains the reasoning behind quarantine services, explains the authority of a cross trained official, provides case studies on quarantine practices, and illustrates the potential impact of an exotic pest establishing itself in a new environment.

The quarantine programs in both SVG and Grenada normally include customs personnel when agricultural quarantine inspection training is given. It is recommended that a short course be developed that specifically deals with the quarantine issues of the islands for presentation to both administrative and line officials of all regulatory agencies. Furthermore, it is suggested that personnel from the MoT be included so that they may gain an appreciation of the importance of plant protection and quarantine.

A cross training program similar to the one used in the U.S can be adapted, possibly with the assistance of APHIS IS and IICA.

#### **5.4 PUBLIC AWARENESS**

SVG and Grenada both have proactive public education and phytosanitary awareness programs that support plant protection activities. The traveling public represents the greatest risk of introducing foreign pests and diseases through quarantine material being brought into the country in luggage or mail.

Quarantine public awareness programs should continue through radio spots, additional propaganda posters, leaflets at ports of entry, and education talks at schools through career day programs. Also, the MoA needs to establish a better rapport with the MoT. PPQ should solicit assistance from the MoT to insure that all cruise ships, tourist agencies, airlines, and package tour groups are made fully aware of PPQ laws and regulations. In turn, a uniformed officer can work in collaboration with the MoT by supporting tourism, as PPQ along with customs is the first contact for all entering passengers/tourists. While performing his/her duty a polite, courteous, and professional government official can have a very positive impact on the traveling public.

## 6. CONCLUSIONS

The growing trend of entering into free trade agreements internationally, as within CARICOM, requires a harmonized system of animal and plant health regulations and the capability to promulgate, implement, and enforce quarantine laws. The need to diversify the islands agricultural production has never been more apparent especially with the recent challenges, under the GATT, and the LOME convention, which has protected the Caribbean banana market in the EEC.

St. Vincent and Grenada have the unique status in this hemisphere of having fruit fly free environments. The admissible lists of these countries reflect this atypical status, and provide a significant comparative advantage for exporting non-traditional agricultural products. In order to protect their fruit fly free status, both SVG and Grenada must vigorously pursue the refining and harmonizing of quarantine systems.

When implementing the strategy the first and foremost priority is to provide the legal framework which authorizes PPQ to perform quarantine activities. SVG has draft legislation pending, and Grenada has ratified its quarantine act. However, neither country has adopted regulations that support quarantine law. The policy must be right before any program improvement can be achieved.

Other policy areas that will support quarantine activities/program are users fees, to generate funds for improving the existing systems, and a civil penalty system to provide an enforcement component to deter trafficking in illegal commodities and to prevent quarantine violations. Another area for consideration is the adoption of compliance agreements which are contracts which permit the private sector's direct involvement in quarantine activities under specific guidelines or terms.

As CARICOM moves toward harmonizing quarantine programs in the region port operations will have to improve and become equitable. This will require ameliorating ship boarding and inspection procedures, improving control of cargo conveyance inspection, focussing on trade risk and not solely agricultural products, and adopting universal quarantine forms and manuals.

Within domestic plant protection programs the major areas of concern are the maintaining adequate trapping/survey programs to insure that the fruit fly free status is not lost, and developing the capability to conduct pest risk assessments so biologically sound quarantine actions can be implemented. Finally, if the decision to implement a post entry quarantine program is sanctioned, a centralized stationed with the necessary personnel can service the entire region and provide additional services as needed.

Recipients of training for quarantine in both SVG and Grenada should include all the regulatory agencies and the Ministries of Tourism and Health.

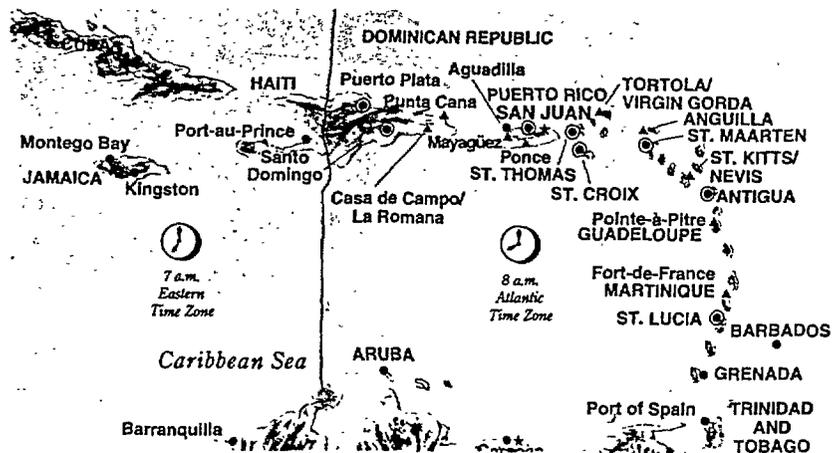
These agencies may be in a position to actively support plant protection and quarantine. In SVG the trapping and survey staff should receive additional training so the program can continue and be maintained at the appropriate level.

In closing, this working document can be used by SVG and Grenada in a development strategy for improving the quarantine service, which will directly support agricultural diversification. Development of a viable agricultural quarantine program is a long term endeavor that requires the commitment from the public sector as well as the support of the private sector. Both SVG and Grenada have comparative advantages for non-traditional agricultural exports, but this unique situation may be lost if it is not safeguarded.

ANNEX A

ST. VINCENT and GRENADA FRESH COMMODITIES ADMISSIBLE LIST

## ADMISSIBLE LISTS for ST. VINCENT and GRENADA



### List of Approved Fruits and Vegetables—West Indies

The following pages contain the countries of the West Indies listed alphabetically. The countries of the West Indies as defined by Plant Protection and Quarantine are as follows:

- Anguilla
- Antigua and Barbuda
- Bahamas
- Barbados
- Cayman Islands
- Cuba
- Dominica
- Dominican Republic
- Grenada
- Guadeloupe (and St. Barthelemy)
- Haiti
- Jamaica
- Martinique
- Montserrat
- St. Eustatius
- St. Kitts and Nevis
- St. Lucia
- St. Martin
- St. Vincent and the Grenadines
- Turks and Caicos Islands
- Virgin Islands

ALL COUNTRIES OF THE WEST INDIES

ALL 1/ The following are approved from all countries in the West Indies. See the individual country list for other approved fruits and vegetables.

Amaranth, <i>Amaranthus</i> spp. (leaf, stem) <sup>1</sup>	Dasheen, <i>Colocasia esculenta</i> (leaf) <sup>1</sup>	Parsley, <i>Petroselinum crispum</i> <sup>2</sup>
<i>Annona</i> spp. (leaf)	Fennel, <i>Foeniculum vulgare</i> (leaf)	Peanut
Banana (fruit, leaf) (no permit), p. 2.8, <sup>1,2</sup>	Garland chrysanthemum (leaf, stem)	Pokeweed greens (leaf, stem)
Basil <sup>1</sup>	Guava, <i>Psidium guajava</i> (leaf)	Purslane, <i>Portulaca oleracea</i>
Bay laurel	Indigo, <i>Indigofera</i> spp. (leaf)	Rosemary (leaf) <sup>2</sup>
Beet (leaf)	Kudzu, <i>Pueraria phaseoloides</i>	St. John's bread
Cannonball fruit	Lambsquarter	Salsify, <i>Tragopogon porrifolius</i>
Chamomile, <i>Anthemis</i> spp.	Lily bulb	Sorrel, <i>Rumex</i> spp.
Chervil, <i>Anthriscus cerefolium</i>	Maguey leaf	Spinach, <i>Spinacia oleracea</i>
Chicory, <i>Cichorium</i> spp. (leaf, stem)	Marjoram, <i>Origanum</i> spp. (leaf, stem)	Swiss chard
Chinese water chestnut	Mint, <i>Mentha</i> spp.	Tamarind bean pod <sup>2</sup>
Coconut, p. 4.23	Mushroom	Tarragon
Cornsalad, <i>Valerianella</i> spp.	Mustard greens (leaf, stem) <sup>2</sup>	Thyme, <i>Thymus vulgaris</i> <sup>1,3</sup>
Cyperus corm	Oregano, <i>Origanum</i> spp. (leaf, stem) <sup>2</sup>	Truffle
Dandelion greens, <i>Taraxacum officinale</i> (leaf, stem)		Watercress
		Water-chestnut
		Yam, T101(f <sup>3</sup> ), <sup>1</sup>

<u>PR</u>	Bean (pod or shelled)	Leren, <i>Calathea</i> spp.	Yam, T101(f <sup>3</sup> ) (no treatment required from Dominican Republic)
	Beet	Lettuce	
	Carrot	Pea (pod or shelled)	
	Celery, celeriac	Pigeon pea (pod or shelled)	
	Cilantro	Sweet potato, T101(b <sup>3</sup> ) (no treatment required from Dominican Republic)	
	Corn, green	Topepo	
	Cucurbit		
	Genip		

<u>VI</u>	Avocado	Genip	Pea (pod or shelled)
	Bean (pod or shelled)	Leren, <i>Calathea</i> spp.	Pigeon pea (pod or shelled)
	Beet	Lettuce	Sapote
	Carrot	Mango (prohibited from Barbados, Dominica, Guadeloupe, Martinique, and St. Lucia)	Sweet potato
	Celery, celeriac	Okra (capsule)	Topepo
	Cilantro		Yam
	Corn, green		
	Cucurbit		

GRENADA

<u>ALL</u>	<p>Abiu (fruit)  <i>Allium</i> spp.            Ambarella            Arrowroot            Asparagus            Avocado            Barbados cherry (prohibited into Hawaii)            Bilimbi (fruit)  <i>Brassica oleracea</i>            Breadfruit            Breadnut (fruit)            Carambola            Cassava            Cocoplum (fruit)            Corn, green            Cucurbit (fruit)            Dasheen            Durian (fruit)</p>	<p>Eggplant            Ginger root            Governor's plum            Imbu            Jackfruit (fruit)            Jambolan (fruit)            Jujube (fruit)            Langsat (fruit)            Lemon (smooth skinned, of commerce)            Lemongrass, <i>Cymbopogon citratus</i>            Lettuce            Litchi (fruit)            Lime, sour            Malay apple (fruit)            Mammee-apple (fruit)            Mango            Mangosteen</p>	<p>Mombin, <i>Spondias</i> spp.            Palm heart            Papaya (prohibited into Hawaii)            Passion fruit, <i>Passiflora</i> spp.            Peach palm (fruit)            Pepper            Pineapple (prohibited into Hawaii)  <i>Piper</i> spp. (fruit)            Pulsan (fruit)            Queensland arrowroot, <i>Canna indica</i>            Rambutan (fruit)            Rose apple (fruit)            Roselle (calyx)            Santol (fruit)            Sapote (fruit)            Strawberry            Tomato</p>
<u>NA</u>	<p>Avocado            Bean<sup>1</sup> (pod or shelled)            Cacao bean pod</p>	<p>Carrot            Citrus            Okra,</p>	<p>Pigeon pea<sup>1</sup> (pod or shelled)            Radish</p>
<u>SAG</u>	<p>Cacao bean pod</p>	<p>Cucumber</p>	<p>Okra, T101(p<sup>2</sup>)</p>
<u>NP</u>	<p>Avocado</p>	<p>Cacao bean pod</p>	<p>Citrus<sup>2</sup></p>

LIST OF ADMISSIBLE FRUITS AND VEGETABLES FROM  
ST. VINCENT AND THE GRENADINES

- A. The following items are admissible from St. Vincent and the Grenadines into the entire United States (includes Continental United States, Guam, Alaska, Hawaii, Puerto Rico, and the Virgin Islands) without a USDA import permit:

Cannonball fruit  
Coconut (without husk or without "milk")  
Cyperus corm  
Lily bulb, edible  
Macadamia kernels (no husk or shell)  
Maguey  
Mushroom (fresh)  
Peanut (raw) (Prohibited from China, Cote d' Ivoire, India, Indonesia,  
Japan, Philippines, Senegal, Thailand, and Upper Volta)  
St. Johnsbread  
Tamarind bean pod  
Truffle (fresh)  
Waterchestnut  
Waternut

In addition to the above items, other food materials including such items as dried beans and peas (except Vicia faba, Lens spp. and Lathyrus spp.), dried seeds, dried bamboo leaves, dried herbs, and similar commodities are admissible for food purposes and may be imported without permit from all sources into any port subject to inspection on arrival. Dried nuts without fleshy or leathery husk (except acorns, chestnuts, coconuts and macadamia nuts) are enterable for food purposes without permit at all ports, subject to inspection.

- B. The following items are admissible from St. Vincent and the Grenadines with a USDA import permit issued in advance of the shipment. Permits are issued only to U.S. importers.

1. Admissible into the entire United States (includes Continental United States, Guam, Alaska, Hawaii, Puerto Rico, and the U.S. Virgin Islands):

<u>Allium</u> spp.	Corn
Arrowroot	Cucurbits
Asparagus	Dasheen
Avocado	Eggplant
Banana (no permit required)	Ginger root
Barbados cherry (except Hawaii)	Jamaican plum
<u>Brassica oleracea</u>	Jobo plum
Breadfruit	Lemon
Breadnut ( <u>Brosimum alicastrum</u> )	Lettuce
<u>Canna edulis</u>	Lime
Carambola	Mango
Cassava	Mangosteen
Chestnut (treatment required see 319.56-2b)	Mombin
	Palm heart

(CONTINUED)

Papaya (except Hawaii)  
 Passion fruit  
 Pepper  
 Pineapple (except Hawaii)  
 Sapodilla

Strawberry  
 Tomato  
 Turmeric (rhizome)  
 Yam (treatment required see 319.56-21)

In addition to the commodities listed above, the following fresh herbs or leafy vegetables are also admissible under permit into all U.S. ports of entry:

Amaranthus greens ( <u>Amaranthus</u> spp.)	Lemongrass ( <u>Cymbopogon citratus</u> )
<u>Annona</u> spp. leaves	Mint ( <u>Mentha</u> spp.)
Basil ( <u>Ocimum basilicum</u> )	Mustard greens ( <u>Brassica</u> spp.)
Beet greens ( <u>Beta vulgaris</u> )	<u>Origanum</u> spp. (leaves & stems)
Camomile ( <u>Anthemis</u> spp.)	Parsley ( <u>Petroselinum crispum</u> )
Chervil ( <u>Anthriscus cerefolium</u> )	Pokeweed greens ( <u>Phytolacca americana</u> )
Chickory greens ( <u>Cichorium</u> spp.)	Purslane ( <u>Portulaca oleraceae</u> )
Chrysanthemum greens ( <u>Chrysanthemum</u> spp.)	Rosemary leaves ( <u>Rosemarinus officinalis</u> )
Cornsalad ( <u>Valerianella</u> spp.)	<u>Rumex</u> spp.
Dandelion greens ( <u>Taraxacum officinale</u> )	Salsify ( <u>Tragopogon porrifolius</u> )
Dasheen leaves ( <u>Colocasia esculenta</u> )	Spinach ( <u>Spinacia oleracea</u> )
Fennel leaves ( <u>Foeniculum vulgare</u> )	Sweetbay ( <u>Larus nobilis</u> )
Guava leaves ( <u>Psidium guajave</u> )	Swisschard ( <u>Beta vulgaris</u> var. cida)
Indigo leaves ( <u>Indigofera</u> spp.)	Tarragon ( <u>Artemisia dracunculus</u> )
Kudzu ( <u>Pueraria phaseolodes</u> )	Thyme ( <u>Thymus vulgaris</u> )
Lambsquarter ( <u>Chenopodium album</u> )	Watercress ( <u>Nasturtium officinale</u> )

- C. Admissible into North Atlantic ports - (Atlantic ports north of and including Baltimore; ports on the Great Lakes and the St. Lawrence Seaway; Canadian border ports east of and including North Dakota; and Washington, DC (including Dulles) for air shipments):

Items listed above in B-1 and:

*Bean (pod or shelled)	Okra
Cacao bean pod	*Pigeon pea
Carrot	Radish
Citrus	

- D. Admissible into South Atlantic Gulf ports - (Atlantic ports south of Baltimore; Gulf ports; Puerto Rico; and the U.S. Virgin Islands):

Items listed above in B-1 and:

Cacao bean pod  
 Okra (treatment required see 319.56-2p)

(CONTINUED)

E. Admissible into Puerto Rico subject to permit issued in advance of shipment:

Items listed above in B-1, B-3 and:

- |                       |  |
|-----------------------|--|
| Apio                  | Culantro                                       |
| Bean (pod or shelled) | Genip  |
| Beet                  | Pea  |
| Calathea              | Pigeon pea                                     |
| Carrot                | Sweetpotato (treatment required see 319.56-2m) |
| Citrus                | Topepo   |

F. Admissible into the U.S. Virgin Islands:

Items listed above in B-1, B-3 and:

- |                       |             |
|-----------------------|-------------|
| Apio                  | Mango       |
| Bean (pod or shelled) | Okra        |
| Beet                  | Pea         |
| Calathea              | Pigeon pea  |
| Carrot                | Sapote      |
| Citrus (no leaves)    | Sweetpotato |
| Culantro              | Topepo      |
| Genip                 | Yam         |

**FROZEN FRUITS AND VEGETABLES:** Freezing is an acceptable treatment for most fruits and vegetables. The treatment involves an initial quickfreezing at subzero temperatures with subsequent storage and handling at no higher than 20° F at time of arrival.

\* If destined to a SAG location, must be fumigated with methyl bromide at the approved port of entry.

ANNEX B

APHIS REPORT on ST. VINCENT and GRENADA FRUIT FLY PROGRAM 1987

SYNOPSIS OF FRUIT FLY SURVEY  
PROGRAM ACTIVITIES CONDUCTED  
IN GRENADA AND ST. VINCENT  
AND THE GRENADINES

PREPARED BY ROBERT H. STRONG  
CARIBBEAN AREA DIRECTOR  
USDA-APHIS-PPQ

## GRENADA

### I Country Profile

(a) Size and description: Grenada is 133 sq. miles in size, about twice the size of Washington, D. C.. It is a lush, green volcanic island with a central mountainous rain forest. Its population is about 111,000 and its principal export crops currently are spices (nutmeg, cloves, ginger, cinnamon, mace), cocoa and bananas. It is the most southern of the windward islands. The state of Grenada also includes the southernmost Grenadines, the island of Carriacou which is 13 sq. mi. in size.

(b) Topography: The center of the island is a verdant rain forest, and the southern coast has many white sandy beaches. Grenada is transversed by a mountain ridge with a peak elevation of 2,757ft. above sea level. The mountains are cut by deep valleys with streams and natural springs. Its rich soil and abundant rainfall makes it well suited for tropical agriculture. The climate is tropical and has a mild dry season from January to May (night temperature 60-65 degrees F). The rest of the year the temperature rises to 90 degrees F with high humidity. Rainfall varies from 60 inches per year near the coast to 200 inches per year in the mountains.

(c) Major Hosts: Mango, grapefruit, Seville orange, sweet orange, guava, sugar apple, sapodilla, mandarin, papaya, French cashew, sour sop, West Indian cherry, golden apple, coffee, almond, ugly fruit, plums, tangerine, custard apples, passion fruit, avocado, breadfruit, carambola.

(d) Distance from known fruit fly infested countries: Grenada is located about 90 mile north west of Trinidad and Tobago, the closest fruit fly infested country.

(e) Distance to closest neighboring country: The island of Carriacou, is part of Grenada and is located about 8 miles south of the southermost island of St. Vincent and the Grenadines and about 90 miles south of St. Vincent the largest and most populated island.

(f) Approximate host area: 32 sq. miles.

(g) Approximate host area trapped: 32 sq. miles.

## II Survey Profile - Fruit Flies

(a) Traps - Types and Lures: Jackson and McPhail traps; cuelure, trimedlure, torula, yeast, dibrom, methyl Eugenol (see enclosed chart).

(b) Number traps serviced, relocated, rotated: (See enclosed chart).

(c) Total number host trees trapped: 13,025 (see enclosure).

(d) Number, host fruit collected and examined for fruit fly larvae: A total of 827 fruit were examined.

(e) Number OF traplines operated: Seven (see enclosure)

(f) Average number of traps operating: 260

(g) Name and number of Tephritidae collected: Dyseauresta sp. 2 - gall feeders...

III Survey Profile - Mango Seed Weevil:

(a) Number seeds collected and examined: Approximately 1854 seeds have been examined during May and June, 1987, survey is continuing - final report due in September, 1987.

(b) Period of host maturation: May to September

(c) Approximate number of host trees: 3,000 plus.

IV Plant Quarantine Profile

(a) General description of program: Plant quarantine program includes, maritime and air cargo, carrier and passenger inspections conducted under procedures deriving from USDA-APHIS-PPQ manual and written by APHIS Caribbean Area Director.

(b) Maritime and airport inspections: Trained inspectors are assigned to airport and maritime locations and perform all inspections. Grenada's customs require all vessels to enter at one of the two seaports of entry.

(c) Status of new legislation: A new plant quarantine import law has been passed by the Grenadian legislative body and is awaiting final signature (s) (see enclosure). The new law is written in the suggested FAO format.

(d) Relationship with customs: The Pest Management Unit held training sessions for Grenadian Customs officials to sensitize them about agricultural requirements. Customs cooperate in enforcing agriculture requirements.

(e) Level of training of PPQ inspectors: Five inspectors have received training from the APHIS-PPQ Professional Development Center (PDC) an additional person will attend PDC in August. All inspectors have some education (at least 2 yrs) in either agronomy or basic agriculture. The head of the unit is a PHD entomologist (Cornell graduate). Most inspectors have also attended regional plant quarantine training course sponsored by FAO and IICA.

#### V Monitoring and Evaluation

(a) Number site visits by IICA representatives: Sixteen (16) monitoring visits were made by the IICA Plant Protection officer stationed in St. Lucia. Trips were made monthly in accordance with signed memorandum of understanding between IICA and USAID - Barbados.

(b) Number of visits by USDA-APHIS - Specialist: Evaluation visits were made during the 12 months period by Walter "ship" Willie and Joyce Okomuro Plant Protection and Quarantine officers and recognized fruit fly survey specialists. Other visits were made by Ed Miller (1), BASS staff officer and the Caribbean Area Director (3).

## VI General

(a) Insect identification: Screening and identification of specimen collected in traps was performed by Amy Dreves, Peace Corp Entomologist assigned to the survey program and who subsequently was hired under contract by USAID-Barbados. Trappers were instructed on basic screening techniques to ensure that fly specimen were not lost when taken from traps. On occasion, specimen were sent to APHIS-PPQ for final determination.

(b) Insect reference collection: All collected specimen (with few exception) were kept for future identification. Preserved and/or plasticized specimen of major fruit flies were used by the entomologist in the screening process.

GRENADAChart 1 Survey Trap Line

<u>TRAPLINE</u>	<u>McPHAIL</u>	<u>JACKSON-TRIMED</u>	<u>JACKSON-CUELURE</u>	<u>TOTAL</u>
1) St. Patrick's	18	13	19	50
2) St. Maric's	8	2	2	12
3) St. John's	11	5	9	25
4) St. Georges'	23	11	20	54
5) St. David	9	4	11	24
6) St. Andrews	28	27	28	83
7) Carriacou	<u>12</u>	<u>4</u>	<u>4</u>	<u>20</u>
Total	109	66	93	268

Chart 2 Number and types of host trees trapped (April 1986-May 1987)

Total = 13,025

<u>HOST</u>	<u>NO</u>	<u>HOST</u>	<u>NO</u>
Mango	2900	Almond	64
Grapefruit	2393	Ugli fruit	81
Seville orange	2491	Plums	545
Sweet orange	1565	Tangerine	40
Guava	934	Custard apple	35
Sugar apple	385	Ortanique	36
Sapodilla	404	Black grapes	20
Mandarin	114	Passion fruit	8
Papaya	236	Carambola	12
French cashew	212	Avocado	1
Soursop	219	Breadfruit	9
West Indian cherry	137	Other	3
Golden apple	117		
Coffee	64		

Chart 3 Trap servicing

Average monthly traps serviced:

McPhail	-	414
Jackson Trimed	-	255
Jackson Cuelure	-	<u>287</u>
Total		956

--Average monthly traps rotated

McPhail	-	167
Jackson Trimed	-	148
Jackson Cuelure	-	58

Average monthly traps relocated

McPhail	-	38
Jackson Trimed	-	30
Jackson Cuelure	-	9

TARGET EXPORT FRUIT GRENADA

<u>Common Name</u>	<u>Scientific Name</u>	<u>Maturation Period</u>
Avocado	<u>Persea americana</u>	August-January
Chinese plum (yellow)	<u>Spondias mombin</u>	September-June
Golden apple	<u>Spondias dulcis</u>	September-June
Guava	<u>Psidium guava</u>	July-December
Jamaican plum (red)	<u>Flacourtia indica</u>	September-June
Mango	<u>Mangifera indica</u>	April-September
Papaya	<u>Carica papaya</u>	All year
Passion fruit	<u>Passiflora edulis</u>	All year
Sapodilla	<u>Manilkara zapota</u>	September-June
Sugar apple	<u>Annona squamosa</u>	September-June
West Indian cherry	<u>Malpighia glabra</u>	September-June

## ST. VINCENT & THE GRENADINES

### I Country Profile

(a) Size and description: St. Vincent and the Grenadines is located in the windward island chain south of St. Lucia, north of Grenada and west of Barbados. It is a island of rugged mountain terrain and an active volcano (Soufriere) on the northern end of the largest island, St. Vincent. It is considered on of the most fertile of the Caribbean islands and produces many fruit and vegetables. To the south of St. Vincent are the Grenadines, a series of small islands which are oriented towards tourism. The largest of these smaller islands is Bequia, nine miles from St. Vincent and about 9 sq. miles in size. St. Vincent is 133 sq. miles in size (18 miles long and 11 miles wide). The other Grenadines are 17 sq. miles. The population of the country is 120,000 and the climate is tropical.

(b) Topography: The largest island St. Vincent is rugged and lush with vegetative growth. There are many natural springs and fertile valleys. The northern part of the island is sparsely populated and is considered agriculturally productive for sugarcane and coconut palms. Hence most other agriculture production is in the interior and southern half of St. Vincent.

(c) Major Hosts: Mango, guava, sweet orange, soursop, sugar apple, papaya, plumrose, sour orange, plums, West Indian cherry, tangerine, sapodilla, coffee, almond, French cashew, passion fruit, grapefruit, avocado, carambola, etc.

(d) Distance from known fruit fly infested country: St. Lucia is approximately 20 miles to the north of St. Vincent.

(e) Distance from closest neighboring country: The southernmost Grenadine island is located about 17 miles north of Carriacou (Grenada). St. Vincent is located about 100 miles west of Barbados.

(f) Approximate host area: 40 sq. miles.

(g) Approximate host area trapped: 40 sq. miles.

## II Survey Profile

(a) Traps - (See enclosed charts).

(b) Number serviced, relocated, rotated: (See attached chart).

Rotation = movement from 1 tree to another same location - 1-2 wks.

Relocation = move trap to new location 1-2 months.

(c) Host trees trapped: = 7522 (April 1986 - May 1987).

(d) Number host fruit collected and examined for fruit fly larvae: 861 various host were examined.

(e) Number of traplines operated: = five

(f) Average number of traps : = 254; high = 262 (114 McPhail; 95 Jackson trimedlure, 45 Jackson cuelure)

(g) Name and number of Tephritidae collected: 4

specimen Dyseuaresta sp. 2

Dictyotrypeta sp

Tomoplagia sp.

All of the above considered insignificant gall feeders.

### III Survey Profile - Mango Seed Weevil:

(a) Number seeds collected and examined: Approximately 1200 seeds have been examined during May and June, 1987, season which ends in August. Seed cutting continues, final report due in September, 1987.

(b) Period of host maturation: May - August

(c) Approximate number of host trees: 2500 plus.

### IV Plant Quarantine Profile

(a) General description of program: The plant quarantine program in St. Vincent and Grenadines is relatively new (2 yrs.). However, strict quarantine enforcement has always been maintained by the countrys' customs service. 100% baggage inspection is conducted on all arriving air pasengers. The plant protection unit is currently being strengthened. There are currently 4 officers in the unit available for inspections. There is a prohibition against the entry of all fruit except under permit.

(b) Maritime and airport inspections: There is one designated port of entry for air and maritime vessels entering the country. Visual surveillance of vessel traffic in the island is maintained from an elevated fort (visuability - 50 miles on clear day). Agricultural inspections benefit from strict drug enforcement. All cargo is checked and customs is sensitized and oriented towards agriculture requirements.

(c) Status of new/updated legislation: Work has begun on updating existing plant quarantine import requirements in the FAO suggested format

(d) Relationship with customs: Customs inspectors have been trained and are aware of agricultural requirements. 100 % baggage inspections performed and questions asked about agriculture contrabands.

(e) Level of training of Plant Protection Officers: Most (3) of the 4 Plant Protection officer hold degrees (equivalent 3 yrs.) in agronomy or agriculture from the University of West Indies. One officer has attended the APHIS-PPQ Professional Development Center (PDC). Another is scheduled to attend in August, 1987.

#### V Monitoring and Evaluation

(a) Number site visits by IICA representatives: Sixteen (16) monitoring visits were made by the IICA Plant Protection officer stationed in St. Lucia. Trips were made monthly in accordance with signed memorandum of understanding between IICA and USAID - Barbados.

(b) Number of visits by USDA-APHIS - Specialist: Evaluation visits were made during the 12 months period by Walter "ship" Willie and Joyce Okomuro Plant Protection and Quarantine officers and recognized fruit fly survey specialists. Other visits were made by Ed Miller (1), BASS staff officer and the Caribbean Area Director (3).

## VI General

(a) Insect identification: Screening and identification of specimen collected in traps was performed by Amy Dreves, Peace Corp Entomologist assigned to the survey program and who subsequently was hired under contract by USAID-Barbados. Trappers were instructed on basic screening techniques to ensure that fly specimen were not lost when taken from traps. On occasion, specimen were sent to APHIS-PPQ for final determination.

(b) Insect reference collection: All collected specimen (with few exception) were kept for future identification. Preserved and/or plasticized specimen of major fruit flies were used by the entomologist in the screening process.

ST. VINCENT & THE GRENADINESChart 1 Survey Trap Lines

<u>TRAPLINE</u>	<u>McPHAIL</u>	<u>JACKSON-TRIMED</u>	<u>JACKSON-C'ELURE</u>	<u>TOTAL</u>
1) Kingstown	31	27	11	69
2) Leeward	26	23	11	60
3) Avale	21	19	10	50
4) Mesopotamia	23	14	10	44
5) Windward	<u>15</u>	<u>10</u>	<u>7</u>	<u>32</u>
Total	116	47	45	255

Chart 2 Number and types of host trees trapped (April 1986-May 1987)

Total = 7522

<u>HOST</u>	<u>NO</u>	<u>HOST</u>	<u>NO</u>
Guava	994	Breadfruit	17
Mango	2267	Grapefruit	852
Seville orange	678	Golden Apple	175
Soursop	761	Passion fruit	31
Sugar apple	380	West Indian cherry	107
Plumrose	376	Carambola	20
Papaya	195	Avocado	22
Sour orange	210	Lime	8
Tangerine	65	Cashew	3
Sapodilla	55	Pomgranate	8
Coffee	10	Other	15
Plums	221		

Chart 3 Trap servicing

Average monthly traps serviced:

McPhail	-	380
Jackson Trimed	-	350
Jackson Cuelure	-	<u>140</u>
Total		870

Average monthly traps rotated

McPhail	-	167
Jackson Trimed	-	108
Jackson Cuelure	-	55

Average monthly traps relocated

McPhail	-	38
Jackson Trimed	-	20
Jackson Cuelure	-	12

TARGET EXPORT FRUIT - ST. VINCENT AND THE GRENADINES

<u>Common Name</u>	<u>Scientific Name</u>	<u>Maturation Period</u>
Carambola	<u>Averrhoa carambola</u>	Unknown
Guava	<u>Psidium guajava</u>	July-December
Golden apple	<u>Spondias dulcis</u>	September-June
Mango	<u>Mangifera indica</u>	April-September
Passion fruit	<u>Passiflora edulis</u>	All year
Sapodilla	<u>Manilkara indica</u>	All year
Soursop	<u>Annona aurantium</u>	All year
West Indian plums		
a) Jamaican plums (red)	<u>Flacourtia indica</u>	September-June
b) Chinese plums (yellow)	<u>Spondias mombin</u>	September-June

ANNEX C

FAO REPORT on LEGAL ASPECTS of HARMONIZING QUARANTINE

**TECHNICAL REPORT**

**REPORT ON LEGAL ASPECTS OF HARMONIZATION  
IN PLANT QUARANTINE, CARICOM**

based on the work of  
Winston McCalla  
(Legislation Consultant)



**FOOD AND AGRICULTURE ORGANIZATION OF THE  
UNITED NATIONS**  
May 1993

INDEX TO ACRONYMS

APPPC	Asia and Pacific Plant Protection Commission
CAPPIC	CARICOM Animal and Plant Protection Inspection Council
CPPC	Caribbean Plant Protection Commission
CARAPHIN	Caribbean and Regional Agricultural Plant Health Information Network
CARICOM	Caribbean Economic Community
EEC	European Economic Community
FAO	Food and Agriculture Organization
GATT	General Agreement on Tariffs and Trade
IICA	Istituto Interamericano di Cooperazione para la Agricultura
IPPC	International Plant Protection Convention
NAPPO	North American Plant Protection Organization
NEPPO	Near East Plant Protection Organization
OECS	Organization of Eastern Caribbean States
PPPO	Pacific Plant Protection Organization
PRA	Pest Risk Analysis
RPPOs	Regional Plant Protection Organizations
SCMA for	Standing Committee of Ministers responsible Agriculture (CARICOM)
USDA	United States Department of Agriculture

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## 1. Introduction

The Caribbean Community (CARICOM) countries face many challenges as a result of new international policies related to free trade and economic integration. The integration processes underway in CARICOM are examples of responses to these challenges.

The trend towards harmonization is especially clear in plant quarantine legislation. CARICOM countries have set 1994 as the target date for the acceptance of a single market agreement, promoting the free flow of goods and commodities between member states. This supposes a certain degree of harmonization of national legislation on plant quarantine as it relates to trade. The enactment of similar statutes in each country of the Region would favour the understanding and the application of the law and would foster the movement of plants and plant products. National plant quarantine measures would act as a filter and not as a barrier to the movement of plants and animals.

In 1992 the 15th Standing Committee of Ministers responsible for Agriculture (SCMA) approved proposals for a CARICOM Free Trade Regime in Primary Agricultural Products, which include, among others, the establishment of a CARICOM Animal and Plant Protection Inspection Council (CAPPIC) which would be advisory to the SCMA on matters related to plant and animal health.

Plant quarantine seeks to respond to the challenges of new international policies by identifying and addressing objectives such as -

- a) harmonizing and optimizing quarantine measures;
- b) preventing the introduction of exotic diseases and pests;
- c) facilitating agricultural trade.

Many plant pests remain restricted in their distribution. The purpose of plant quarantine is to provide countries with protection against pest introduction, spread and subsequent crop losses, while permitting the international flow of goods and people as freely as possible.

The principles of plant quarantine and relevant actions to be taken by national governments are embodied in the International Plant Protection Convention (IPPC). The IPPC originally came into force in April 1952. The Revised IPPC was approved by Resolution 14/79 of the Twentieth Session of the Conference of the Food and Agriculture Organization of the United Nations (FAO) in November, 1979 and entered into force on 4 April 1991.

The IPPC promotes international cooperation aimed at restricting the movement of serious pests that could spread through the activities of international trade. A number of important functions are mandated to FAO in the IPPC. The most significant of these include the collection and dissemination of information on:

- the existence, outbreak and spread of economically important pests of plants and plant products;
- national import restrictions, requirements and prohibitions;
- means found to be effective in controlling pests;
- the scope of national plant protection organizations.

A procedure is provided in the IPPC under Article IX which enables the Director-General of FAO, on request, to assist countries in resolving disputes.

To improve existing quarantine systems, it is indispensable to recognise existing deficiencies and identify ways to correct them. One important area is improving the legislative framework for the management of plant quarantine.

An analysis of plant quarantine systems in the Region was conducted in 1984 (Brathwaite, 1984) and a number of shortcomings throughout the Region were identified. These include:

- outdated legislation;
- poor record keeping;
- untrained inspectors;
- lack of facilities;
- general lack of personnel.

It should be emphasized that while legislative changes in plant quarantine legislation are critical throughout the region, it is also essential that they be accompanied by training and general upgrading of the plant quarantine services.

The issue of amalgamating pesticide legislation with plant quarantine legislation was raised during the mission by certain officials of different Ministries of Agriculture. The Legal Consultant under this project, however, considers that pesticide legislation should be separate from that of plant protection legislation for a variety of reasons. First, in certain countries the Ministerial responsibility for pesticide legislation is in a different Ministry (sometimes located in the Ministry of Health) from that of plant protection and quarantine which is always located within Ministries of Agriculture. Second, the technical expertise required for the administration of pesticide legislation will differ from that required for plant protection and quarantine. Third, the Organization of Eastern Caribbean States (OECS) is already coordinating efforts in the Region to prepare updated and, above all, harmonized national legislation on pesticides.

1.1 Dates of Consultancy

	<u>ARRIVAL</u>	<u>DEPARTURE</u>
Kingston	-	Feb. 7, 1993
Barbados	Feb. 7, 1993	Feb. 9, 1993
Antigua	Feb. 9, 1993	Feb. 11, 1993
St. Vincent	Feb. 11, 1993	Feb. 13, 1993
Trinidad	Feb. 13, 1993	Feb. 17, 1993
Jamaica	Feb. 17, 1993	Feb. 21, 1993
Belize	Feb. 21, 1993	Feb. 24, 1993
Barbados	Feb. 24, 1993	Feb. 25, 1993
Guyana	Feb. 25, 1993	Mar. 3, 1993
Barbados	Mar. 3, 1993	Mar. 7, 1993
St. Lucia	Mar. 7, 1993	Mar. 9, 1993
Dominica	Mar. 9, 1993	Mar. 11, 1993
Barbados	Mar. 11, 1993	Mar. 16, 1993
Rome	Mar. 16, 1993	Mar. 19, 1993
Kingston	Mar. 20, 1993	

1.2 Terms of Reference for International Legal Consultant

Under the technical supervision of LEGN, in close cooperation with the CARICOM Secretariat and relevant national authorities, and jointly with the plant quarantine and trade consultants, the legal consultant will:

- a) Based on findings and recommendations of previous projects, review and analyze the institutional and legal framework governing directly and indirectly the activities of plant quarantine and trade in each country participating in the project.
- b) Review and analyze the legal aspects of an institutional framework and potential sub-regional agreement under CARICOM to address plant quarantine and trade factors in inter- and extra-regional trade.
- c) Provide specific recommendations on the following:
  - (i) legal aspects of harmonising national quarantine laws and regulations;
  - (ii) legal aspects of an institutional framework and potential sub-regional agreement under CARICOM to address plant quarantine and trade factors in inter- and extra-regional trade, including any requisite legal instrument and any specific mechanism for the definition and acceptance of technical standards to be enacted by national legislation;

- (iii) any other action considered necessary in the field of legislation governing plant quarantine and trade.
- d) Prepare a technical document summarising findings, conclusions and recommendations.
- e) Based on this project's recommendations, identify priorities and formulate the component for requisite legal assistance to be included in or to complement separately, the draft project proposal prepared for submission by the CARICOM Secretariat to donors.
- f) Assist in preparing a draft terminal statement for finalisation at Headquarters and submission to CARICOM Secretariat.

### 1.3 Account of Work Done

The Legal Consultant reviewed the findings and recommendations of previous related projects on plant quarantine including the Technical Reports by Dr. A. Hernandez (re TCP/STV/0051 (A) and TCP/ANT/0051 (A) as well as the Back-to-Office Report of Mr. Luis Bombin - TCP/ANT/STK/STV/0051 and the Experts Crops Projects (UTF/JAM/012/JAM). Against the background of the previous findings and recommendations, the Consultant reviewed and analyzed the institutional and legal framework regarding plant quarantine and trade.

The Consultant visited Antigua, Barbados, Belize, Dominica, Guyana, Jamaica, St. Lucia, St. Vincent and the Grenadines and Trinidad and Tobago. In all these countries the consultant reviewed the existing plant protection legislation and held meetings with plant protection officers as well as legal officers of the Attorney-General's office (see Appendix 1).

The Consultant also reviewed the plant quarantine legislation and related statutes for Antigua, Barbados, Belize, Dominica, Guyana, Jamaica, St. Lucia, St. Vincent and the Grenadines and Trinidad and Tobago and also examined the draft plant quarantine Bills for Jamaica, Trinidad and Tobago and Belize. While at FAO, Rome, the Consultant reviewed the draft report on Plant Protection Regulations for St. Vincent and the Grenadines (TCP/STV/0051(A)) and Antigua (TCP/ANT/0051(A)).

The Consultant also assisted in preparing a draft terminal statement for finalization at Headquarters and submission to the CARICOM Secretariat.

Based on the Consultant's recommendations and in consultation with the other Consultants he assisted in identifying priorities and formulated the component for requisite legal assistance to be included in the draft project proposal prepared for submission by the CARICOM Secretariat to donors.

## 1.4 Acknowledgements

The Consultant wishes to thank the members of staff of the FAO offices in Barbados, Jamaica and Trinidad and Tobago for their cooperation and assistance. Thanks are also extended to the CARICOM officials in Guyana and the relevant Government officials in the various countries visited during the period of the consultancy. Special thanks are extended to Dr. R. Ikin, Plant Production and Protection Division, FAO, Rome, for his assistance in the review and preparation of this technical report and also to Ms. Angela Ward (FAO, Barbados) and Ms. T. Alexander (FAO, Rome) for their support and assistance in the typing of the report.

## 2. Legal Analysis of Plant Quarantine Legislation

### 2.1 Overview

Apart from Dominica and St. Lucia the present legislation of the CARICOM countries does not provide an adequate legal framework for the implementation of plant quarantine. Important areas such as import permits, quarantine inspection, phytosanitary certificates, inspection fees and appropriate forms are not covered by the present legislation, representing a serious constraint to the adequate functioning of the region's plant quarantine services.

In general, only two countries (Dominica and St. Lucia) have recently updated their plant protection and quarantine legislation based on FAO technical assistance. In the other countries, the plant protection and quarantine legislation is outdated and there is a requirement for prompt action to enact new legislation. Even in the cases of Dominica and St. Lucia no regulations have yet been promulgated under their recent plant quarantine statutes. In regard to all countries, there is a need to promulgate modern plant protection and quarantine regulations so as to deal more effectively with the administration of plant quarantine in the individual countries and to achieve CARICOM's goals of integration.

In most countries there was a general lack of awareness by plant protection officers as to the scope and extent of their powers under the existing plant protection statutes. In addition, a major deficiency in the operational area of the plant quarantine services of the CARICOM region is the lack of clearly defined operational instructions and forms that record operational procedures. The proposed plant protection regulations should as far as possible address the issues of forms and procedures. However, legislation will not be sufficient in itself. A comprehensive training of plant protection officers and customs officers needs to be instituted at an early stage. The preparation of an Operational Manual would also be useful.

There is a need to incorporate various matters in any harmonised legislation. These include:

- granting clear powers of search, seizure and detention to plant protection and quarantine officers;
- empowering plant protection and quarantine officers to quarantine areas in appropriate circumstances;
- recognizing in each country's national legislation the IPPC phytosanitary certificate;
- amending the passenger declaration forms (required at points of entry) to require a declaration in regard to plants being brought into each CARICOM country;
- enabling Customs Officers to be authorised officers under the plant protection and quarantine legislation;
- requiring fees for services (e.g. for the issuance of the phytosanitary certificates as well as for cargo inspection, quarantine treatments). This would remove any unjustifiable barriers to trade because each country would be charging for the same services.

In all countries, trade matters in general were dealt with under a Trade Act and plant protection and quarantine under a different statute (normally called the Plant Protection Act). Trade matters fall under the Ministry of Trade whereas plant quarantine matters fall within the purview of the Ministry of Agriculture. In all countries, however, the institutional responsibility for all agricultural matters including trade in agricultural products is that of the Ministry of Agriculture. In all countries the plant quarantine services (located in the Ministries of Agriculture) had institutional responsibility for plant quarantine and also granted the requisite import permits for agricultural products. In practice therefore, all trade matters affecting agriculture are dealt with by the countries' Ministries of Agriculture.

There are a number of general issues which emerge from the review of the plant quarantine legislation in the various CARICOM countries. These are:

#### 2.1.1 Passenger Declaration on Arrival

Although there is a high risk of passengers bringing plant and animal material with their personal effects into CARICOM countries, only Guyana requires a written agricultural quarantine declaration to be made. Such a declaration should be required by law in all countries. It facilitates the initial "screening" of passengers, making it clear that the crew and all passengers are subject to agricultural quarantine inspection and it can be

adduced in evidence if violations occur and criminal penalties are sought in a court of law.

### 2.1.2 Documents

Some countries had a range of documents for recording operational procedures but others had few. The following documents are considered necessary and some of these documents could be prescribed by regulations -

- ▲ Passenger declaration form
- ▲ Import request/permit
- ▲ Ship inspection record
- ▲ Aircraft inspection record
- ▲ Cargo container inspection record
- ▲ Interception notice
- ▲ Destruction notice
- ▲ Collection of quarantine fees
- ▲ International Phytosanitary Certificate.

### 2.1.3 Post Office Inspections

In very few countries is there an inspection of mail for agricultural quarantine purposes. In addition in most countries Custom Officers at post offices rarely call in plant quarantine officers to inspect mail.

In most countries the inspection of mail is governed by post office legislation and/or customs legislation. It will be important to review these statutes to clearly permit inspection of mail by plant quarantine officers for agricultural quarantine purposes.

### 2.1.4 Inspection Procedures

The lack of standard inspection and certification procedures within the countries of the region has created great difficulties at points of entry, representing a constraint to trade. The characteristics of inter-island trade and passenger movement require efficient inspection procedures adapted to local conditions. Standardization of such procedures was identified as a prerequisite to the future expansion of inter-island trade.

### 2.1.5 Quarantine Regulations

Along with the preparation of new laws on plant protection and quarantine, it will also be necessary to enact new regulations in a timely fashion. A common experience in the Caribbean is that the enactment of an Act is often not followed up with the drafting of regulations which are essential for the effective carrying out of operational activities mandated by the Act.

Existing regulations, particularly regarding the import permit system, must be expanded, and legal support provided for their enforcement.

The objective of updating quarantine regulations is to avoid the spread or entry of quarantine pests. Of critical concern in the CARICOM region are (a) the provision of guidelines for countries lacking expertise in the area and (b) the provision of uniform measures against the spread of certain pests.

Regulations on plant quarantine should be developed at an early stage to deal with the following matters:

- ▲ phytosanitary certificates,
- ▲ soil, and
- ▲ weeds

as well as specific restrictions to prevent the spread of quarantine pests and diseases with regard to the most economically important commodities such as;

- ▲ banana,
- ▲ cacao,
- ▲ coconut,
- ▲ coffee,
- ▲ fruits,
- ▲ vegetables,
- ▲ pigeon pea,
- ▲ sea island cotton, and
- ▲ sugar cane.

#### 2.1.6 Operational Manuals and Guidelines

A major deficiency in most plant quarantine services in the region is the absence of any written guidelines in the form of instructions, notes or a manual. Overseas manuals are sometimes used as reference texts but their relevance to CARICOM conditions are questionable given the absence of treatment equipment.

#### 2.1.7 Garbage Disposal

A problem of significant concern throughout the CARICOM region is the disposal of garbage from ships and aircraft as well as quarantine material seized at the point of inspection. Generally the problem of garbage disposal is not addressed in any of the plant quarantine legislation in the region. In some countries garbage disposal at ports is essentially a health matter falling within the purview of health legislation. Nevertheless, it will be useful to include appropriate provisions in any new plant quarantine legislation to empower quarantine officers to deal with garbage disposal problems at the ports.

### 2.1.8 Uniforms etc.

All plant quarantine inspectors should be provided with official uniforms and badges, so as to distinguish them from the public and also to command respect. This will be of particular importance as the new legislation would vest in plant quarantine inspectors the power to enter and inspect ships and aircraft.

### 2.1.9 Public Awareness

Continuing efforts should be made to inform the public about plant quarantine law and practices so as to secure greater public cooperation.

### 2.1.10 Incentives for Plant Protection

No provision was included for incentives for plant protection in any of the existing laws or regulations examined.

The following matters could usefully be the subject of incentives:

- a) providing farmers with technical and material assistance so that they may be trained in and given demonstration on methods of prevention and control of plant pests and diseases;
- b) providing facilities for the importation and exportation of substances, material and equipment used for the prevention and control of pests and diseases;
- c) incentives to encourage those who furnish scientific or technical information, thereby making a positive contribution to plant protection.

In most parts of the CARICOM there is a growing emphasis on the need to limit the range of statutory fiscal incentives. In most of the above matters the results can be achieved by administrative means rather than by legislation. For example in Barbados the plant quarantine services provide extensive assistance to farmers; in Jamaica the establishment of a hot water treatment facility is under consideration by the private sector.

### 2.1.11 Legislation

Enacting a comprehensive Plant Protection and Quarantine Act in each country should be given highest priority. Such legislation has to provide the proper legal framework so that quarantine actions can be implemented. Existing legislation does not provide the necessary back up for quarantine inspection, import permits or quarantine regulations.

### 2.1.12 Lack of Uniformity of Draft Plant Quarantine Bills

There are plant quarantine Bills pending in Antigua, St. Vincent and the Grenadines, Jamaica, Belize and Trinidad and Tobago. The draft Bills for Antigua, St. Vincent and St. Kitts-Nevis were all prepared by FAO (Mr. Bombin, Senior Legal Officer, FAO) and these draft Bills were reviewed by this Legal Consultant while in Rome. These draft Bills are similar and are in general harmonized with the Plant Protection Acts for St. Lucia and Dominica. The draft bills for Jamaica, Belize and Trinidad and Tobago differ considerably. Of these the Jamaican Bill is by far the most comprehensive and is close to being enacted. In no CARICOM country have plant quarantine regulations been promulgated. In order to harmonize national quarantine laws and regulations within CARICOM, there is a need for greater uniformity in the pending legislation.

### 2.2 Review of National Legislation by Country

#### Antigua

The present legislation covering plant protection is scattered among several Acts and regulations. The main statutes are the Plant Protection Act (1942), the Plant Protection Regulations (1959), the Cotton Protection Act (1922), the Fumigation of Plants Act (1905) and the Produce Protection Act (1922). None of the Acts or regulations provides an adequate legal framework for the implementation of plant quarantine actions as required by present needs. There is an absence of statutory powers to enable plant protection officers to enter vessels, aircrafts or ships or to effect quarantines over vessels, aircrafts or ships. The powers to seize, detain and destroy products of plant origin entering the country are either absent or uncertain. Important areas such as import permits, quarantine inspection and phytosanitary certificates are not covered by the present legislation, representing a serious constraint to the adequate functioning of the plant quarantine service.

In view of the general inadequacy of the existing legislation it is evident that amending the current legislation would not be an effective mechanism to achieve substantial changes. Under TCP/ANT/0051(A) FAO Senior Legal Officer Mr. L. Bombin prepared a draft Plant Protection Act which, if enacted, would provide a solid and practical base for the enforcement of the necessary plant quarantine actions. The Legal Consultant received this draft Plant Protection Act during his visit to Rome under TCP/RLA/2258. This draft appears to be in general accord with the St. Lucia Plant Protection Act (1988).

As soon as the new Act and regulations are in place there should be regular training sessions with customs officers and plant protection officers to explain the appropriate forms to them.

It is also recommended that Antigua should accede to the IPPC as soon as possible.

## Barbados

The Plant Pest and Disease (Eradication) Act, 1983 (No. 6 of 1983) makes provision for the eradication of plant pests and diseases and related matters. This Act repealed a number of other Acts including the Plant Pest and Disease Importation Act of 1932 (Cap. 266). Under the Plant Pest and Disease (Eradication) Act the Chief Agricultural Officer may issue control measures in regard to plant pests and diseases. Section 6 of the Act empowers the Chief Agricultural Officer or inspector to enter private premises to determine the existence of any plant pest or disease. The term "inspector" is not defined in the Act but under section 3(2) the Minister may, on the advice of the Chief Agricultural Officer, designate public officers to be inspectors. There is also no reference in the Act to plant protection or plant quarantine officers.

The Act empowers the Chief Agricultural Officer to take steps to execute eradication measures where the owner or occupier of a farm or plantation fails to comply with directions given by the Chief Agricultural Officer. The Act also permits the Minister to declare an area to be infected with a specified plant pest or disease. In such circumstances the planting, selling, removal or distribution of planting material from such an area is prohibited unless the written approval of the Chief Agricultural Officer has been obtained. The Act binds the Crown.

Under the Act, Plant Pest and Disease (Eradication) Regulations were promulgated in 1985 (S.I. 213 of 1985). Various forms are prescribed under the Regulations (e.g., under Regulation 2, Form A is prescribed for the owner or occupier to notify the Chief Agricultural Officer of the finding of any plant pest or disease).

Neither the Act nor the regulations provide a comprehensive statutory framework for the management of plant quarantine. There is no specific reference to plant quarantine officers (although there is a reference to inspectors) and there is no statutory power under the Act to enable plant protection officers (or inspectors) to enter vessels, aircraft or ships or to effect quarantine over vessels, aircraft or ships. The powers to seize, detain and destroy products of plant origin entering the country are either absent or uncertain. Important areas such as import permits, quarantine inspection and phytosanitary certificates are not covered by the present legislation, representing a serious constraint to the adequate functioning of the plant quarantine service.

## Belize

The current legislation is inadequate to deal with the present problems affecting plant protection.

The Plant Protection Act (Cap. 178) was enacted in 1941 and amended in 1963. The Act is similar to the other 1941 Plant Protection Acts that are found in other parts of the Commonwealth. The Act is defective in many ways. For example, the quarantine provisions (see section 9 (1)) are restricted to the quarantine of nurseries. There are no general provisions in the Act for the quarantine of particular areas. There is also no

power for quarantine officers to enter vessels or aircraft. There is also no provision to seize, detain or destroy products of plant origin entering the country.

A new draft Plant Protection and Quarantine Act has been prepared by officials in the Ministry of Agriculture. This draft needs considerable technical and legislative revisions and amendments because important provisions such as the power to quarantine areas as well as more precise statutory search and detention provisions are absent from the draft. In addition, the draft has not been prepared by a lawyer. It is recommended that a new Plant Protection and Quarantine Act should be enacted at an early date. In addition, regulations should be prepared in parallel with drafting of the Act and promulgated as soon as the new Act is enacted.

### Dominica

The Plant Protection Act of Dominica was enacted in 1986 following general FAO plant quarantine guidelines. The Plant Protection Act contained a number of important new provisions including:

- empowering plant quarantine officers to search vessels and aircraft and to seize, detain and destroy plant material;
- requiring an import permit for plants and plant products;
- plant protection provisions such as emergency measures, national quarantine measures, transport and trade of plants and plant products;
- a requirement that the phytosanitary certificate should follow the model contained in the International Plant Protection Convention. The phytosanitary certificate is set out in a Schedule to the Act.

Under the Act the Minister responsible for Agriculture may place any land or nursery under quarantine. In addition, any authorised plant protection and quarantine officer may serve a pest control notice on the owner of any land or nursery to control or eradicate any plant pest on such land or nursery. Where there is a failure to comply with a pest control notice any authorized plant protection and quarantine officer may enter such land or nursery and take steps to control or eradicate the pest.

The 1986 Plant Protection Act provides an adequate basis for plant quarantine in Dominica. There is a need for training for plant quarantine officers and customs officers in regard to the provisions of the Plant Protection Act.

Draft Plant Protection Regulations have been prepared for Dominica by the Ministry of Agriculture. These regulations have not been subject to an inter-departmental review nor to examination by the Attorney General's Department. The draft Plant Protection Regulations deal with a variety of matters including the following:

- ports of entry
- import of planting materials
- admissibility of permits and vegetables for importation
- plant pests
- rules regarding the entry of soil
- non-plant materials
- importation of plants and planting material by mail
- packing materials
- rules regarding garbage or refuse entering the territorial waters of  
Dominica
- export regulations
- import permits
- plant import schedule

The regulations should be promulgated as soon as possible. It is recommended that Dominica accede to the IPPC at an early date.

### Guyana

The current legislation concerning plant protection is the Plant Protection Act (1942) as amended in 1943. Under the Act the Minister is empowered by order to direct and specify the precautions to be taken to prevent the spread of plant diseases and pests.

In order to deal with the treatment of pests the Act empowers the Minister to:

- a) direct or authorize the disinfection or treatment of any plant and any article likely to infect any plant with a pest or disease;
- b) authorize the immediate destruction, without compensation, of any plant or article which on inspection appears to be infested or infected with any pest or disease.

Regarding quarantine measures the Minister may direct, authorize or control the quarantine of affected areas. Special regulations deal with quarantines in nurseries.

The Minister may prohibit, control or restrict the transport of any diseased plant or any plant which appears to be affected with a pest or disease, or anything whatever, whether similar in nature to a plant or not, which is likely to cause a pest or disease in plants.

One significant feature of the Guyanese plant protection legislation is the wide range of regulations promulgated under the Plant Protection Act. The subsidiary legislation in force under the Act includes the following:

- Plant Diseases and Pests Notification Order (1936)
- Plant Diseases and Pests (Notification) Regulations (1936)

Prohibition of Importation Order (1937)  
Importation of Fruits and Vegetables Regulations (1948)  
Plant Protection (Cotton Pests) Regulations (1953)  
Plant Protection (Conditions of Importation) Regulations (1955)  
Plant Diseases (Blast) Order (1958)  
Plant Protection (Conditions of Exportation Order) (1958)  
Plant Protection (Citrus Planting Materials) Regulations (1961)  
Plant Protection (Coconut Disease) (Red Ring) Regulations (1962)  
Plant Protection (Importation of Christmas Trees) Regulations (1967).  
Plant Protection (Notifiable Pests) Order (1945 as amended by 48/1958,  
20/1969)

The main deficiency in the Act is the lack of adequate statutory provisions regarding plant quarantine. Other deficiencies include:

- no statutory provision that would exclude the Government from liability for damage to plant material or for destruction of plant material in the course of the performance of the quarantine officer's duties under the Act;
- no statutory provision to enable plant quarantine officers to inspect or deal with plant material that arrives by mail;
- no statutory provision requiring that the phytosanitary certificate comply with the model adopted by the International Plant Protection Convention;
- no statutory provisions to empower plant protection officers to enter vessels or aircraft and to seize or detain articles from such vessels or aircraft.

In addition, while in practice a written agricultural quarantine declaration is required in the country's passenger declaration form, this requirement is not currently provided for in the Plant Protection Act. There is thus a need for a new Plant Protection and Quarantine Act and Regulations and these should be accorded a high priority.

#### Jamaica

Existing legislation covering the importation of plants has been in existence since 1884. This early law has been changed many times.

The Plants (Protection from Disease) Act was enacted in 1925 and there were significant amendments to this Act in 1960 and 1968. The major deficiency of the Act is the absence of adequate provisions dealing with plant quarantine. There is also an absence in the Act of adequate provisions dealing with powers of quarantine officers to inspect, seize or detain articles from vessels or aircraft.

The Plants (Protection from Disease) Act has been primarily used for the control of the spread of pests and diseases within Jamaica, though there are provisions within the Act to control the movement of plants and plant products into Jamaica.

The authority of this Act is vested in the Minister of Agriculture, but within its present framework the extensive range of operations required of an active and effective inspection and treatment network is not possible. Most of the regulations under the Plants (Protection from Disease) Act 1925 are out of date.

There is presently no basic plant quarantine legislation governing the import of plants and plant products under the authority of the Minister of Agriculture. Control of imports is provided by the Customs Act of 1939 which has specific regulations which require conditions to be met before approvals are given. The Customs (Importation Prohibition of Fruit, Plants and Vegetables Amendment) Order, 1975, allows the importation of certain fruits and vegetables, as specified, from countries belonging to the Caribbean Common Market or from any other Caribbean country in the Commonwealth. The regulations are outdated, lacking in scope, and drafted to take into consideration trade restrictions that are currently no longer relevant. The authority of this Act is given only to Customs Officers. Current regulations under the Customs Act, 1939 are not sufficient to give adequate control of the import of plant pests and disease since they specifically exclude seed from examination, treatment and permit requirements.

The Draft Plant (Quarantine) Bill 1990 seeks to repeal and replace the Plants (Protection from Disease) Act in order to give more effective control over the importation of plants, plant products and articles that pose a quarantine risk.

The Bill adheres to the basic internationally acceptable FAO guidelines and is based on standards set by the IPPC of which Jamaica is a signatory and as such will provide a control system acceptable to trading partners.

The Bill will permit Government, by means of adequate inspection and treatment procedures based upon sound biological grounds, to closely control the import of plants and articles which pose a risk to importing dangerous pests and diseases into the country. Apart from the Bill it will also be necessary to develop and promulgate regulations at an early date. The priority matters to be addressed by regulations should include: rules regarding the importation of plants and planting material by mail; rules regarding garbage or refuse entering the territorial waters of Jamaica; the form for import permits and a plant import schedule.

#### St. Lucia

In 1988 a new Plant Protection Act was enacted for St. Lucia. The Plant Protection Act (No. 21 of 1988) was drafted following basically the technical guidelines of FAO. These general technical guidelines were prepared by the Plant Quarantine Division of FAO. However, it was drafted within the framework of the social and economic and legal context of St. Lucia.

The Plant Protection Act repealed the Plant Protection Ordinance (Chapter 26) but provided that all Orders and regulations made under the Plant Protection Ordinance would remain in force until replaced by Orders and regulations made under the Plant Protection Act.

A number of significant changes were introduced by the Plant Protection Act. These included the following:

- a statutory requirement that any prohibited plant material which is handled by the post office would be subject to regulations administered jointly by the postal services and the plant quarantine service;
- a statutory requirement that the phytosanitary certificate should conform with the model adopted by the International Plant Protection Convention;
- statutory provisions regarding post-entry facilities;
- power of plant quarantine officers to search vessels or aircrafts and to seize, detain or destroy plant material;
- statutory provisions regarding the establishment and duration of plant quarantines.

The current Plant Protection Act 1988 of St. Lucia appears to be adequate to deal with the present plant quarantine problems. Draft Plant Protection Regulations have been prepared by St. Lucia. This draft has been the subject of review within the Ministry of Agriculture and has been submitted for examination by the Plant Protection Board appointed under the Plant Protection Act. The draft Regulations have not yet been reviewed by the Attorney General's Department. The draft Plant Regulations deal with a variety of matters including the following:

- ports of entry
- entry requirement for vegetables and plant products
- admissibility of fruits and vegetables
- special rules for the import of plant material
- plant pests
- rules regarding the entry of soil
- non-plant material
- mail importations
- rules regarding packing materials
- rules regarding garbage or refuse entering the territorial waters of St. Lucia
- export regulations
- import permits
- plant import schedule.

It is recommended that St. Lucia accede to the IPPC.

### St. Vincent & the Grenadines

The present legislation covering plant protection is scattered among several Acts and regulations. The primary statutes are the Plant Protection Act (1942), the Cotton Protection Act (1924) and the Exportation of Produce Ordinance (1959). None of the Acts or regulations provides an adequate legal framework for the implementation of plant quarantine actions as required by present needs. There is an absence of statutory powers to enable plant protection officers to enter vessels, aircrafts or ships, nor is there any power to quarantine such vessels, aircrafts or ships. In addition the power to seize and destroy products of plant origin entering St. Vincent is either absent or uncertain. Important areas such as import permits, quarantine inspection and phytosanitary certificates are not properly covered by the present legislation.

Given the inadequate nature of the existing legislation high priority should be given to repealing the existing plant protection statutes and enacting a new Plant Protection and Quarantine Act and regulations to provide the necessary legal framework to implement adequate plant protection and quarantine actions.

A draft Plant Protection Act has been prepared for the Government of St. Vincent and the Grenadines under TCP/STV/0051(A). The Consultant reviewed this draft Act during his visit to FAO in Rome and considered that the draft Act would provide an effective legal structure for the administration of plant quarantine in St. Vincent and the Grenadines.

As soon as the Act and regulations are enacted, training courses for customs officers and plant protection officers should be put in place to explain the new legislation.

It is also recommended that St. Vincent and the Grenadines should accede to the IPPC as soon as possible.

### Trinidad & Tobago

The present statutory provisions for plant protection are contained in the Plant Protection Ordinance (1940) and the regulations made thereunder.

The Plant Protection Ordinance is inadequate in many respects and does not provide an adequate legal framework for plant protection and quarantine. Important areas such as import permits, quarantine inspection and phytosanitary certification are not properly covered in present legislation, representing a serious constraint to the adequate functioning of the plant quarantine service.

In 1975 the Plant Protection Act was enacted but not proclaimed as required by sections of that Act. It is not clear exactly why this was not done but the Consultant understands that it may have been due partly to a change of Government after the enactment of the 1975 Act. Consequently the previous Plant Protection Ordinance (1940) still remains in force.

A Plant Protection Bill has been prepared by the Ministry of Agriculture but this Bill is still under review. The Trinidad and Tobago government officials indicated that some technical assistance would be useful to finalize the Bill. Steps should be taken to enact this Bill once it is finalized. It will also be important that Regulations be prepared as soon as possible. Priority matters to be dealt with by the Regulations include the following: phytosanitary certificates, compost permits and rules regarding garbage or refuse entering the territorial waters of Trinidad and Tobago.

### 3. Legal aspects of the institutional framework and potential sub-regional agreements under CARICOM

#### 3.1 Background

For many CARICOM countries the export of agricultural produce, particularly fruits and vegetables, constitutes a vital source of hard currency which is essential for their survival. Recognizing this, countries in the sub-region are concerned with the facilitation of trade within and outside the Region. Recent developments in the General Agreement on Tariffs and Trade (GATT) Uruguay Round of multilateral negotiations require that technically unjustifiable barriers to international trade in plants and plant products be removed through harmonized phytosanitary measures which are based on a sound scientific basis.

In the Uruguay Round of trade negotiations of GATT, it was recognized that unjustified quarantine restrictions could be used to limit the free flow of trade. The contracting parties to the GATT therefore insisted that the reasons for plant quarantine measures be transparent and that the situation be improved through harmonization, this being "the establishment, recognition and application of common phytosanitary measures by different contracting parties". The contracting parties also agreed that "for plant health, the international standards, guidelines and recommendations developed under the auspices of the Secretariat of the IPPC, in cooperation with regional organizations operating within the framework of the International Plant Protection Convention" should not be challengeable<sup>1</sup>.

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<sup>1</sup> RPPOs consulted in 1989 recommended the establishment of an IPPC Secretariat within FAO to address harmonization. The FAO Conference, at its Twenty-Fifth Session in 1989, endorsed this recommendation.

During the 1992-93 biennium, FAO established the IPPC Secretariat. Its activities include:

- (1) information exchange;
- (2) harmonization of plant quarantine through the development of international standards and guidelines;
- (3) strengthening international cooperation;
- (4) increasing adherence to the IPPC and supporting and strengthening of RPPOs;
- (5) technical assistance to member governments in establishing and strengthening national plant quarantine capabilities.

To facilitate trade, it is therefore necessary to develop harmonized and internationally recognized plant quarantine standards and guidelines. These should have a status comparable to the international standards of the Codex Alimentarius Commission (Codex). As there are presently no internationally recognized plant quarantine standards, these must be developed through an international consultative process that would consider the various national standards and, through studies, discussions and consultations at regional and international level, achieve consensus on definitions, interpretations and operational procedures. In this respect, Technical Consultations among RPPOs<sup>2</sup> have been held annually since 1989 and have identified priorities for harmonization. A programme of complementary activities on harmonization has been initiated by FAO and RPPOs and has produced a text on the Principles of Plant Quarantine as Related to International Trade.

A working group produced a draft text on Pest Risk Analysis (PRA), which was considered by an FAO Expert Consultation in April 1992 and the Fourth Technical Consultation among Regional Plant Protection Organizations in May 1992. The text will now be further elaborated by a working group for submission to the Expert Committee. PRA is the keystone of harmonization because through its application countries make the operational decisions by which trade is or is not allowed.

An Expert Consultation on the Harmonization of Plant Quarantine Principles was held at FAO, Rome in May, 1991. This meeting was convened with specific reference to the GATT negotiations on sanitary and phytosanitary issues and non-tariff barriers within the framework of the Uruguay Round. FAO was identified as the international organization that would assist GATT by setting standards that would be widely accepted and used as a reference point if dispute on the validity of plant quarantine procedures arose. This role has been delegated to the International Plant Protection Convention (IPPC). The CARICOM members as members of CPPC could participate in the development of these standards.

In the GATT Uruguay Round, a sanitary and phytosanitary decision has been drafted, in the expectation that the IPPC will have the capability and mechanism of setting norms with wide global participation and broad international acceptance. The procedure to approve standards and guidelines therefore has to be formalized. At present, only two of the ten CARICOM countries are parties to the IPPC leaving substantial gaps in the coverage of the IPPC in the Region. To achieve wider coverage and to ensure that the countries participate in establishing internationally accepted phytosanitary norms, all CARICOM countries should be encouraged by the CARICOM Secretariat to adhere to the IPPC (for models of instruments of adherence see Appendix 5).

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<sup>2</sup> The IPPC, under Article VIII, allows for the establishment of Regional Plant Protection Organizations (RPPOs). These are primarily concerned with the coordination of plant quarantine activities within their region, although they also address other plant protection concerns. Currently there are eight Regional Plant Protection Organizations established under the IPPC (see Appendix IV). Two of these, the Asia and Pacific Plant Protection Commission (APPPC) and the Caribbean Plant Protection Commission (CPPC), are established under the aegis of FAO as Commissions.

### 3.2 Institutional framework

Currently there are two main entities which affect the harmonization of plant quarantine within the CARICOM region, the CPPC and CARICOM. These entities are examined in greater detail below.

#### 3.2.1 Caribbean Plant Protection Commission

The CPPC was established in 1967 by the 48th session of the FAO Council through Resolution No. 8/78 as provided for under Article VI of the Constitution. Six sessions of the CPPC have been held since its establishment. Current members are Barbados, Colombia, Cuba, Dominica, Dominican Republic, France, Grenada, Guyana, Haiti Jamaica, Netherlands, Saint Lucia, Suriname, Trinidad and Tobago, United Kingdom, United States of America and Venezuela. The CARICOM members of the Caribbean Plant Protection Commission are: Barbados, Dominica, Grenada, Guyana, Jamaica, St. Kitts-Nevis, Saint Lucia, Trinidad and Tobago.

The CPPC is a body formed under the IPPC which aims at promoting cooperation in plant protection, and in plant quarantine in particular. It has meetings at which issues are discussed and cooperative action is taken. In the past it has also promoted the formulation of both regional and national programmes of aid aimed at strengthening the capacity to restrict pest movements in the region.

The terms of reference of the CPPC are to:

- a) keep under constant review outbreaks and movements of plant pests and diseases of economic importance outside and inside the Caribbean area;
- b) review the progress made in the control of plant pests and diseases of economic importance outside and inside the Caribbean area;
- c) review the current plant quarantine measures adopted by participating governments;
- d) propose to the participating governments quarantine measures for approval and adoption;
- e) examine and study problems in plant quarantine and related fields referred to it by any participating government;
- f) promote arrangements for the training of technical personnel in the field of plant quarantine.

The CPPC is a technical commission with interest primarily in matters of control of pests through inspection and treatment as is generally practical in plant quarantine. The CPPC has no funding role or financial resources of its own.

Due to the absence of a Technical Secretariat which is vested in FAO and performed by the FAO Regional Plant Protection Officer based in Trinidad, the CPPC has not met in session since 1990. A meeting is planned for 1993 since it is expected that a FAO Regional Officer will be appointed shortly. This should assist in revitalizing the CPPC since it has had no Secretary for the past two years.

One of the important roles of the CPPC Secretariat is the collection and dissemination of pest status information. The FAO pest and disease databases which are essential for plant quarantine are accessed through the CPPC.

The CPPC Secretariat also provides the regional plant quarantine dispute resolution forum. This facility has not been used in the past. However, with a revitalized CPPC which has a functioning Secretariat it is expected that the CPPC could meet the challenges of being a regional plant quarantine forum. Even though it is preferable to have disputes resolved bilaterally, when this is not possible, the CPPC would then be the appropriate forum.

The CPPC has also been involved in the joint global harmonization programme in plant quarantine, and representatives from the Region have attended the annual technical meetings among RPPO's and Experts from the CPPC Region have been on the Expert Committees on Plant Quarantine Harmonization.

The CPPC thus serves a key technical and coordinating function and as an RPPO established under the relevant article of the IPPC participates in the development of standards. In fact it should be noted that the CPPC database developed as an initiative by the Region evolved into the FAO database. Nevertheless with respect to the Caribbean, the CPPC's decisions are not strictly binding on its members and it thus cannot impose any legal obligations on its members although its technical recommendations on issues relating to plant quarantine are taken into consideration by members.

### 3.2.2 CARICOM

CARICOM was established in 1973 under the Treaty of Chaguaramas. The treaty establishing CARICOM made provision for taking the Region from a free trade area to almost a Common Market. These provisions relate to trade liberalization, a common protective policy, the establishment and operation of economic enterprises, provision of services, movement of capital and persons, coordination of economic and monetary policies and a special regime for lesser developed countries.

In the CARICOM document "Towards a CARICOM Single Market Economy" many of the current difficulties with the Treaty provisions are pointed out and also a number of recommendations are made for amendments to the Articles. Among the changes proposed are (1) a Treaty with specific mechanisms for decision-making and implementation; (b) provision for judicial review by a court. At present decisions of CARICOM are not legally binding in the individual countries. By contrast under the Treaty of Rome the European Economic Community's decisions and directives are

binding on the individual members of the EEC and such decisions and directives are implemented as law in the individual member countries.

CARICOM can play a major role in the harmonization of plant quarantine in the region especially through the Standing Committee of Ministers responsible for Agriculture (SCMA). Under Article 10 of the Treaty of Chaguaramas the SCMA is an Institution of the Community. By Article 12 of the Treaty the Institutions of the Community are charged with formulating such policies and performing such functions as are necessary for the achievement of the objectives of the Community within their respective spheres of competence.

By Article 11 of the Treaty each Institution of the Community shall consist of representatives of Member States. Each Member State shall designate a Minister of Government as its representative on each such institution. Under the same Article of the Treaty the Institutions of the Community may regulate their own procedures and establish such subsidiary committees, agencies and other bodies as they consider necessary for the efficient performance of their Ministers. The Ministerial Sub-Committee of SCMA has responsibility within CARICOM to develop policies regarding all agricultural matters in CARICOM. As mentioned earlier, the SCMA has proposed the establishment of the CAPPIC to advise the SCMA on plant and animal health matters, although it is unlikely that in respect to plant quarantine matters the technical participation will differ from that which already functions in the CPPC.

However it has to be recognized that CARICOM's ability is also limited because it has no mandate to enact legislation such as that conferred by the Treaty of Rome on the EEC. Thus in order for there to be effective harmonization of plant quarantine in the region it may be necessary to amend the CARICOM Treaty in the manner set out in "Towards a CARICOM Single Market and Economy" so that the decisions of CARICOM could have a binding effect. This of course is a long term solution and there is no indication of the likely adoption of any proposals to amend the CARICOM treaty in the near future. In the meantime other approaches can offer some solution to these issues.

### 3.3 Options for the establishment of an institutional framework for the harmonization of plant quarantine within CARICOM

#### 3.3.1 Expand existing institutional mandates

The mandates of existing institutions such as the CPPC and/or the SCMA could be expanded (the latter, for example, by a Protocol), particularly to define a specific mechanism by which members would be bound by harmonized technical standards. If this approach is adopted, there would be no necessity to create a separate regional institution to deal with these matters. CARICOM might still wish to consider, however, whether an agreement or a protocol under the CARICOM Agreement might be desirable to address plant quarantine and trade factors in inter- and extra-regional trade.

### 3.3.2 Establish a new institution

A new institution could be established to address plant quarantine matters. The most important legal question for plant quarantine harmonization will be the specific mechanism by which technical standards will be defined and accepted into national legislation. There are various models used in the different regions of the world to establish regional plant quarantine programmes through multilateral or bilateral means and in this regard new institutions under these other regional organizations (e.g. the Pacific Plant Protection Organization's Regional Technical Board) adopt standards which are obligatory for its members. Some of the models are examined below.

#### 3.3.2.1 Multilateral fora

A variety of multilateral fora exists to address plant quarantine matters. For the Caribbean the CPPC was created by FAO and is a RPPO within the FAO framework. The Asia and Pacific Plant Protection Commission (APPPC) was established as an autonomous commission within the framework of FAO. The proposed Pacific Plant Protection Organization (PPPO) will be an autonomous entity within the framework of the South Pacific Commission. The Near East Plant Protection Organization (NEPPO) is established (with the assistance of FAO) as an independent RPPO. Similarly the North American Plant Protection Organization (NAPPO) was established by Agreement between USA, Mexico and Canada as an independent regional plant protection organization. Thus there are varying approaches in each region as to the appropriate entity to be responsible for regional plant protection matters.

One model which may be studied by CARICOM is the proposed Plant Protection Agreement for the Pacific. This Agreement was the result of an initiative taken by the Heads of Agriculture for the Pacific island countries in 1989 to define the parameters for an agreement to ensure an appropriate common framework for plant protection in the Pacific which would respond directly to the specific requirements of countries in the Pacific. In doing so, it was recognized that, given the significant increase in the exchange of plants and plant products not only within the Pacific but also between countries in the Pacific and countries in other parts of the world, it would be indispensable to place such an agreement within the world-wide framework of the IPPC in its revised form.

The main objectives of the Pacific Plant Protection Organization include the following:

- the maintenance and operation of national plant protection services,
- the harmonisation of plant quarantine regulatory policies and procedures,
- common phytosanitary measures with a view to preventing the introduction into, or spread within, the Pacific of quarantine pests,
- guidelines for the importation of biological control agents.

A Regional Technical Board is established by the Agreement and the meetings of this Board are to be convened by the Secretary-General of the South Pacific Commission. The functions of the Board include adopting obligatory regional plant protection standards.

### 3.3.2.2 Bilateral fora

Another approach is a bilateral agreement such as that entered into between Australia and New Zealand facilitating trade between the two countries. Under Article 7 of this Agreement Australia and New Zealand established a Consultative Group whose duties include:

- a) coordinating the efforts of the existing Technical Committees on plant quarantine;
- b) resolving outstanding technical differences on quarantine and related inspection matters;
- c) providing overall impetus and direction for quarantine harmonization between Australia and New Zealand.

By Article 7 of the Agreement, the Consultative Group comprises the Heads of the responsible departments in Australia and New Zealand or their authorized representatives. Until other arrangements are made the responsible department in Australia is the Department of Primary Industries and Energy and in New Zealand the Ministry of Agriculture and Fisheries.

### 3.4 Recommendations for the CARICOM region

The agreements discussed above are examples of frameworks for regional agreements on plant quarantine and trade although the eco-geographical circumstances of the parties to these agreements differ considerably from those of CARICOM which groups islands and continental countries. In particular, the agreements provide some guidance on the types of mechanisms by which technical standards can be made binding on members.

From the CARICOM perspective, however, they present several difficulties. First, since issues relating to plant quarantine are of an eco-geographical nature, to harmonize plant quarantine effectively it would be necessary for an agreement to include all islands and countries of the region, as happens with the SPC, not solely those which are members of CARICOM (i.e. English speaking). Second, setting up a new institution may not only duplicate activities already undertaken by the CPPC but also result in certain difficulties in the context of the CARICOM region, namely:

- attracting funding for a new organization, or
- establishing a new Secretariat for a separate regional organization and attracting sufficient staff for it,
- overlapping different agencies in the CARICOM region dealing with the same plant protection issues.

The existing CPPC already has the general legal framework to deal with plant quarantine matters in the region and has been doing so for over twenty years. Plant quarantine harmonization would, however, require a stronger legal foundation for the CPPC and the nature of its members' obligations. It is therefore recommended that the existing CPPC be strengthened to deal with harmonization of plant quarantine in the region, especially by developing a mechanism by which the forum of CPPC meeting would be used in a regional sense to develop a regional perspective which would be transmitted into the RPPO/FAO work programme which would essentially lead to harmonized technical standards binding on members in the GATT arena. The CPPC's dispute resolution procedures might also need to be strengthened if these disputes cannot be resolved initially on scientific grounds through bilateral efforts although in the ultimate forum GATT would be used.

At the same time, to further strengthen plant quarantine harmonization in the region, CARICOM could consider incorporating a non-binding Protocol to the Treaty of Chaguaramas dealing with the harmonization of plant quarantine into the CARICOM harmonization framework. A Protocol would ensure that harmonization of plant quarantine is linked to higher profile targets such as currency, immigration, business etc. and that the progress of implementation is scrutinized on a regular basis. Since CARICOM itself does not have a legal basis to enact legislation on plant quarantine, its role would be as a facilitator and coordinator for harmonization at the national level. For this reason also, CARICOM may not be the most appropriate vehicle through which plant quarantine disputes should be resolved.

Such a Protocol could facilitate the strengthened CPPC's work by committing CARICOM members to the following:

- a) Objective to promote international cooperation in the CARICOM in strengthening plant protection activities and capabilities, including working with the CPPC to:
  - (i) control pests of plants and plant products in an appropriate manner.
  - (ii) prevent the spread of economically important pests of plants and plant products;
  - (iii) harmonize plant quarantine regulatory policies and procedures;

- (iv) adopt common phytosanitary measures with a view to preventing the introduction into, or spread within the CARICOM, of quarantine pests;
  - (v) minimize interference with international trade resulting from phytosanitary measures;
  - (vi) establish guidelines for the importation of biological control agents.
- b) Action to:
- (i) encourage all CARICOM members to adhere to IPPC and become members of the CPPC;  
  
NOTE: CARICOM members who are members of CPPC will be fully involved in the global consultations on harmonization in plant quarantine that are being undertaken within the cooperative IPPC Secretariat. Thus in this manner the CARICOM countries can be directly involved in the development of standards.
  - (ii) encourage all members to adopt the technical standards developed by IPPC and CPPC;  
  
NOTE: The technical standards should be those adopted by the IPPC and CPPC, not separate standards developed by CARICOM.
  - (iii) work with the CPPC to adopt regional plant protection guidelines;
  - (iv) adopt recommendations on any relevant aspect of plant protection in the region;
  - (v) encourage the harmonization of plant quarantine regulatory policies and procedure;
  - (vi) facilitate the maintenance and operation of national plant quarantine services; and
  - (vii) cooperate with IICA and CARAPHIN on the development of information systems in support of plant quarantine.

The linkages between the recommended strengthening of the CPPC, this Protocol and existing CARICOM Institutions such as the SCMA should be explored further, especially information exchange on phytosanitary measures and reporting requirements on the existence, outbreak and spread of economically important pests of plant and plant products in CARICOM member countries.

#### 4. Main Findings and Conclusions

Generally there is a need to update national plant protection and quarantine legislation within the CARICOM region. There is also a need to develop a greater awareness of the statutory requirements of plant protection legislation in the various member countries of CARICOM.

In order for the plant quarantine services of each CARICOM country to operate in an efficient and effective manner it is essential that the establishment and authority of Plant Quarantine/Produce Inspectors be based on all-inclusive and well-formulated plant quarantine legislation.

The Consultant considers that there is an urgent need to enact new legislation for plant protection and quarantine.

The Consultant considers that the existing institution of the CPPC could be strengthened to deal effectively with plant quarantine harmonization matters and that its work could be facilitated by a Protocol to the existing Treaty of Chaguaramas which would place plant quarantine harmonization within the general framework of harmonization in intra- and extra-regional trade within CARICOM.

#### 5. Recommendations

##### 5.1. Legal aspects of harmonizing national quarantine laws and regulations:

- a) It is necessary to prepare comprehensive plant protection and quarantine legislation for all CARICOM countries, except St. Lucia and Dominica where only regulations are necessary.
- b) The new plant quarantine legislation should include the following:
  - (i) all passengers arriving in the CARICOM countries should, by law, be required to make a written agricultural quarantine declaration.
  - (ii) legislation regarding agricultural quarantine operations in post offices should be amended to ensure that all foreign mail can be inspected for plant material.

- c) The priority matters to be addressed by regulations include the following:
- inspection of plants and plant products,
  - collection of fees and charges,
  - issue of phytosanitary certificates,
  - reporting the existence, outbreak and spread of pests,
  - ports of entry,
  - import of planting materials,
  - admissibility of fruits and vegetables for importation,
  - plants pests,
  - rules regarding the entry of soil
  - non-plant materials
  - mail importation
  - packing materials
  - rules regarding garbage or refuse contaminating the country's territorial waters
  - import permits
  - export regulations
  - plant import schedule

The Regulations should, so far as possible, prescribe the necessary forms and set out the appropriate operational procedures for plant quarantine.

- d) The enactment of new plant protection and quarantine legislation should be followed by appropriate training of existing plant quarantine staff and customs officers in the new statutory provisions governing plant protection and quarantine.
- e) Operational Manuals on Plant Quarantine should be prepared which would also have a section dealing with the legal powers of plant protection and quarantine officers.
- f) CARICOM should encourage all CARICOM member states (who are not now members of IPPC) to accede to IPPC.
- g) National phytosanitary certificates should be in accordance with the IPPC model.

## 5.2 Legal aspects of an institutional framework

The CPPC should be strengthened, particularly to make harmonized technical standards binding on members.

In addition, CARICOM should consider a regional agreement or protocol under CARICOM to address plant quarantine and trade factors in inter- and extra-regional trade. The linkages between the recommended strengthening of the CPPC, such an agreement or

protocol, and existing CARICOM Institutions such as the SCMA should be explored further.

CARICOM should encourage all members who have not yet done so to ratify IPPC and join the CPPC.

### 5.3 Other actions

Technical assistance may be required to draft new or amend existing plant protection statutes for Belize, Trinidad and Tobago, Barbados and Guyana. Assistance from FAO under the Technical Cooperation Programme has already been provided to St. Vincent and the Grenadines through project TCP/STV/0051(A), Antigua and Barbuda through project TCP/ANT/0051(A) and St. Kitts-Nevis through project TCP/STK/0051(A). Technical assistance may also be needed to draft plant quarantine regulations for Jamaica.

The technical assistance required would be as follows:

A legal consultant should be provided for 3-4 months to:

- a) draft necessary legislation (Act and regulations);
- b) visit the various countries to assist with the implementation of new legislation;
- c) hold workshops with customs officers and plant quarantine officers to explain new legislation.

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  17. Draft Summary of Conclusions of the Fifteenth Meeting of the Standing Committee of Ministers Responsible for Agriculture (June 1-3, 1992).

APPENDIX 1

FAO: PLANT QUARANTINE PROJECT

MEETINGS

<u>DATE</u>	<u>PERSON</u>	<u>LOCATION</u>
	Barbados	
8/2/93	Ms. Inez Straughn	FAO, Barbados
	Mr. Jan Winderickx	FAO, Barbados
	Dr. Alleyne FAO Representative	FAO, Barbados
	Antigua	
9/2/93	Mr. Lennox Weston Permanent Secretary	Ministry of Agriculture
10/2/93	Mr. Lennox Weston Permanent Secretary	Ministry of Agriculture
	Mr. Karangizi Crown Counsel Attorney Chambers	Attorney General's Office
	Mr. Mitchell Legal Adviser	Ministry of Agriculture
	Mr. Joseph Sealy Trade Officer	Ministry of Trade
	Ms. Norma Roberts-Samuels Plant Protection Officer	Ministry of Agriculture
	Mr. Henry Director of Agriculture	Ministry of Agriculture

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**St. Vincent and  
the Grenadines**

11/2/93	Mr. Philmore Isaacs Director of Agriculture	Ministry of Agriculture
12/2/93	Mr. Oscar Ramjeet Solicitor General	Ministry of Legal Affairs
	Mr. Fairbuirn Plant Protection Officer	Ministry of Agriculture
	Mr. Augustine John Plant Protection Officer	Ministry of Agriculture
	Mr. Oliver Permanent Secretary	Ministry of Trade

**Trinidad & Tobago**

15/2/93	Mr. L.B. Hayles FAO Representative	FAO Office Trinidad
	Mr. Pierre Colliott Charge d'Affaires	French Embassy Trinidad
	Mr. Farouk Tarzi Resident Representative	UNDP Trinidad
	Dr. Sam Howard Director of Research	Research Station Ministry of Agriculture
	Professor Lawrence Wilson Dean, Faculty of Agriculture	University of the West Indies St. Augustine
	Dr. S. Parasram Director of Research & Development Institute (CARDI)	University of the West Indies St. Augustine

Dr. Wayne Lees Coordinator Caribbean Animal & Plant Health Information Network (CARAPIN)	FAO Office Trinidad
Mr. L. Hayles FAO Representative	FAO Office Trinidad
Mr. Sherwin Lewis C.E.S.	Ministry of Agriculture
Mr. Garth Rajnanth Plant Pathologist	Ministry of Agriculture
Mr. George Bala Plant Pathologist	Ministry of Agriculture
Mr. Lilory D. McComie Plant Entomologist C.E.S.	Ministry of Agriculture
Mr. John E. Pegus Deputy Director, Research	Ministry of Agriculture
Mr. Samuel B. Howard Director, Research	Ministry of Agriculture
Mr. Sam Parasram CARDI	Ministry of Agriculture
Ms. Lois Vincent-Sealy Plant Protection Officer	Ministry of Agriculture
15/2/93	
Mr. Steve Maximay CEPAT	
Mr. Theodore Ferguson Crop Science	
Mr. St. Clair Forde CARDI	
Mr. Richard A.I. Brathwaite	Dept. of Crop Science, U.W.I.

Mr. Lawrence A. Wilson Dean Faculty of Agriculture	Faculty of Agriculture
Mr. Gene V. Pollard Associate Dean (Research) & Entomologist	Faculty of Agriculture
Mr. Indar Teeluchsingh Plant Quarantine Officer	Plant Quarantine Office - Port-of-Spain
Mr. Leslie Battoo Plant Quarantine Officer	Plant Quarantine Office - Port-of-Spain

Jamaica

18/2/93

Briefing with Mr. Legessee Officer in Charge	FAO Offices
Ms. Marion John Acting Director of Marketing, Ministry of Agriculture	Ministry of Agriculture
Mr. Fabian Edman Chief Plant Protection Officer	
Ms. Carol Thomas Deputy Chief Plant Protection Officer	
Mr. O. Perez USDA/APHIS	

Belize

22/2/93

Dr. Marla Holder Citrus Research Committee	Ministry of Agriculture
Dr. Henry Canton Chairman, Research Committee	Ministry of Agriculture

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Mr. Rene Montero MAF - Livestock Officer	Ministry of Agriculture
Mr. Jose Smith MAF - Principal Agricultural Officer	Ministry of Agriculture
Dr. Peter Hunt NRI - ODA Project with MAF	Ministry of Agriculture
Mr. John E. Link Plant Pathologist - Head Plant Protection	Ministry of Agriculture
Dr. Jeff Dorsey Agricultural Economist, FAO Food Crop Production Study	Ministry of Agriculture
Mr. Michael Deshields Veterinary Officer Central Farm	Ministry of Agriculture
Mr. Garcia Chief Agricultural Officer	Ministry of Agriculture

Guyana

26/2/93

Ms. Elsie Croal, Director, Crops and Animal Health	Ministry of Agriculture
Mr. Caleb Pompey Deputy Chief, Plant Quarantine Officer	Ministry of Agriculture
Mr. Krishna Mangaya Plant Quarantine Inspector	Ministry of Agriculture
Mr. Olton Daw, Deputy General Manager	New Guyana Marketing Corporation

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27/2/93	Mr. Ronald Gordon	CARICOM
	Ms. Shamia Maccum-Barrow	CARICOM
	Mr. Depasingh Chief Parliamentary Counsel	Ministry of Legal Affairs
Barbados		
4/3/93	Mr. Chandler Plant Quarantine Service	Ministry of Agriculture
	Mr. Jeffrey Jones Entomologist	Ministry of Agriculture
	Mr. Mike Phillip Pathologist	Ministry of Agriculture
	Mr. Everton Hunte Deputy Chief Plant Quarantine Officer	Ministry of Agriculture
5/3/93	Mr. Jan Winderickx	FAO Office
	Ms. Inez Straughn	FAO Office
	Dr. Patrick Alleyne FAO Representative	FAO Office
	Mr. R. Gordon	FAO Office
	Ms. Shamia Maccum-Barrow	FAO Office
St. Lucia		
6/3/93	Mr. Dunley Auguste Deputy Director Agricultural Services	Ministry of Agriculture
	Mr. Squires Plant Protection Officer	Ministry of Agriculture
	Mr. Fontinielle Chief Agricultural Officer	Ministry of Agriculture

	Mr. Ernest Henry Senior Crop Protection Officer and Chief Plant Quarantine Officer	Ministry of Agriculture
	Mr. Cosmos Richardson Permanent Secretary	Ministry of Agriculture
	Dominica	
8/3/93	Dr. Don Robinson Chief Technical Officer	Ministry of Agriculture
	Ms. Carol Abrahams Plant Quarantine Service	Ministry of Agriculture
	Rome	
18/3/93	Ms. Ellen Kern Legal Officer	LEGN, FAO, Rome
	Mr. J.-P. Chiaradia-Bousquet Legal Officer	LEGN, FAO, Rome
	Mr. Richard Stein Chief	LEGA, FAO, Rome
	Mr. Denis Fadda Legal Officer	LEGA, FAO, Rome
	Mr. Luis Bombin Senior Legal Officer	LEG, FAO, Rome
	Dr. R. Ikin Senior Officer Plant Pathology Plant Quarantine	AGPP, FAO, Rome

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APPENDIX 2

List of Existing Legislation relating to Plant Protection

1. Antigua : Produce Protection Act (1922)  
Cotton Protection Act (1922)  
Mosaic Disease Regulations (1924)  
Fumigation of Plants Act (1925)  
Cotton Protection Regulations (1941)  
Plant Protection Act 1942  
Plant Protection Regulations(1959)  
Cotton Planting Regulations (1961)  
Cotton Protection (Destruction of Okra) Regulations (1962)
2. Barbados : Plant Pest and Disease (Eradication) Act (1983)  
Plant Pest and Disease (Eradication) Regulations, (1985)
3. Belize : Plant Protection Act (Cap. 178) 1941 as amended in 1963  
Plants, Fruits and Vegetables (Importation) Regulations (1947 as amended in 1949, 1958 and 1960)  
Infected Plants Area Order, (1967)  
Controlled Plant Regulations (1967)  
Plant Protection (Notifiable Pest and Diseases) Order (1983)  
Controlled Plant Order (1987)  
Infected Plant Areas Order (1987)
4. Dominica : Plant Protection and Quarantine Act (1986) (No. 10 of 1986)
5. Guyana : Plant Diseases and Pests (Notification) Regulations (1936)  
Plant Diseases and Pests Notification Order (1936)  
Prohibition of Importation Order (1937)  
Importation of Fruits and Vegetables Regulations (1948)  
  
Plant Protection (Cotton Pests) Regulations (1953)  
Plant Protection (Conditions of Importation) Regulations (1955)  
Plant Protection (Conditions of Exportation Order) (1958)

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- Plant Diseases (Blast) Order (1958)  
 Plant Protection (Citrus Planting Materials) Regulations (1961)  
 Plant Protection (Coconut Disease) (Red Ring) Regulations (1962)  
 Plant Protection (Notifiable Pests) Order (1945 as amended by 48/1958, 20/1969)  
 Plant Protection (Importation of Christmas Trees) Regulations (1967)  
 Plant Protection Act (1973)
6. Jamaica : Plant Protection Act (1925);  
 Customs (Importation) (Prohibition) (Fruits, Plants and Vegetables) Proclamation 1949 as amended in 1959 and 1975
7. St. Lucia : Plant Protection Ordinance  
 (No. 21 of 1988)
8. St. Vincent and Grenadines : Cotton Protection Act (1924)  
 Plant Protection Ordinance (1941)  
 Cotton Protection Regulations (1927 as amended in 1928 (7/1928), 1929 (13/1929), 1931 (9/1931), 1938 (87/1938), and in 1940 (212/1940)  
 Control of Gineries Regulations (1940 as amended in 1942 - 91/1942)  
 Plant Protection Regulations (1942) as amended in 1942 (128/42), 1948 (8/1948), 1952 (54/1952), 1956 (5/1956), 1956 (33/1956), 1959 (21/1959)  
 Exportation of Produce Act (1959)  
 Plant Protection Order (1979)
9. Trinidad : Plant Protection Ordinance (1940)  
 Plant Protection Act (1975)

APPENDIX 3

INTERNATIONAL PLANT PROTECTION  
CONVENTION

	<u>Date of Accession to Convention</u>	<u>Date of Accession to Amendments</u>
*Antigua	-	-
Barbados	6th December, 1976	4th April, 1991
Belize	14th May, 1987	14th May, 1987
*Dominica	-	-
Grenada	27th November, 1985	27th November, 1985
Guyana	31st August, 1970	21st July, 1980
Jamaica	17th April, 1990	
*St. Lucia	-	-
*St. Vincent & the Grenadines	-	-
Trinidad & Tobago	30th June, 1970	4th March, 1992

\* Not parties signatory to IPPC

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APPENDIX 4

Models of Instrument of Adherence to IPPC

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INTERNATIONAL PLANT PROTECTION CONVENTION

Sample A

Date .....

Sir,

I have the honour to refer to the International Plant Protection Convention, done at Rome on 6 December 1951, the Revised Text of which, approved by the FAO Conference in November 1979, entered into force on 4 April 1991, and to inform you that the Government of { name of country } hereby adheres to the aforesaid Convention pursuant to Article XII, paragraph 2 and undertakes to abide by its provisions.

Accept, Sir, the assurance of my highest consideration.

{Signature by one of the following authorities}

- Head of State
- Head of Government
- Minister of Foreign Affairs
- Minister of Department concerned

{ SEAL }

Mr. Edouard Saouma  
Director-General  
Food and Agriculture Organization of  
the United Nations  
Via delle Terme di Caracalla  
00100 ROME  
ITALY

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Sample B

INSTRUMENT OF ADHERENCE

The Government of { name of country } has the honour to refer to the International Plant Protection Convention, done at Rome on 6 December 1951, the Revised Text of which, approved by the FAO Conference in November 1979, entered into force on 4 April 1991, and to inform the Director-General of the Food and Agriculture Organization of the United Nations that { name of country } hereby adheres to the aforesaid Convention pursuant to Article XII, paragraph 2 and undertakes to abide by its provisions.

{ Date }

{Signature of one of the following authorities}

- Head of State
- Head of Government
- Minister of Foreign Affairs
- Minister of Department concerned

{ SEAL }

ANNEX D

GRENADA PLANT PROTECTION ACT 1985



GRENADA  
ACT NO. 19 OF 1986

I assent,



8th April, 1986

PAUL SCOON  
Governor-General.

An Act to provide for the control of diseases and pests injurious to plants and to prevent the introduction of exotic species of the same.

[ 11th April, 1986 ]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Grenada and by the authority of the same as follows:

1. This Act may be cited as the

PLANT PROTECTION ACT, 1986

Short title  
and  
commence-  
ment.

and shall come into force on such a day as the Minister may appoint by notice in the *Gazette*.

2. In this Act—

“carrier” refers to aircraft, vessels vehicles or any other means of transport;

Interpreta-  
tion.

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“designated officer” means an officer of the Ministry designated under section 16;

“fruits and vegetables” includes trees, shrubs, vines, cuttings, grafts, scions, buds, bulbs, roots, seeds, and any other plant part capable of propagation;

“Minister” means the Minister charged with responsibility for Agriculture and Ministry shall be construed accordingly;

“notifiable plant pest” means any plant pests of substantial economic importance for which measures must be taken for its eradication, control or to prevent its further spread;

“occupier” in relation to any land or building means the person in actual occupation or, where there is no such person, the owner of the land or building;

“owner” refers to the person who is for the time being entitled to receive the rent of any land or who, where the land let to a tenant, would be entitled to receive the rent;

“planting material” includes trees, shrubs, vines, cuttings, grafts, scions, buds, bulbs, roots, seeds, and any other plants part capable of propagation;

“plant pest” means any living stage of any insect, mite, nematode, slug, snail, protozoa or other invertebrate or vertebrate animal, bacterium, fungus, parasitic plant or reproductive part thereof, viruses, mycoplasmas, or any organism similar or allied with any of the foregoing, capable of causing damage to any plant or plant product

“plant product” means any substance, material or article of vegetable origin, including pollen, either processed or unprocessed, which is capable of transporting plant pests;

“Plant Quarantine Services” means the Plant Quarantine Services established under section 16;

“receptacle” includes any package, box, container, covering, wrapper or any article in which plants are, or have been imported, kept or conveyed, or which can serve to transport plant pests;

“soil” refers to the loose surface material of the earth in which plants grow, in most cases consisting of disintegrated rock with an admixture of organic matter and soluble salts.

3. Whenever the Minister shall determine that the unrestricted importation into or movement within Grenada of any planting material, fruits, vegetables, plant products, plant pests, soil, or any other non-plant article may result in the entry or movement of plant pests, he is authorised to prohibit or otherwise restrict the importation or movement of such planting material, fruits and vegetables, plant products, plant pests, soil or non-plant products to protect the agricultural resources of Grenada. Limiting power.

4. The Minister may, by order published in the Gazette, make rules and regulations as may be necessary for carrying out the provisions of this Act. Promulgation of Regulations.

5. Products and articles named in section 3 moving in the mail shall be subject to regulations administered jointly by the Postal Service and the Plant Quarantine Service. Mail.

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Official  
importations.

6. Planting material, plant pests or live beneficial organisms may be imported by the Ministry for experimental purposes only under such conditions and regulations specified by the Minister.

Permit  
requirements.

7. No person may import or offer for entry into the State any planting material, fruits, vegetables, plant products, plant pests, predators or parasites of plant pests, or soil except under a permit issued by the Minister. The Minister may issue such a permit subject to the conditions prescribed by this Act and the Regulations made thereunder.

Emergency  
permits.

8. The Minister may issue an emergency permit for the entry of certain pre-determined planting material, fruits, vegetables and plant products offered for entry and for which no permit was previously granted provided the articles are found to be free of plant pests and its introduction is justifiable.

Certification  
requirements.

9. All planting material, fruits, vegetables, plant products, plants pets, live beneficial organisms, or soil imported into Grenada must be accompanied by a phytosanitary certificate issued by the appropriate governmental agency of the exporting country that conforms to the model adopted by the International Plant Protection Convention of 1951 of which Grenada is signatory and to any amendments thereto or to any Convention in substitution therefor accepted by Grenada.

Post-entry  
quarantine.

10. The Minister may by order—

- (a) limit the importation of planting material, fruits, vegetables, plant products, plant pests, and soil or any of them as he may deem necessary;

(b) require that imported planting material be grown in detention by or under the supervision of the Ministry and if found infested or infested with plant pests, to prescribe remedial measures as may be necessary to prevent their establishment and spread.

11. When a permit has been granted in the importation of planting material, fruits, vegetables, plant products, plant pests, live beneficial organisms or soil, but an order affecting this permit is subsequently made under section 4 the permit may be revoked or modified as may be required so as to have the entry requirements of the material or articles under consideration conform to the order under consideration. Order modifying permit.

12. It shall be the duty of the Comptroller of Customs and Excise through an authorized officer to promptly notify the Plant Quarantine Service of the arrival of any planting material, fruits, vegetables, plant products, plant pests, soil, or other articles regulated by this Act at the port of arrival and, further not to release or dispose of the material or article unless so authorized by the Plant Quarantine Service. Arrival notification.

13. Articles or products which are prohibited or subjected to restricted entry for importation under the provisions of this Act or orders thereunder if temporarily in the State or territorial waters are subject to such orders as may be deemed necessary by the Minister to carry out the purposes of this Act. This also applies to carriers, their stores and furnishings. Safeguards.

14. The Minister may make regulations or orders as he deems necessary to provide for the inspection of domestic plants and plant products offered for export and to certify to shippers and interested Export certification.

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parties as to the freedom of such products from injurious plant pests according to the phytosanitary requirements indicated on the model certificate adopted by the International Plant Protection Convention of 1951, or as amended or replaced by a new Convention and accepted by Grenada.

Exclusion of liability.

15. No liability may be attached to the Government of Grenada for the destruction of material brought into the State in violation of this Act or the Orders issued pursuant thereto. Likewise, the Government is under no liability for any damage done, or delays incurred by treatments or other quarantine action deemed necessary and performed under existing laws. All such treatments are performed at the sole risk of the importer.

Establishment of services.

16. The Minister may establish Plant Protection and Plant Quarantine Services as may be required to protect the agricultural resources of Grenada and, in writing, designate officers of his Ministry to administer and enforce the provisions of this Act.

17. Any designated officer shall be furnished with suitable identification and may—

Enforcement authority.

(a) if he has cause to believe that any person, receptacle or carrier coming into or moving within Grenada possesses, contains or carries any planting material, fruits, vegetables, plant products, plant pests, soil or non-plant articles that constitutes a risk to the agriculture of Grenada, the entry of which is prohibited or restricted by the provision of this Act or orders issued pursuant thereto, may stop, and without warrant, search and examine such person, receptacles or carriers and seize, detain, treat, destroy or otherwise dispose of such planting material, fruits, vegetables, plant

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products, plant pests, soil or other articles brought into or moving within the State in violation of this Act; and

- (b) if he has cause to believe that a notifiable plant pest may be present on any land, enter on such land and without warrant carry out survey and detection programmes as well as treat, destroy or remove planting materials, fruits, vegetables, plant products, plant pests and soil, but he shall inform the occupier, if present at the time, of his intention to enter, search, examine and if necessary to treat, confiscate or destroy.

18. The Minister may make orders necessary to prevent the spread of plant pests in Grenada and therein may: <sup>Prevention Order.</sup>

- (a) identify the notifiable pest under consideration;
- (b) determine the land or nursery to be placed under quarantine and advise the occupier or owner in writing accordingly;
- (c) set forth the action to be taken by Government and the occupier or owner in order to control the plant pest as well as dispose of the planting material, fruits, vegetables and plant products on the land or nursery under quarantine; and
- (d) restrict, prohibit or control the cultivation and harvesting of any plant on land or nursery under quarantine.

Occupier

19. The occupier or owner of any land or nursery on which a suspected or identified identifiable pest is found shall, as soon as possible, advise the Ministry accordingly.

Pest control notice.

20. Any designated officer may, by notice in writing served upon the occupier or owner of any land or nursery and which describes the measures to be taken to prevent further spread and to control or eradicate the notifiable pest mentioned therein, require the occupier or owner to:

(a) at his own expense and within the time as specified in the notice take such measures as may be recommended or required to prevent the spread, control or eradicate the notifiable pest;

(b) be responsible for the implementation of control or eradication measures even if they are not stipulated in the written notice.

Failure to comply with notice

21. Where an occupier or owner fails to take any measures which he is required to take by notice given under section 20, upon expiration of the time specified therein, a designated officer may enter the land or nursery and implement or cause to be implemented the measures to be taken.

Reimbursement of costs.

22. Any expenses incurred by a designated officer in connection with those measures shall be reimbursed by the occupier or owner, and may be recovered by the Chief Plant Protection Officer as a civil debt.

Waiving of expenses.

23. The Minister may waive repayment of expenses incurred under section 22 for any justifiable reason as may be determined by him and based upon substantiated facts submitted in writing.

24. The notice served to the occupier or owner of land or a nursery under section 20(b) shall remain in force until the Ministry gives the occupier or owner a certificate in writing declaring that the land or nursery no longer is under quarantine.

Duration of quarantine.

25. While the notice served under section 20(b) is in force, it shall be unlawful to remove or have removed any planting material, fruits, vegetables, plant products or soil from the land or nursery under quarantine unless so authorized in writing by the Ministry.

Removal of plants under quarantine

26. It shall be the responsibility of the Ministry to determine if any notifiable pest has been eradicated and any inspections of land or nurseries to determine this shall be carried out by an authorised officer or officers at no cost to the occupier or owner.

Determination of eradication.

27. Where no person is in actual occupation of any land or where the occupier or owner cannot be located, service of any notice under this Act may be made by affixing the notice to a conspicuous place on the land and such affixing shall be considered as an authorised service of notice.

Inability to locate occupier or owner.

28. The Minister is authorised to compensate, out of moneys voted for that purpose by Parliament, occupiers and owners of lands and nurseries whose healthy plants, planting material, fruits, vegetables and food products have been destroyed in order to achieve eradication or prevent the further spread of an identifiable pest.

Compensation.

29. The Minister shall appoint a Plant Protection Board (hereinafter referred to as "The Board") which shall consist of the following members:

Plant Protection Board.

(a) the Chief Plant Protection Officer who also shall serve as Chairman of the Board;

(b) an entomologist and a plant pathologist attached to the Pest Management Unit of the Ministry;

(c) the officer in charge of the Plant Quarantine Service who also shall serve as Secretary to the Board;

(d) a senior Extension Officer of the Ministry of Agriculture;

(e) a Government legal officer nominated by the Attorney General.

Appointment of alternates.

30. Where a member of the Board is unable to serve, the Minister may appoint an alternate to the Board who shall serve in his stead, except that in the case of (e) of section 29 the alternate shall be nominated by the Attorney General.

Board duties.

31. The duties of the Board are to advise the Minister on all matters covered under this Act and in particular to advise on :

(a) making or amending orders or regulations authorized under this Act;

(b) the declaration of any plant pest as a notifiable plant pest;

(c) the status of planting material, fruits, vegetables, plant products, plant pests and soil that are being offered or may be offered for importation; and

(d) the management, operation and physical requirements of the Plant Quarantine Service.

32. As concerns meetings of the Board:

Board meetings.

(a) they must be convened at such times as may be necessary or expedient for the efficient performance of its functions and as the Chairman may direct;

(b) four members shall constitute a quorum;

(c) when the Chairman or his alternate is unable to preside, the members forming a quorum may elect a Chairman from among their number to preside over that meeting; and

(d) the decisions of the Board are by a majority of votes of the members present and in case of a tie, the person presiding shall, in addition to his original vote, cast the tie-breaking vote.

33. The Board may co-opt any one or more persons to attend Board meetings for the purpose of assisting or advising the Board, but who shall have no right to vote.

Advisers to Board.

34. A member of the Board appointed under section 29 and 30 may:

Duration of appointment to Board.

(a) hold office for the period specified in his instrument of appointment;

(b) be eligible for re-appointment; and

(c) at any time resign his office by submitting an instrument in writing to the Secretary of the Board.

35. Any person who—

Penalties.

(a) violates any provision of this Act;

(b) alters, forges, counterfeits, defaces or destroys any document or certificate provided for in this Act;

(c) obstructs, impedes, assaults or causes bodily harm to any employee of the Ministry in the execution of his powers under this Act,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding twelve months or to both.

Repeal  
Cap. 220.

36. The Plant Protection Ordinance, Cap. 220 is repealed.

Passed by the House of Representatives this 28th day of February, 1986.

CURTIS V. STRACHAN  
*Clerk to the House of Representatives.*

Passed by the Senate this 27th day of March, 1986.

CURTIS V. STRACHAN  
*Clerk to the Senate.*

GRENADA.

ANNEX E

DRAFT PHYTOSANITARY REGULATIONS for GRENADA

PLANT QUARANTINE REGULATIONS

The following regulations and schedules, promulgated by the Minister of Agriculture under the provisions of the Plant Protection Act of 1985 shall become effective on \_\_\_\_\_.

1. Interpretation:

Fruits and Vegetables include all edible portions of food plant in the raw or un-processed state.

Planting Material includes trees, shrubs, vines, cuttings, graf scions, buds, bulbs, roots, seeds, and any other plant part capable of propagation.

Plant pests means any living stage of any insect, mite, nematod slug, snail, protozon or other invertebrate or vertebrate anima bacterium, fungus, parasitic plant or reproductive part thereof viruses, or any organism similar or allied with any of the fore going, capable of causing damage to any plant or plant product.

Soil is defined as the loose surface material of the earth in which plants grow, in most cases consisting of disintegrated with an admixture of organic material and soluble salts.

Designated Officer means an officer of the Ministry designated under section 16 of the Plant Protection Act, 1985.

2. All fruits and vegetables, planting material, plant products, or any other plant or non-plant article, the entry of which present a pest risk to the agriculture of Grenada, will be subject to examination at the time of arrival in Grenada by an Inspector of the Plant Qurantine Service, and if necessary, to treatment for the prevention of pest entry, or to destruction or return to the country of origin, as the case may warrant. All treatment performed are at the sole risk of the importer or his agent.

3. Importations by or for the Ministry of Agriculture are exempt from the prohibitions and restriction contained in the following regulations and schedules. Such importations are, however, subject to such measures he prescribed by the Plant Quarantine Service to prevent pest entry and dissemination.

4. The following listed parts of arrival are designated ports of entry for plant quarantine purposes and services are provided at these ports during normal working hours.

Point Saline International Airport,

St. George's Deep Water Harbour Lance-Aux-Epines, Grenville, Carriacou  
Island Airport, Carriacou Harbour

5. Planting Materials

- a. The entry of plants, cuttings, scions, Stocks, tubers, roots, divisions, etc. for planting purposes is limited to the smallest possible propagative unit consistent with good horticultural practices. Or as prescribed for screening under approved post-entry Plant Quarantine Station facilities.
- b. Importations of plants, rooted-cuttings, or any other plant part is limited to soil-free plants and plant parts. An approved packing material may be used around the roots of plants after the soil has been removed.
- c. Plants, rooted-cuttings and other propagative units are not admissible if established in a growing medium, nor are bulbs, tubers, roots, seed, etc. if pre-planted in trays or pots of growing media. Entry of such material makes adequate inspection of roots or plants parts impossible.
- d. Entry is restricted to seed in the case of forest trees and other plant species normally grown from seed.
- e. In general, all planting material is subject to fumigation or other approved treatment as a condition of entry.

6. Fruits and Vegetables

- a. Admissibility of fruits and vegetables for importation will be determined by the Plant Quarantine Service at the time application for permit is submitted. Entry status will be determined according to the pests present in the exporting country.
- b. Importation of soft, fleshy fruits and vegetables is prohibited from all countries where the Hawaiian, Mexican, Mediterranean and other dangerous fruit flies are known to occur, unless, approved treatments can be performed.
- c. Fruits and vegetables arriving in passenger baggage or personal effects without the necessary permit will be confiscated and destroyed.
- d. Dried, frozen, processed, preserved or candied fruits and vegetables that have been prepared in such a manner. As to make them innocuous as pests carriers and are not otherwise prohibited in the schedules are enterable, subject to verification of their condition and freedom from pests.

7. Plant Pest

- a. The entry of plant pests as defined in Section I is limited to entries under permit issued to and destined for recognized scientific and research institutions.
- b. Such importations will be subject to safeguards as specified on the permit.

8. Soil

- a. The entry of soil is limited to entries under permit issued to and destined for recognized scientific and research laboratories.
- b. Such importations will be subject to specific safeguards as enumerated on the permit. In general, the following applies.
  - (1) Entry is limited to small quantities.
  - (2) The soil must be shipped in sturdy, tightly-sealed containers.
  - (3) The soil may be used only in the permittee's Laboratory.
  - (4) It must be incinerated or otherwise sterilized in an approved manner at the conclusion of the test.
- c. The entry of any plant or plant product, machinery, equipment or conveyance of any kind carrying or contaminated with soil strictly prohibited. To become enterable such articles must be freed from soil in a manner approved by the Plant Quarantine Service.

9. Non-Plant Articles

Non-plant articles contaminated with soil or infested with plant pests are subject to such cleaning or treatment as may be necessary to eliminate any pest risk associated with their entry into Grenada.

10. Mail importation

Regulated articles moving in the mail are subject to the applicable regulations and schedules contained herein. The regulations shall be enforced under cooperative agreement of the Postal, Customs and Plant Quarantine Service.

11. Packing Materials

a. Any plant or plant part prohibited entry in the Schedule is not authorized entry as packing materials.

b. The following are specifically prohibited entry as packing material

Citrus plants and plant parts.

Coffee plants and plants parts.

Cotton plants, plants parts and unprocessed cotton products.

Forest litter,

Grassplants and plant parts.

Leaves and stem of plants.

Rice straw and hulls.

Sugarcane plants and plant parts.

Soil.

a. Packing material specifically authorized includes.

Sterilized peat or sphagnum moss.

Excelsior or wood's wool.

Osmonda fiber.

Vermiculite.

Ground cork.

Wood shavings.

Paper pulp.

12. Safeguard

a. Articles subject to safeguard regulations are likewise subject permit requirements as directed by the Plant Quarantine Service. In certain instances this may be a veryinformal arrangement.

b. Procedures employed will be those that impose a minimum of inconvenience to the shipper and carrier and still be consistent with proper precautions against pest entry or dissemination. Articles subject to safeguard regulations which are not in compliance with the requirement may be seized, destroyed or otherwise disposed of.

c. Inspections of articles covered by these regulations will be performed as soon after arrival as practical and the conditions necessary to prevent pest dissemination will be specified at that time if prior arrangements have not already been made. The material will not be released

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From Customs custody until such requirements have been met and approved by the Plant Quarantine Inspector.

- d. Any treatments deemed necessary under this section are made at the owner's or other responsible person's risk.
- e. Plant material refused entry is subject to safeguard until re-exported or destroyed.
- f. Gabage or refuse entering the territorial waters or temporarily in the ports of Grenada is subject to such safeguards as specified by the Plant Quarantine Service in Cooperation with other governmental agencies such as Public Health, Animal Health, etc. The landing of gabages is strictly prohibited except in unusual circumstances and in these instances, prior approval must be obtained from the air-craft must be enclosed in tightly sealed, insect-proof containers to prevent insect escape and in the case of ships in port, must be inside the ship's rail.

13. Export regulations

- a. The Plant Quarantine Service will issue Phytosanitary certificates based on inspections performed at the request of exporters to aid them in meeting the entry requirements of the importing country.
- b. Phytosanitary Certificates are issued only for products grown or produced in Grenada.
- c. The issuance of a phytosanitary certificate in no way releases the exporter from compliance with any export regulations of the Government of Grenada.
- d. The phytosanitary Certificate used is on the model of that adopted by the International Plant Convention of 1951. as amended.

14. Applications for permit to import should be made in writing addressed to Plant Quarantine Service of Grenada, Stating:

- a. Full name, residence, and postal address of applicant.
- b. Name and address of exporter or person from whom the material will be obtained.
- c. The quantity and botanical names of all material it is proposed to import.
- d. The exact location in Grenada where the material will be grown or utilized.
- e. The mode of transport, the port of entry and approximate date of arrival of the shipment.

ANNEX F  
USDA USER FEE FINAL RULE

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**Rules and Regulations**

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Federal Register

Vol. 66, No. 71

Friday, April 12, 1991

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**Animal and Plant Health Inspection  
Service****7 CFR Parts 320, 330, 352 and 354**

[Docket 91-028]

RIN 0579-AA43

**User Fees**AGENCY: Animal and Plant Health  
Inspection Service, USDA.

ACTION: Final rule.

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**SUMMARY:** We are amending 7 CFR parts  
320, 330, 352 and 354, to establish user  
fees for agricultural quarantine and  
inspection services we provide in  
connection with the arrival at ports in  
the customs territory of the United  
States of commercial vessels,  
commercial trucks, commercial railroad

cars, and passengers on commercial aircraft. This action implements section 2509 of the Food, Agriculture, Conservation and Trade Act of 1990 (21 U.S.C. 136a) and section 1203 of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508).

The effect of these regulations is to require certain persons to pay fees for agricultural quarantine and inspection services.

**EFFECTIVE DATE:** May 13, 1991.

**FOR FURTHER INFORMATION CONTACT:** Charles A. Havens, Chief Operations Officer, Port Operations, PPQ, APHIS, USDA, Federal Building, Room 635, 6505 Belcrest Road, Hyattsville, MD 20782, 301-438-8295.

**SUPPLEMENTARY INFORMATION:**

**Background**

*User Fees for International Inspection Service.*

The Food, Agriculture, Conservation and Trade Act of 1990, as amended by the Omnibus Budget Reconciliation Act of 1990, hereinafter referred to as the Farm Bill, authorizes the Secretary of Agriculture to prescribe and collect fees to cover the costs of providing certain agricultural quarantine and inspection services. The services are "agricultural quarantine and inspection services in connection with the arrival at a port in the customs territory of the United States,<sup>1</sup> or the preclearance of preinspection at a site outside the customs territory of the United States, of an international passenger, commercial vessel, commercial aircraft, commercial truck, or railroad car" (section 2509 of the Farm Bill). In this document we will refer to these services as AQI services.

It should be noted that the Farm Bill does not authorize the Secretary of Agriculture to charge a user fee for pedestrians or private vehicles entering the customs territory of the United States.

The Farm Bill establishes a fund in the Treasury of the United States, known as the "Agricultural Quarantine Inspection User Fee Account" (the Account) for the Secretary of Agriculture to use for fees collected for AQI services. All fees collected for AQI services are to be deposited in the Account. Fees collected within a calendar quarter are to be deposited no later than 31 days after the close of that quarter. The Farm Bill further requires the Secretary of the Treasury to reimburse, from the Account, any appropriations accounts that incur costs associated with AQI

<sup>1</sup> The Farm Bill defines "customs territory of the United States" as "[t]he 50 States, the District of Columbia, and Puerto Rico." (§ 2509(f)(2))

services for which the Secretary of Agriculture is authorized to collect user fees, if the amounts are provided in advance in appropriation acts. (See section 2509(a)(3)(B)(ii) of the Farm Bill).

**Proposed Rule**

On February 27, 1991, we published a document in the Federal Register (58 FR 8148-8156, Docket Number 90-247) in which we proposed to amend 7 CFR parts 320, 330, 352 and 354, to establish user fees for agricultural quarantine and inspection services we provide in connection with the arrival at ports in the customs territory of the United States of commercial vessels, commercial trucks, commercial railroad cars, and passengers on commercial aircraft. This action implements portions of the Farm Bill. We also proposed in that document to amend 7 CFR parts 318 and 354, to establish user fees for agricultural quarantine and inspection services we provide in connection with the departure of passengers from Puerto Rico and Hawaii on certain domestic airline flights. These amendments were proposed under authority of 31 U.S.C. 9701 (the User Fee Statute).

We solicited comments concerning our proposal for a 15-day period ending March 14, 1991. We received 61 comments by the date. They were from maritime and shipping interests, both international and domestic, customs brokers, Members of Congress, airlines and travel organizations, state governments, and other interested persons. We have carefully considered the comments received in response to the proposal, and they are discussed below by topic.

*User Fees Relating to Passengers Departing Hawaii or Puerto Rico*

As explained above, our proposal included regulations establishing an APHIS user fees for inspection relating to passengers departing Hawaii and Puerto Rico on commercial aircraft destined to other parts of the United States. We received numerous comments addressing this issue. In addition, during the time since we published our proposal, Congress has indicated a desire to consider this issue. According to the *Congressional Record* (102 Cong. Rec. H2031 (daily ed. March 22, 1991)), members of the Committee of Conference on H.R. 1281 (emergency supplemental appropriations for the fiscal year ending September 30, 1991) " . . . are concerned with implementing domestic user fees without specific approval of the Congress. Accordingly, the conferees expect the Animal and Plant Health Inspection Service not to

include domestic user fees until the Congress has considered them."

Several issues raised by commenters with respect to these domestic user fees remain unresolved. However, it is our intention to implement domestic user fees and we intend to publish a separate final rule in this regard by April 17, 1991. As part of that document, we will discuss the comments we received which addressed these issues.

*Requests for Extension of Comment Period*

Many comments requested more time to comment on the proposed regulations. One letter stated that providing less than 30 days for comments was a violation of the Administrative Procedure Act (APA).

We realize the comment period for these regulations was unusually short. However, the APA provides only that "After notice . . . the agency shall give interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity for oral presentation." (See 5 U.S.C. 553(c)) As explained in the proposal, the Animal and Plant Health Inspection Service (APHIS) must institute user fees as soon as possible. Time considerations do not allow for a longer comment period. We believe the comment period provided was reasonable under the circumstances. Moreover, the fact that we received 61 comments, many of which were extensive, leads us to believe that the comment period was adequate.

*Request for Delay of Effective Date*

Many other comments stated that the effective date of the regulations should be delayed. One letter asserted that providing fewer than 30 days between publication of a final rule and its effective date is a violation of the APA. Among the reasons given for requesting the delay of the effective date of the regulations were to allow adequate time to reprogram computers and to inform and train ticket agents in the new requirement.

We do not agree that providing less than 30 days between publication of a final rule and its effective date is a violation of the APA. The APA allows a shorter period "as otherwise provided by the agency for good cause found and published with the rule." (See 5 U.S.C. 553(d)(3)) Our proposed regulations included an explanation of the time restraints and a finding of good cause.

However, we have determined that the effective date of the regulations should be adjusted to allow affected

parties more time to make necessary preparations to implement the rule. Therefore, instead of the earlier projected effective date of April 1, 1991, user fee requirements will be made effective May 13, 1991. We have amended § 354.3(e)(4)(i) to reflect this change.

#### *Use of Fees—Deficit Reduction v. Augmenting Services*

Several comments favored the concept of user fees, but objected to using the fees for deficit reduction. Comments suggested that the fees be used to augment the APHIS budget and improve services.

The Farm Bill authorizes APHIS to collect user fees to cover the full cost of providing certain AQI services and authorizes APHIS to be reimbursed from the Account. However, the Farm Bill also provides that any reimbursements made from the Account are subject to appropriations. Therefore, establishing user fees simply shifts the financial support for certain AQI activities from the general taxpayer to identifiable recipients of these services. We believe that the user fee legislation will allow APHIS to enhance our AQI program; however, any increases must continue to be sought through the appropriations process. We anticipate receiving an appropriation approximating the amount of fees collected under this authority. However, that is a Congressional prerogative over which we have no control.

#### *Future Review and Revision of User Fees*

Several comments addressed the issue of revising user fees after they are adopted. As mentioned in our proposed regulations, we intend to monitor our fees throughout the year and review them on at least an annual basis. We will propose to adjust the fees up or down as the review warrants. We will publish, for public comment, any proposed fee changes in the Federal Register.

#### *Increased Cost of Doing Business*

Some comments stated that the fees would increase their cost of doing business. We realize that payment of the user fees will increase the up-front cost of doing business. However, as stated in our proposal, having the user, beneficiary, of the service pay for it directly will allow a reduction in general tax receipts.

#### *Collecting Fees Upon Departure of Airline Passengers*

Our proposed regulations included a provision that:

[i] the APHIS user fee applies to a passenger departing from the United States and if the passenger's tickets or travel documents were issued on or after May 13, 1991, but do not reflect collection of the APHIS user fee at the time of issuance, then the carrier transporting the passenger from the United States must collect the APHIS user fee upon departure. (proposed § 354.3(e)(4)(i)(B))

Numerous comments stated that it is impractical to collect user fees from airline passengers at the time they depart. According to the comments, passengers with tickets would have to be individually "audited" at the gate, and those whose tickets did not show payment of the APHIS user fee would have to be sent back to the ticket counter for payment of the fee and issuance of another ticket. The comments stated that major delays could occur as a result of this. Comments requested that our airline passenger user fee apply only to tickets issued on or after the effective date of the regulations.

We have carefully considered these comments. In response we have amended the regulations to provide that the APHIS user fee does not need to be collected from passengers traveling after the effective date of the regulations, if their ticket was issued prior to that date. However, the APHIS user fee would have to be collected from other airline passengers traveling after the effective date of the regulations who have not, for whatever reason, paid the fee. We realize that some fees will still need to be collected on departure. However, the number of such fees, and the delays cited in the comments, will be severely reduced. We have amended § 354.3(e)(4)(i)(B) to reflect these changes.

#### *Exemptions in General*

Some comments suggested that some or all exemptions from the user fees are unfair. Other comments stated that no user fee should be charged unless a service is provided. The exemptions we proposed fall into three broad categories: Situations where no service is provided by APHIS, and charging a user fee would therefore be unjustifiable; situations where a service is provided, but there is no practical way to collect a fee; and situations where a service is provided and a fee could be collected, but the means of conveyance or the person is exempt under either international law and custom or exempt under a coordinating user fee collection system.

We believe that the exemptions we proposed are both fair and necessary. It is not possible, for both legal and practical reasons and for reasons of

fairness, to charge a user fee for every means of conveyance or person which enters the United States. For example, virtually no inspection services are provided along the U.S.-Canadian border. Therefore, it would be unfair to charge persons and means of conveyance crossing that border a user fee. As another example, we are not charging a user fee for private vehicles entering the United States because collecting the fee would cost more than the money received. As a final example, because of privileges traditionally accorded by one government to property and representatives of other governments, APHIS is exempting foreign diplomats arriving in the United States from paying the APHIS user fee.

#### *Exemptions for Certain Airline Employees and Passengers*

The proposed regulations exempt on-duty airline crew members from paying the airline passenger APHIS user fee. Many comments requested that we extend this exemption to include other airline employees flying on airline business. Many comments also suggested that certain other passengers be exempt from paying the airline passenger user fee. The comments suggested that senior citizens traveling on open tickets, and any person traveling on non-paying marketing and promotional tickets be exempt from paying the airline passenger user fee.

We have reviewed these comments and have determined that airline employees traveling on official airline business, including "deadheading" crew members, should be exempt from paying the airline passenger APHIS user fee. This conforms to U.S. Customs Service (Customs) regulations. The airline industry indicated that for these passengers, the usual mechanisms for capturing the user fee in the automated fare system and collecting the fee at the point of sale are not present. This occurs because non-revenue documents are used. The airlines have indicated that it would cost more than the amount of the fee to collect it in these cases. If the airlines were to collect these fees from the airline employees, the employee would request that the airlines reimburse them for this as a business expense. Inspecting the airline employees is considered part of the cost of our services to the airlines; therefore, the costs associated with inspecting these airline employees can be recovered under our aircraft inspection user fee, which we intend to propose at a later date. With these changes in the regulations, user fee covering the cost of inspecting airline employees will still be

borne by the airlines, though through a different fee. Section 354.3(e)(2) of the regulations reflects this change.

We are not amending the regulations to exempt senior citizens traveling on open passes or passengers traveling on marketing or promotional tickets from the APHIS airline passenger APHIS user fee. We recognize that fees cannot be collected at the time the ticket is sold since there is no way to know if or how many times the ticket may be used on flights subject to the APHIS user fee. However, these passengers are subject to inspection. If these passengers are traveling on a ticket issued after the effective date of the regulations, the APHIS user fee must be collected from them upon departure.

#### *Overtime in General*

Several comments addressed the issue of overtime charges. Under the proposed regulations, the user fee for commercial vessels, trucks, and railroad cars includes the inspection services provided directly to the vehicle, and cargo inspection if the cargo is inspected concurrently with the means of conveyance, regardless of the time of inspection. Only if APHIS is requested to inspect cargo separately from the means of conveyance and outside of normal business hours would overtime charges apply. One comment suggested that "normal business hours" at each port should be adjusted to ensure that an inspector is scheduled to work during any time that inspection might be requested, thereby eliminating overtime charges. Some comments stated that the user fee should include overtime.

We do not believe any changes in the regulations are justified by these comments. Our system for charging overtime is set forth in 7 CFR 354.1 and understood by those affected. Our regular hours of service are 0800-1630 Monday through Friday as stated in the preamble to the proposed rule. As indicated above, those who use our inspection services can avoid overtime charges by having cargo inspected concurrently with vehicle inspection or scheduling inspection requests for normal duty hours.

#### *Overtime for Airlines*

Other comments suggested that the regulations specifically state that airlines carrying passengers subject to the airline passenger APHIS user fee are exempt from overtime charges.

We intended to exempt airlines from overtime charges for passenger inspection. Charging overtime for passenger inspections would be excessive, as the cost of providing passenger inspection is already covered

by the APHIS user fee for airline passengers. Therefore, we have added new § 354.3(e)(8) to the regulations to include this provision.

#### *User Fees for Intransit and Lay-Over Passengers; Multiple User Fees*

Some comments stated that the regulations were not clear as to how the user fees would apply to intransit passengers and lay-over passengers, and they also questioned the payment of multiple user fees, that is, more than one user fee for the same trip. Intransit passengers are passengers who arrive at a port of entry, do not proceed through the federal clearance process, and then continue to another destination. Lay-over passengers are passengers who arrive at a port of entry, proceed through the federal clearance process, and then continue to another destination.

Intransit passengers would not pay the international passengers inspection fee for intransit stops since they would not go through the federal clearance process. Intransit passengers would pay the international inspection fee if and when they eventually clear through the federal inspection process at a subsequent port.

As explained above, we have deleted our proposed user fees for passengers departing Hawaii or Puerto Rico on certain domestic airline flights. Therefore, international layover passengers whose layovers occur in Hawaii or Puerto Rico would pay only an international inspection fee.

#### *Marking of Airline Tickets*

Airline tickets are marked to show the various fees and taxes which are included in the price of the ticket. Comments indicated some confusion concerning these requirements. Airline tickets include a box where combined federal user fees are recorded. The amount of the APHIS airline passenger fee will be added to all other federal user fees which are also collected on the ticket. No separate mark needs to be applied to the ticket for the APHIS user fee. We are also deleting the requirement that the markings on the ticket must be in accordance with procedures set forth in the ARC Industry Agents Handbook, the SATO Ticketing Handbook, or comparable procedures set forth in the operations manual of the person who collects the APHIS user fee. There are no such procedures at the current time in those handbooks or manuals concerning APHIS user fees. It will be up to the industry to develop a workable system for this purpose by adding markings for collection of the APHIS user fee into markings for other fees collected, such as the Customs and

Immigration and Naturalization Service fees, or to develop some other system.

#### *Bundling User Fees Into Airline Fares*

One comment suggested that the APHIS user fee for airline passengers be "bundled" into the fare, without any indication to the passenger that it was included. We are making no changes based on this comment. Other Federal user fees which apply to airline passengers are indicated on the ticket. We believe our user fee system should be consistent with those of other federal agencies.

#### *Reporting Procedures*

Several comments addressed the issue of reporting procedures for airlines selling space to tour operators and wholesalers. Some stated that the procedures should be simplified; others stated that the requirement should be eliminated for any airline that collects APHIS user fees through the tickets sold.

We have determined, based on these comments, that § 354.3(e)(8) should be amended to state that the reporting requirements apply only to instances in which airlines sell a block of seats and individual airline tickets are not issued for those seats. Under this amendment, airlines would only need to report ticketed sales when collection of the APHIS user fee was not marked on the ticket and remitted to APHIS.

#### *Violation of International Treaties and Agreements*

Several comments suggested that the proposed regulations violate the General Agreement on Trade and Tariffs (GATT). The GATT does not apply to persons or means of conveyance; the GATT does apply to cargo. The APHIS user fees apply only to persons and means of conveyance. Moreover, the GATT permits user fees imposed on or in connection with importations, for inspection and quarantine services, if such fees are limited in amount to the approximate cost of services rendered.

One comment suggested that the proposed regulations are inconsistent with the Caribbean Basin Economic Recovery Act because the Conference Report on the Farm Bill instructed the Department of Agriculture to waive the APHIS inspection fees based on "good-neighbor policies with bordering countries." The commenter asserted that imposing user fees on Caribbean nations such as Jamaica is clearly contrary to the goals of this legislation.

The Caribbean Basin Economic Recovery Act provides for duty-free treatment for articles which are the

growth, product or manufacture of a beneficiary country. It does not apply to user fees for inspection of passengers and means of conveyances.

Also, the Farm Bill does not contain any provision for waiving inspection fees based on good neighbor policies with bordering countries. Reliance on the legislative history is misplaced because legislative history cannot change the clear words of the statute. Further, even if the legislative history were reflected in the statute, it would not apply to Caribbean countries because they are not bordering countries of the United States.

Another comment suggested that the regulations violate the US-Jamaican Bilateral Aviation Agreement of 1969. That agreement requires user fees to be "established at reasonable and non-discriminatory levels, consistent with the costs of providing the relevant services and facilities, and be equitably apportioned among categories of users." (Article 10(7)) According to the comment, the APHIS user fees do not meet these criteria.

However, the APHIS user fees do not violate this agreement. It is not clear that the user fees proposed are encompassed by this provision of the Agreement. However, even if they are, they are in compliance with the Agreement. As explained elsewhere in this document, the user fees have been established to accurately reflect the actual cost of providing certain AQI services to individual users of those services. Within each category of service, the user fee is the same. Under these circumstances, we conclude that the APHIS user fees meet the criteria of this Agreement.

Another comment listed the International Civil Aviation Convention (ICAO) and the US air transport agreement with Austria (Austrian agreement) as being violated by the APHIS user fees.

According to the comment, the ICAO Council recommends in ICAO Document 9082/3, that:

(i) When any significant revision of charges or imposition of new charges is contemplated by an airport operator or other competent authority, appropriate prior notice should, so far as possible, be given 4 to 6 months in advance to the principal users, either directly or through their representative bodies in accordance with the regulations applicable in each State.

(ii) In any such revision of charges or imposition of new charges the airport users should, so far as is possible, be given the opportunity to submit their views to and consult with the airport operator or competent authority. For this purpose the airport users should be provided with adequate financial information.

(iii) Reasonable advance notice of the final decision on any revision of charges or imposition of new charges should be given to the airport users.

These provisions do not impose requirements. Furthermore, according to this document, ICAO applies to "airport operator[s] or other competent authority[ies]."

We do not believe ICAO applies to APHIS. APHIS is not an airport operator. Neither do we believe APHIS is an "other competent authority" within the intended meaning of ICAO.

However, even if ICAO did apply to APHIS, we believe APHIS has given "appropriate prior notice" \* \* \* so far as possible \* \* \* in advance to principal users." We have also given, under the circumstances explained in our proposal, "reasonable advance notice of the final decision on any revision of charges or imposition of new charges \* \* \* to airport users."

Regarding the U.S. air transport agreement with Austria, the comment quotes that agreement as stating that:

" \* \* \* Reasonable notice shall be given prior to changes in user charges. Each Party shall encourage consultations between the competent charging authorities or bodies in its territory and airlines using the services and facilities, and shall encourage the competent charging authorities or bodies and the airlines to exchange such information as may be necessary to permit an accurate review of the reasonableness of the charges \* \* \*"

This section applies to the charges for use of facilities and services at airport facilities and not inspection services for which APHIS is proposing fees. However, even if it did apply, APHIS has complied with these requirements by publishing the proposed APHIS user fee regulations for comment and by considering and responding to the comments received as a result of that proposal.

#### *Proliferating User Fees*

Several comments complained that federal user fees are proliferating, without any clear overall picture of how they will be used or allocated. APHIS has no control over other user fees which may be authorized or imposed by Congress. However, we have coordinated, as much as possible, our user fee collection system with the existing user fee collection system of Customs. By doing this we are attempting to minimize the impact of the user fees. With regard to the use or allocation of APHIS user fees, the Farm Bill is clear—these must be used only by USDA and only for certain AQI services.

Some comments expressed concern that if APHIS adopts the user fees it has already proposed, it will adopt additional user fees in the future. As we stated in our proposal, we do intend to propose user fees covering other AQI services we provide. This is in compliance with authority granted us in the Farm Bill.

#### *Calculation of Fees*

Some comments stated that airline passenger, commercial vessel, and commercial railroad car fees were too high. Some comments stated that the fee for commercial railroad cars was too high as compared with the fee for commercial trucks. Other comments questioned whether we should include certain cost factors, for example, agency-level overhead charges and a reserve fund, in calculating fees. Some comments also stated that we would recover more money from our proposed fees than it costs to provide AQI services. Other comments questioned our method of rounding the "raw fee" up to the nearest dollar and the size of our reserve fund.

We did not make any changes in the regulations based on these comments. The initial APHIS user fees are based, in part, on estimates of the traffic volume in various service categories: International passengers, domestic passengers, aircraft arrival, air cargo inspection, vessel inspection, maritime cargo clearance, truck arrival, rail car arrival, and phytosanitary certificates.<sup>2</sup> Costs were assigned directly to a category when the cost directly related to providing the service. Where a cost benefitted all categories of service, it was pro-rated among the categories based on historic direct labor staff hours. The total cost in each service category was divided by activity volume to arrive at a final fee. We estimated activity volume for 1992 by obtaining data for prior years from the Department of Transportation, Customs, and our own records. We adjusted these figures for anticipated changes in volume, based on past changes and on current world conditions which could affect volume, such as the Persian Gulf situation. This calculation provided the "raw fee."

We included administrative costs and a reserve fund in our cost calculations. The Farm Bill provides that we may recover the cost of administering the

<sup>2</sup> APHIS user fees were not proposed for all of the listed service categories. However, to determine the costs applicable to the categories for which APHIS did propose a user fee, it was necessary to gather data on other service categories.

user fee program through the fees collected. The administrative costs which we included in our calculations are those costs we have or will incur as a direct result of developing, collecting, and monitoring the APHIS user fees. The Farm Bill also allowed for a "reasonable" balance in the AQI user fee account. We have determined that a reasonable balance, or reserve, is one-quarter of the annual costs of providing AQI services. This is consistent with the size of reserve funds established by other agencies within the Department. A reserve is necessary to ensure that APHIS has access to funds equal to three months normal operating expense. Payments into the APHIS user fee account will generally be made on a quarterly basis, with monies collected not remitted to APHIS until after the close of the quarter in which they were collected. The reserve fund will also ensure that APHIS has sufficient operating funds in cases of bad debt, carrier insolvency, and fluctuation in activity volumes.

We rounded the "raw fee" up to the nearest dollar. If we were to round down, even if it were only pennies, in certain service categories such as airline passengers, the fee would not fully recover our costs. We cannot recover that shortfall by charging a higher fee for another service category. We also chose to round up to the dollar so that each fee would be an even dollar figure. This makes collection and reporting easier. It also makes our fees consistent with those charged by other Federal agencies, Customs, the Immigration and Naturalization Service, and the United States Trade and Tourism Administration also collect user fees in whole dollar amounts.

Each service category was considered separately. Each category must, through user fee receipts, return enough money to APHIS to cover the cost of providing AQI services to that particular category. Therefore, when computing fees for one category, we cannot take into account the amount of the fees calculated for other service categories.

We intend to review, and revise as necessary, our user fees. If we determine that the fees are recovering more, or less, revenue than is necessary to cover all the cost of providing certain AQI services, we will change the fees. Likewise, if the size of our reserve fund increases beyond one-quarter of annual costs, we will adjust our fees. All fee changes will be published in the Federal Register for public comment.

One comment concerning the calculation of user fees had obviously misinterpreted the data presented in our proposed regulations. The comment

stated that \$20 million is the cost of providing AQI services for 6 months. That is incorrect. AQI services cost approximately \$80 million annually, excluding the cost of domestic inspections in Hawaii and Puerto Rico and the cost of inspecting pedestrians and private vehicles at the Mexican border. \$20 million is one-quarter of this amount. The commenter may have thought that the \$20 million represented one-half of APHIS's AQI costs. However, it represents approximately one-quarter of a year's costs.

#### *Coupling Amount of User Fee and Service or Risk*

There were several comments questioning the amount of individual APHIS user fees. Comments suggested that if a means of conveyance poses a greater disease or pest risk, it should pay a higher fee. Other comments suggested the fee should be tied to the length of time an inspection takes or the amount of service provided.

We have carefully considered these comments and determined that no changes are necessary at this time. We realize that the degree of pest or disease risk posed by individual persons or means of conveyance varies. However, the number of variables which determine the actual risk, and, therefore, determine the amount of service or length of time required to provide service, is virtually infinite. A system which attempted to account for the variables would be unwieldy and expensive to administer and would require that the additional expenses would have to be included in the fee calculation.

#### *Prepaid Commercial Railroad Cars*

One comment stated that the annual prepayment option for commercial railroad cars was worthless because no railroad car makes enough trips into the United States in a year to justify prepaying. We are making no changes in the regulations based on this comment. The optional prepayment for commercial railroad cars is based on a similar Customs provision. Both the Customs and APHIS prepayment options are based on the same number of trips—20—into the United States in a year.

#### *Miscellaneous Comments*

One comment stated that Customs would, under our proposal, have to absorb the cost of collecting APHIS user fees and, therefore, would be less able to provide Customs services. This is incorrect. Under our proposal APHIS would pay Customs, through reimbursable agreements, for collecting APHIS user fees. The ability of Customs

to conduct its own services would not be impaired.

Another comment suggested that we structure the fee collection system differently. It suggested that for trucks crossing into the United States from Mexico, we charge the importers the fee, rather than the trucks, and provide stickers to the importers. We are making no changes in the regulations at this time based on this comment as we have no means of collecting a user fee from importers at this time. Similarly, we are making no changes in the regulations based on the comments which suggested we impose a user fee on cargo rather than on vessels.

The Farm Bill authorizes us to charge user fees only for means of conveyance, not for cargo. Therefore, we cannot restructure our fee collection system as suggested by the comment.

One comment stated that the APHIS user fees could constitute a trade barrier between Mexico and the United States. We do not anticipate that this will occur. However, our authority does not require us to consider whether the APHIS user fee would have any impact on international trade. Our authority simply states that we may recover, from the users, the cost of providing AQI services. Therefore, we are making no changes in the regulations based on this comment.

One comment stated that individual railroads should be allowed to pay proposed APHIS user fees directly to APHIS, rather than through a central trade organization. This commenter appears to have misunderstood the regulations. The regulations state that individual railroads, and AMTRAK, must pay the APHIS user fee directly to APHIS (see § 354.3(d)(1)). The Association of American Railroads (AAR) does not remit the fees to APHIS. The AAR, under the regulations, must file monthly statements showing certain data for member railroad companies, including the total APHIS user fee due from each member railroad company.

Other comments stated that the APHIS user fee is a tax, not a fee. We do not agree with this comment. A tax is money paid to support general government operations. A fee is money paid for a specific service. The APHIS user fees are designed to recover and fund the cost of providing specific services. As such, the APHIS user fee is a user fee, not a tax.

One comment suggested that as part of the regulations APHIS should establish an Advisory Committee to monitor operations and use of the APHIS user fee. We are taking no action based on this comment at this time. The

establishment of an Advisory Committee is outside the scope of this rulemaking proceeding.

One comment was received which purported to address the Economic Impact Analysis conducted in conjunction with the proposed regulations. However, the comments actually addressed how fees were calculated and other issues within the proposed regulations. We have attempted to respond to this comment in our discussions above.

One comment requested that "exporters of tobacco should not be subjected to the proposed user fees." The APHIS user fees do not apply to exports or to cargo. Therefore, no changes are made based on this comment.

The proposed regulations indicated that refunds of APHIS user fees collected in conjunction with unused tickets should be netted against the next subsequent remittance. This has been changed from advisory to mandatory to make it uniform and enforceable.

We have made minor non-substantive changes for clarity.

#### *Movement of Passengers From the United States Virgin Islands to Puerto Rico*

Because no APHIS inspection services are provided for passengers moving from the United States Virgin Islands to Puerto Rico, we have amended § 354.3(c)(2) to exempt these passengers from payment of an APHIS user fee.

#### *Executive Order 12291 and Regulatory Flexibility Act*

In accordance with Executive Order 12291, it has been determined that this rule is a "major rule."

The regulatory impact analysis indicates that the implementation of user fees for agricultural quarantine and inspection services would result in total savings to taxpayers of about \$25 million in fiscal year 1991 and \$77 million in subsequent years. The total discounted value is estimated to be over \$268 million over five years. Total public administrative costs to Customs and the Department associated with fee collection are estimated to be about \$520,000 in 1991 and \$1.4 million in the following years. A discounted cost of about \$5.0 million is estimated over the next five years.

The imposition of user fees on international passengers is expected to save taxpayers \$15 million in 1991 and \$50 million each year thereafter. A total discounted savings of \$174 million is expected over the next five years.

The deadweight loss (the loss in consumer surplus associated with

decreases in air travel resulting from the fees) are estimated to be \$4,978 in 1991, \$18,532 in subsequent years (\$57,382 discounted over five years) for international passengers. Administrative costs to Customs and the Department for implementing these user fees are estimated to be about \$172,000 in 1991, \$452,000 in subsequent years (\$1.6 million over five years).

User fees on commercial trucks, commercial railroad cars and commercial vessels are expected to accrue a total savings to taxpayers of over \$10 million in 1991 and \$27 million in each year thereafter (\$2.7 million from commercial trucks, \$943,000 for commercial railroad cars, and \$23 million for commercial vessels). The discounted savings over five years are \$11.4 million for commercial trucks, \$3.9 million for commercial railroad cars and \$96 million for commercial vessels. Public administrative costs for these fees are estimated to be \$348,000 in fiscal year 1991 and \$924,000 in subsequent years. A discounted value of about \$3 million is estimated over the next five years.

The analysis on affected small entities indicates that the impact on airline recordkeeping costs is likely to be insignificant. Airlines currently collect fees for Customs and INS and it is unlikely that these groups, regardless of their size, will incur significant increases in their collection or recordkeeping expenses. Travel agents and tour operators will be unaffected since they do not currently remit these fees.

The impact on small railroad companies is likely to be minor since the \$7.00 user fee represents less than 0.005 percent of total revenue for the affected entities. The impact on operating expenses for liner vessels is estimated to be less than 0.05 percent, and a similar magnitude of impact is also expected for bulk vessels. The \$2.00 fee assessed on trucks crossing from Mexico into the U.S. is expected to increase operating expenses between 0.12 percent to 2.4 percent for both agricultural and nonagricultural commodities.

#### *Executive Order 12606*

We have analyzed these regulations in accordance with Executive Order 12606, and have determined that this rule has no potential impact on the family well-being. We have determined that this rule: does not affect the stability of the family, and particularly, the marital commitment; does not affect the authority and rights of parents in the education, nurture, and supervision of their children; does not help or hinder the family to perform its functions; does

not substitute governmental activity for family functions; and does not affect family earnings. We have also determined that the benefits of this action justify any impact they may have on the family budget, and that this activity cannot be carried out by a lower level of government or by the family itself. This rule sends no message, intended or otherwise, to the public concerning the status of the family or to young people concerning the relationship between their behavior, their personal responsibility, and the norms of our society.

#### *Paperwork Reduction Act*

In accordance with section 3507 of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35), the information collection provisions that are included in this final rule have been submitted for approval to the Office of Management and Budget. We have requested the Office of Management and Budget to complete its Paperwork Reduction Act review of the information collection provisions on an expedited basis and provide us with a determination by May 13, 1991.

#### *Executive Order 12372*

This program activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

#### *Lists of Subjects*

##### *7 CFR Part 320*

Agricultural commodities, Imports, International boundaries, Mexico, Plant diseases, Plant pests, Plants (agriculture), Quarantine, Transportation.

##### *7 CFR Part 330*

Customs duties and inspection, Garbage, Imports, Plant diseases, Plant pests, Plants (agriculture), Quarantine, Soil, stone and quarry products, Transportation.

##### *7 CFR Part 352*

Agricultural commodities, Customs duties and inspection, Imports, Plant diseases, Plant pests, Plants (agriculture), Postal Service, Quarantine, Transportation.

##### *7 CFR Part 354*

Agricultural commodities, Exports, Government employees, Imports, Plants (agriculture), Quarantine, Transportation.

Accordingly, we are amending 7 CFR parts 320, 330, 352 and 354 as follows:

#### PART 320—MEXICAN BORDER REGULATIONS

1. The authority citation for part 320 is revised to read as follows:

Authority: 7 U.S.C. 149 and 150ee; 21 U.S.C. 138 and 138a; 7 CFR 2.17, 2.51, and 371.2(c).

##### § 320.7 (Amended)

2. In § 320.7, the last sentence is removed and the following is added in its place: "All costs incident to entry, opening, and cleaning shall be paid by the owner or agent in charge. Services of the inspector during regularly assigned hours of duty at the usual places of duty shall be furnished without cost to the person requesting the services, unless a user fee is payable under § 354.3 of this chapter."

##### § 320.9 (Removed)

##### § 320.10 (Redesignated as § 320.9)

3. In part 320, § 320.9 is removed and § 320.10 is redesignated § 320.9.

#### PART 330—FEDERAL PLANT PEST REGULATIONS; GENERAL; PLANT PESTS; SOIL, STONE, AND QUARRY PRODUCTS; GARBAGE

4. The authority citation for part 330 is revised to read as follows:

Authority: 7 U.S.C. 147a, 150bb, 150dd-150ff, 161, 162, 164a, 450, 2260; 19 U.S.C. 130e; 21 U.S.C. 111, 114a; 138 and 138a; 31 U.S.C. 9701; 42 U.S.C. 4331, 4332; 7 CFR 2.17, 2.51, and 371.2(c).

5. Section 330.107 is revised to read as follows:

##### § 330.107 Costs.

All costs (including those incurred under § 330.106 of this part by the government or the owner) incident to the inspection, handling, cleaning, safeguarding, treating, or other disposal of means of conveyance or products, articles, or plant pests under this part shall be borne by the owner. Services of the inspector during regularly assigned hours of duty at the usual places of duty shall be furnished without cost to the person requesting the services, unless a user fee is payable under § 354.3 of this chapter.

Cross reference: See note following § 330.105.

#### PART 352—PLANT QUARANTINE SAFEGUARD REGULATIONS

6. The authority citation for part 352 is revised to read as follows:

Authority: 7 U.S.C. 149, 150bb, 150dd, 150ee, 150ff, 154, 159, 160, 162, and 2260; 21

U.S.C. 136 and 138a; 31 U.S.C. 9701; 7 CFR 2.17, 2.51, and 371.2c.

7. Section 352.14 is revised to read as follows:

##### § 352.14 Costs.

All costs incident to the inspection, handling, safeguarding, or other disposal of prohibited or restricted products or articles under the provisions in this part shall be borne by the owner. Services of the inspector during regularly assigned hours of duty at the usual places of duty shall be furnished without cost to the person requesting the services, unless a user fee is payable under § 354.3 of this chapter.

#### PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS; AND USER FEES

8. The authority citation for part 354 is revised to read as follows:

Authority: 7 U.S.C. 2260; 21 U.S.C. 136 and 138a; 49 U.S.C. 1741; 7 CFR 2.17, 2.51, and 371.2(c).

9. The heading of part 354 is revised to read as set forth above.

10. Part 354 is amended by adding new § 354.3 to read as follows:

##### § 354.3 User fees for certain international services.

(a) *Definitions.* Whenever in this section the following terms are used, unless the context otherwise requires, they shall be construed, respectively, to mean:

*APHIS.* The Animal and Plant Health Inspection Service of the United States Department of Agriculture.

*Arrival.* Arrival at a port of entry in the customs territory of the United States, or at any place served by a port of entry as specified in 19 CFR 101.3.

*Calendar year.* The period from January 1 to December 31, inclusive, of any particular year.

*Commercial railroad car.* A railroad car used or capable of being used for transporting property for compensation or hire.

*Commercial truck.* A self-propelled vehicle, designed and used for transporting property for compensation or hire. Empty trucks and truck cabs without trailers fitting this description are included.

*Commercial vessel.* Any watercraft or other contrivance used or capable of being used as a means of transportation on water to transport property for compensation or hire, with the exception of any aircraft or ferry.

*Customs.* The United States Customs Service, United States Department of the Treasury.

*Customs territory of the United States.* The 50 States, the District of Columbia, and Puerto Rico.

*Person.* An individual, corporation, partnership, trust, association, or any other public or private entity, or any officer, employee, or agent thereof.

(b) *Fee for inspection of commercial vessels of 100 net tons or more.* (1) Except as provided in paragraph (b)(2) of this section, the master, licensed deck officer, or purser of any commercial vessel which is subject to inspection under part 330 of this chapter or 9 CFR chapter I, subchapter D, and which is either required to make entry at the customs house under 19 CFR 4.3 or is a United States-flag vessel proceeding coastwise under 19 CFR 4.85, shall, upon arrival, proceed to Customs and pay an APHIS user fee. The APHIS user fee is \$544 for each arrival, not to exceed 15 times that amount in a calendar year. The APHIS user fee shall be collected at each port of arrival.

(2) The following categories of commercial vessels are exempt from paying an APHIS user fee:

(i) Foreign passenger vessels making at least three trips a week from a port in the United States to the high seas (including "cruises to nowhere") and returning to the same port in the United States, not having touched any foreign port or place other than in Canada, or taken on any stores other than in Canada;

(ii) Any vessel which, at the time of arrival, is being used solely as a tugboat;

(iii) Vessels used exclusively in the governmental service of the United States or a foreign government, including any agency or political subdivision of the United States or a foreign government, so long as the vessel is not carrying persons or merchandise for commercial purposes;

(iv) Vessels arriving in distress or to take on bunkers, sea stores, or ship's stores;

(v) Tugboats towing vessels on the Great Lakes; and

(vi) Any vessel which sails only between United States and Canadian ports.

(c) *Fee for inspection of commercial trucks.* (1) Except as provided in paragraph (c)(2) of this section, the driver or other person in charge of a commercial truck which is entering the customs territory of the United States and which is subject to inspection under part 330 of this chapter or under 9 CFR, chapter I, subchapter D, must, upon arrival, proceed to Customs and pay an APHIS user fee. The APHIS user fee is \$2 for each arrival.

(2) The following categories of commercial trucks are exempt from paying an APHIS user fee:

(i) Trucks entering the customs territory of the United States from Canada.

(ii) {Reserved}

(3) Prepayment.

(i) The owner or operator of a commercial truck, if entering the customs territory of the United States from Mexico and applying for a prepaid Customs permit for a calendar year, must apply for a prepaid APHIS permit for the same calendar year. Applicants must apply to Customs for prepaid APHIS permits.<sup>1</sup> The following information, together with payment of an amount 20 times the APHIS user fee for each arrival, must be provided:

(A) Vehicle make, model, and model year.

(B) Vehicle Identification Number (VIN).

(C) License numbers issued by state, province, or country.

(D) Owner's name and address.

(ii) No credit toward the prepaid APHIS permit will be given for user fees paid for individual arrivals.

(d) *Fee for inspection of commercial railroad cars.* (1) Except as provided in paragraph (d)(2) of this section, an APHIS user fee will be charged for each loaded commercial railroad car which is subject to inspection under part 330 of this chapter or under 9 CFR chapter I, subchapter D, upon each arrival. The railroad company receiving a commercial railroad car in interchange at a port of entry or, barring interchange, the railroad company moving a commercial railroad car in line haul service into the customs territory of the United States, is responsible for paying the APHIS user fee. The APHIS user fee is \$7 for each arrival of a loaded commercial railroad car, or, if the APHIS user fee is prepaid for all arrivals of a commercial railroad car during a calendar year, an amount 20 times the APHIS user fee for each arrival.

(2) The following categories of commercial railroad cars are exempt from paying an APHIS user fee:

(i) Commercial railroad cars entering the customs territory of the United States from Canada;

(ii) Any commercial railroad car that is part of a train whose journey originates and terminates in the United States, if—

(A) The commercial railroad car is part of the train when the train departs the United States and

(B) No passengers board or disembark from the commercial railroad car, and no cargo is loaded or unloaded from the commercial railroad car, while the train is within any country other than the United States; and

(iii) Locomotives and cabooses.

(3) Prepayment.

(i) Railroad companies may, at their option, prepay the APHIS user fee for each commercial railroad car for a calendar year. This payment must be remitted in accordance with paragraph (d)(5) of this section.

(ii) No credit toward the calendar year APHIS user fee will be given for APHIS user fees paid for individual arrivals.

(4) Remittance and statement procedures. The Association of American Railroads (AAR), and the National Railroad Passenger Corporation (AMTRAK), shall file monthly statements with the United States Department of Agriculture, National Finance Center, Billings and Collections Branch, P.O. Box 60950, New Orleans, LA 70160; within 60 days after the end of each calendar month. Each statement shall indicate:

(i) The number of loaded commercial railroad cars entering the customs territory of the United States from Mexico during the relevant period;

(ii) The number of those commercial railroad cars pulled by each railroad company; and

(iii) The total monthly APHIS user fee due from each railroad company.

(5) Individual railroad companies shall remit the APHIS user fees calculated by AAR, and AMTRAK shall remit the APHIS user fees it has calculated, within 60 days after the end of each calendar month in which commercial railroad cars entered the customs territory of the United States. Monthly statements must be sent to the United States Department of Agriculture, National Finance Center, Billings and Collections Branch, P.O. Box 60950, New Orleans, LA 70160, and APHIS user fees must be remitted to the United States Department of Agriculture, National Finance Center, COD Field Office, P.O. Box 70791, Chicago, IL 60673.

(6) Compliance. AAR, AMTRAK, and each railroad company responsible for making APHIS user fee payments must allow APHIS personnel to verify the accuracy of APHIS user fees collected and remitted and otherwise determine compliance with 21 U.S.C. 136a and this paragraph. The AAR, AMTRAK, and each railroad company responsible for making APHIS user fee payments must advise the United States Department of Agriculture, National Finance Center, Billings and Collections Branch, P.O.

Box 60950, New Orleans, LA 70160, of the name, address, and telephone number of a responsible officer who is authorized to verify APHIS user fee calculations, collections, and remittances. The United States Department of Agriculture, National Finance Center, Billings and Collections Branch, P.O. Box 60950, New Orleans, LA 70160, must be promptly notified of any changes in the identifying information submitted.

(e) *Fee for inspection of international passengers.* (1) Except as specified in paragraph (e)(2) of this section, each passenger aboard a commercial aircraft who is subject to inspection under part 330 of this chapter or 9 CFR, chapter I, subchapter D, upon arrival from a place outside of the customs territory of the United States, must pay an APHIS user fee. The APHIS user fee is \$2 for each arrival.

(2) The following categories of passengers are exempt from paying an APHIS user fee:

(i) Passengers arriving from Canada whose journey originates in Canada;

(ii) Crew members who are on duty on a commercial aircraft;

(iii) Airline employees, including "deadheading" crew members, who are traveling on official airline business;

(iv) Diplomats, except for United States diplomats, who can show that their names appear on the accreditation listing maintained by the United States Department of State. In lieu of the accreditation listing an individual diplomat may present appropriate proof of diplomatic status to include possession of a diplomatic passport or visa, or diplomatic identification card issued by a foreign government;

(v) Passengers departing and returning to the United States without having touched a foreign port or place other than Canada;

(vi) Passengers arriving on any commercial aircraft used exclusively in the governmental service of the United States or a foreign government, including any agency or political subdivision of the United States or a foreign government, so long as the aircraft is not carrying persons or merchandise for commercial purposes. Passengers on commercial aircraft under contract to the United States Department of Defense (DOD) are exempted if they have been precleared abroad under the joint DOD/APHIS Military Inspection Program;

(vii) Passengers arriving on an aircraft due to an emergency or forced landing when the original destination of the aircraft was a foreign port and

<sup>1</sup> Applicants should refer to Customs Service regulations (19 CFR part 24) for specific instructions.

(viii) Passengers transiting the United States and not subject to inspection.

(ix) Passengers moving from the United States Virgin Islands to Puerto Rico.

(3) APHIS user fees shall be collected under the following circumstances:

(i) When through tickets or travel documents are issued indicating travel to the customs territory of the United States which originates in any location other than Canada;

(ii) When through tickets or travel documents are issued in Canada indicating an arrival in the customs territory of the United States following a stopover (layover) in a location other than Canada; and

(iii) When passengers arrive in the customs territory of the United States in transit from a location other than Canada and are inspected by APHIS.

(4) Collection of fees.

(i) Any person who issues tickets or travel documents on or after May 13, 1991, is responsible for collecting the APHIS user fee from all passengers transported into the customs territory of the United States to whom the APHIS user fee applies.

(A) Tickets or travel documents must be marked by the person who collects the APHIS user fee to indicate that the required APHIS user fee has been collected from the passenger.

(B) If the APHIS user fee applies to a passenger departing from the United States and if the passenger's tickets or travel documents were issued on or after May 13, 1991, but do not reflect collection of the APHIS user fee at the time of issuance, then the carrier transporting the passenger from the United States must collect the APHIS user fee upon departure.

(5) Remittance and statement procedures.

(i) The carrier whose ticket stock or travel document reflects collection of the APHIS user fee must remit the fee to the United States Department of Agriculture, National Finance Center, COD Field Office, P.O. Box 70791, Chicago, IL 60673. The travel agent, United States-based tour wholesaler, or other entity, which issues its own non-carrier related ticket or travel document to a passenger who is subject to an APHIS user fee under this part, must remit the fee to APHIS, unless by contract the carrier will remit the fee.

(ii) APHIS user fees must be remitted to the United States Department of Agriculture, National Finance Center, COD Field Office, P.O. Box 70791, Chicago, IL 60673, for receipt no later than 31 days after the close of the calendar quarter in which the APHIS user fees were collected. Late payments

will be subject to interest, penalty, and handling charges as provided in the Debt Collection Act of 1982 (31 U.S.C. 3717). Refunds by a remitter of APHIS user fees collected in conjunction with unused tickets or travel documents shall be netted against the next subsequent remittance.

(iii) At the same time a remittance is submitted, the remitter must mail a written statement to the United States Department of Agriculture, National Finance Center, Billings and Collections Branch, P.O. Box 60950, New Orleans, LA 70160. The statement must include the following information:

(A) Name and address of the person remitting payment;

(B) Taxpayer identification number of the person remitting payment;

(C) Calendar quarter covered by the payment; and

(D) Amount collected and remitted.

(iv) Remittances must be made by check or money order, payable in United States dollars, through a United States bank, to "The Animal and Plant Health Inspection Service."

(6) Carriers contracting with United States-based tour wholesalers are responsible for notifying the United States Department of Agriculture, National Finance Center, Billings and Collections Branch, P.O. Box 60950, New Orleans, LA 70160, of all flights contracted, the number of spaces contracted for, and the name, address, and taxpayer identification number of the United States-based tour wholesaler, within 31 days after the close of the calendar quarter in which such a flight occurred; *except that*, carriers are not required to make notification if tickets, marked to show collection of the APHIS user fee, are issued for the individual contracted spaces.

(7) *Compliance.* Each carrier, travel agent, United States-based tour wholesaler, or other entity, subject to this section, must allow APHIS personnel to verify the accuracy of the APHIS user fees collected and remitted and to otherwise determine compliance with the 21 U.S.C. 136a and this paragraph. Each carrier, travel agent, United States-based tour wholesaler, or other entity must advise the United States Department of Agriculture, National Finance Center, Billings and Collections Branch, P.O. Box 60950, New Orleans, LA 70160, of the name, address, and telephone number of a responsible officer who is authorized to verify APHIS user fee calculations, collections, and remittances. The United States Department of Agriculture, National Finance Center, Billings and Collections Branch, P.O. Box 60950, New Orleans, LA 70160, must be promptly notified of

any changes in the identifying information submitted.

(8) *Limitation on charges.* Airlines will not be charged reimbursable overtime for passenger inspection services required for any aircraft on which a passenger arrived who has paid the airline passenger APHIS user fee for that flight.

Done in Washington, DC, this 6th day of April, 1991.

Edward Madigan,

Secretary, U.S. Department of Agriculture.

[FR Doc. 91-8784 Filed 4-11-91; 8:45 am]

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ANNEX G

CUSTOMS DECLARATION FORMS



St Vincent

MINISTRY OF AGRICULTURE, INDUSTRY AND LABOUR/ANIMAL AND  
PLANT QUARANTINE SERVICES

PASSENGER DECLARATION FORM

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

TRAVELLED FROM: \_\_\_\_\_

DESTINATION: \_\_\_\_\_

DO YOU HAVE:  
(Tick appropriate box)

COUNTRY OF ORIGIN

Fruits:

-----

Vegetables:

-----

Plants:

-----

Meat/meat products:

-----

Other (specify)

-----

SIGNATURE: \_\_\_\_\_

FOR FURTHER INFORMATION PLEASE CONTACT THE ANIMAL  
AND PLANT PROTECTION UNITS TEL 71283

ANNEX H  
COMPLIANCE AGREEMENTS

ANNEX H

P.O. Box 59-2647 AMF  
Miami, FL 33159

Subject: Preparation of Agricultural Contraband

Date: May 27, 1992

To: Airline Representatives

In order to maintain uniformity an easy reference list has been provided below. Please refer to this list when preparing agricultural items to deliver to the USDA-PPQ Officer upon arrival in Miami, Florida.

Place in leak-proof bags, all:

**cut flowers** (present to the officer for inspection then seal in a cabinet, if intended for use on immediate departures from the United States),  
**unopened, bulk-packed yogurt and ice cream containers,**  
**whole fresh fruits and vegetables** (bag separately whenever possible), and  
**whole fresh eggs, and bulk-packed meat sandwiches.**

These items are examined for various plant diseases, insects, and other pests, and cannot be cut for inspection when mixed with garbage. For this reason trays, plastic wrap, cups, etc. **will not** be accepted along with the required agricultural items. You may be required to separate these items when improperly bagged for the USDA. Please do not exceed 10 pounds for each bag provided to the USDA.

Under no circumstances may any of the above items be placed in garbage receptacles.

Please DO NOT bag:

bread.	
butter,	milk,
cut fruits,	meat,
cheese,	meals (used or unused),
fruit peels,	metal, paper or plastic,
garbage,	opened yogurt or milk containers.

The preparation of agricultural items as listed above assures your airline less delay while here in Miami and helps maintain a good compliance record.

Should you have any concerns related to the preparation of agricultural contraband for the USDA please feel free to call a Compliance Team representative at 305-526-2803.

Thanks for protecting American Agriculture.

Compliance Team, MIA

Miami International Airport

Garbage, as defined in 7CFR 330.400 and 9CFR 94.5

The Federal Plant Pest Act, The Plant Quarantine Act, Animal Quarantine Laws, Title 7 Code of Federal Regulations 330.400. and Title 9 Code of Federal Regulations 94.5

AIRCRAFT CLEANING ESTABLISHMENT

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service, Plant Protection and Quarantine division offers the following program of cooperation, with participating aircraft cleaning establishments. This allows the establishment as addressed above, the opportunity to service aircraft by removing regulated international garbage when necessary USDA regulations are complied with.

**Garbage-** Means all waste material derived in whole or in part from fruits, vegetables, meats, or other plant or animal (including poultry) material, and other refuse of any character whatsoever that has been associated with any such material on board any means of conveyance, and including food scraps, table refuse, galley refuse, food wrappers or packaging materials, and other waste material from stores, food preparation areas, passengers' or crews' quarters, dining rooms, or any other areas on means of conveyance. For purposes of this part, garbage also means meals and other food that were available for consumption by passengers and crew on an aircraft but were not consumed.

Same as block 5

Jeffrey A. Frankel  
Compliance Officer

USDA, APHIS, PPQ  
P.O. Box 59-2647 AMF  
Miami, FL 33159

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A. Requirements:

- 1) When contracted to do so, board aircraft for the purpose of removing dry trash and/or galley garbage.
- 2) Place all trash and garbage to be removed into leakproof plastic bags and close securely. Bagged garbage is not to be left unattended in or around jetways or the ramp, and must be transported without diversion from the international flight area, in a covered vehicle, to one of the approved international garbage compactors located at concourses B, D, E, and F; or compactors/containers labeled "INTERNATIONAL GARBAGE". The compactor door must be closed after each use. Garbage may not be abandoned outside the compactor for any reason. All regulated garbage is to be kept completely separate from domestic garbage.
- 3) All problems with the compactors must be reported to the Dade County Aviation Department, at 876-7354. Report all other problems to the USDA at 526-2803, or 526-2821.
- 4) PPQ will be notified of any spillage. Cleaning and disinfecting will be accomplished immediately. APHIS approved disinfectant must be available for garbage spills, after thorough pickup and cleaning. Disinfectant is not to be used in enclosed food handling areas. Do not maintain the prediluted disinfectant for more than 6 months.
- 5) It is prohibited to remove any food items such as meals from an international flight for personal consumption, or use. If any whole fresh fruit or vegetables, cut flowers, ice cream, yogurt, fresh eggs, meat sandwiches, animals, insects, plants, or any other agricultural products are found during cleaning operations immediately report the item(s) to the USDA at 526-2803, or 526-2821. An officer will be sent to retrieve the discovered items.
- 6) The cleaning establishment will maintain a log which will include the cleaning establishment's name, carrier serviced, date, and the quantity of garbage (weight). This log will be made available to PPQ upon request.

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B. Training:

- 1) The establishment shall present a training program to employees before they are permitted to handle or supervise the handling of regulated foreign origin garbage. This training program should be at least 1-hour in length. Previously trained employees shall be provided review training annually. This training may be given in more than one session.
- 2) The training package must be approved by the local PPQ officer in charge, and may include both formal classroom training and on-the-job training. It must:
  - a. Define regulated garbage;
  - b. Explain garbage regulations and the purpose of the regulations;
  - c. Include film, slides, or other training aids on foreign animal/plant pests and diseases;
  - d. Specifically outline by demonstration, illustration, or picture, proper regulated garbage handling procedures for the establishment, step-by-step from removing the garbage from the aircraft to disposal;
  - e. Be presented in English or other appropriate languages; and
  - f. Be recorded in the establishment's records of training administered to employees to be made available to PPQ upon request. The record must include the employees names and the date of training.

Notice: This agreement may immediately be suspended, cancelled, or revoked for noncompliance. Violation of these federal regulations may result in a criminal penalty of up to a \$5,000.00 fine, a year in jail, or both, or a civil penalty of up to \$1,000.00 per violation.

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Miami International Airport

Garbage, as defined in 7CFR 330.400 and 9CFR 94.5

The Federal Plant Pest Act, The Plant Quarantine Act, Animal Quarantine Laws, 7CFR 330.400 and 9CFR 94.5

CARGO AIRLINES

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Plant Protection and Quarantine (PPQ) division offers the following program of cooperation with participating airlines in order to ensure compliance with federal regulations concerning foreign food and garbage handling.

Garbage- refers to all waste materials derived in whole or in part from fruits, vegetables, meats, or other plant or animal (including poultry) material, and other refuse of any character whatsoever that has been associated with any such material on board any means of conveyance, and including food scraps, table refuse, galley refuse, food wrappers or packaging materials, and other waste material from stores, food preparation areas, passengers' or crew quarters, dining rooms, or any other areas on means of conveyance. For purposes of this part, garbage also means meals and other food that were available for consumption by passengers and crew on an aircraft but were not consumed.

Same as block 9

Jeffrey A. Frankel  
Compliance Officer

USDA, APHIS, PPQ  
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Miami, FL 33159

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Requirements:

1. Employees will not board the aircraft until a USDA, APHIS, PPQ Officer has cleared the flight.
2. No employee shall consume, or remove from the aircraft for consumption, or any other purpose, any leftover food/garbage product from any international flight unless specifically authorized to do so by the airline for immediate disposal into an authorized international garbage receptacle. Unauthorized, or improper removal of regulated garbage may result in the imposition of a civil penalty against the individual and possibly the airline.
3. All garbage removed from international flights must be contained in sealed, leakproof containers before being removed from the aircraft. The container(s) of garbage must be deposited in an approved receptacle marked for international garbage at either the General Aviation Center (GAC), or at the Cargo Clearance Center (CCC). Garbage may not be placed on top of, or around the approved garbage receptacles at GAC or CCC.
4. If a caterer and/or cleaner is contracted to de-cater/clean a flight they will be required to meet international flights immediately upon arrival, for the purpose of safeguarding the regulated materials. To properly safeguard the regulated garbage the designated catering/cleaning establishment must be apprised of ETA changes. Access will be denied to all airline employees if the caterer/cleaner is not present to remove the regulated garbage.
5. The aircraft shall not be moved until all garbage and leftover food has been removed from the international flight. In the event that another company has not been designated to remove the garbage and leftover food, a designated representative of the airline shall remove the international garbage and dispose of it in an approved international garbage receptacle immediately upon arrival. It is recommended that the arriving flight crew remove and dispose of the garbage. Clearance will be denied to the crew and passengers until the international garbage is properly disposed of in the appropriate international garbage receptacles.

5. The airline will manifest animal hauling materials, such as stalls and pens, and will notify the USDA operations desk by calling (305) 526-2821 when dirty animal hauling materials are on board an arriving aircraft. This will enable USDA to monitor the cleaning and disinfecting of these materials, and the aircraft, in a more timely manner.

7. The USDA, APHIS, PPQ officer reserves the right to refuse clearance of any aircraft that he/she deems unsafe for boarding until conditions have been corrected. In this event, the aircraft may not be moved until conditions have been corrected to allow a safe boarding inspection by USDA, APHIS, PPQ personnel.

8. All general declarations and cargo manifests must be reviewed, stamped and released by the USDA, APHIS, PPQ Boarding Officer prior to presentation to the U. S. Customs Service for clearance.

9. Whole fruits and vegetables may be removed only by a USDA, APHIS, PPQ Officer. These items may not be placed in garbage receptacles. If whole fruits, vegetables, or any other agricultural products are found after a USDA, APHIS, PPQ Officer has inspected the aircraft notify USDA, APHIS, PPQ immediately at (305) 526-2821.

**NOTICE:** This agreement may be immediately suspended, cancelled or revoked for noncompliance. Violation of these federal regulations can result in a criminal penalty of up to a \$5000 fine, a year in jail, or both, or a civil penalty and a fine of up to \$1000 per violation. This agreement may also be revised at any time, subject to approval by both parties.

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**AIRMARK AVIATION**

**4101 AIR TRADE ST., Suite 1  
MIAMI, FL 33159**

Miami International Airport

Garbage, as defined in 7CFR 330.400 and 9CFR 94.5

The Federal Plant Pest Act, The Plant Quarantine Act, Animal Quarantine Laws, Title 7 Code of Federal Regulations 330.400, and Title 9 Code of Federal Regulations 94.5

PASSENGER AIRLINES

1. The U.S. Department of Agriculture, Plant Protection and Quarantine division offers the following program of cooperation with participating airlines in order to ensure compliance with federal regulations concerning foreign food and garbage and at the same time give the airline a faster turn-around time. By signing this agreement, the aircraft is considered released by USDA, and airline and service personnel may enter the aircraft **immediately upon arrival**. In order to ensure compliance and continuity of the program, the airline is required to do the following:

a) Bag and present to the USDA Officer meeting the international arrival flight. all: whole fresh fruits and vegetables, cut flowers, unopened yogurt and ice cream. meat sandwiches, and whole fresh eggs. For yogurt, ice cream, and meat sandwiches bag only those that were packaged in bulk. Cut flowers placed in lavatories must also be bagged in addition to the cut flowers packaged in bulk.

b) Floral arrangements must also be bagged for removal by the USDA Officer, unless required for use on flights immediately departing the United States. If the floral arrangement is intended

Same as block 9

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Compliance Officer

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for use on the next flight it must be presented to the USDA Officer for inspection, then sealed by the airline until departure to prevent unauthorized removal from the aircraft. Note that if plant pests or prohibited items are part of the floral arrangement the floral arrangement will be removed by the USDA Officer without exception.

2. USDA Officers will not normally inspect the entire aircraft of participating airlines. Instead they will do a quick walk through of the passenger areas searching for contraband left by passengers. The USDA Officer will be treated with courtesy and allowed to inspect the aircraft without interference by airline and service personnel. Periodically, one or more USDA Officers will board the arriving international flight for a more thorough inspection in order to ensure compliance with the above requirements. Airlines that are repeat offenders will have their compliance agreements revoked and be placed on USDA's list of flights which will be given a thorough inspection each and every arrival, as officer staffing and workload permits. As a result of such revocation, the aircraft will remain in an uncleared status until the USDA Officer clears the aircraft. This means that no ground service personnel will be allowed to board the aircraft until such clearance is granted.

3. No employees of your airline will consume or remove from the aircraft for consumption any foreign origin food/regulated items on board the aircraft once the aircraft has landed and has blocked at the gate. Removal of foreign origin food/regulated items from an international flight for personal consumption may result in the imposition of a civil penalty fine against the individual and possibly the airline.

4. The aircraft may not be moved from the international gate at which it has arrived until all international garbage (as defined below) has been removed from the aircraft and been properly disposed of. An exception to this would be if the airline requests partial clearance through the use of a PPQ Form 250 for full clearance at another U.S. airport, or when PPQ grants permission for such a move.

**DEFINITION:**

**Garbage-** refers to all waste materials derived in whole or in part from fruits, vegetables, meats, or other plant or animal (including poultry) material, and other refuse of any character whatsoever that has been associated with any such material on board any means of conveyance, and including food scraps, table refuse, galley refuse, food wrappers or packaging materials, and other waste materials from stores, food preparation areas, passengers or crew quarters, dining rooms, or any other areas on means of conveyance. For purposes of this part, garbage also means meals and other food that were available for consumption by passengers and crew on an aircraft but were not consumed.

5. Complete blocks 7, 8 and 9. Your signature on this compliance agreement in block 7 assures USDA that you are willing to comply with the above requirements. The effective date will be the date the compliance agreement is received in our office. Any problems encountered by your airline should be reported immediately to the USDA Operations Supervisor at 305-526-2821 so that corrective action can be taken.

TK1

Regulated Garbage Handling Procedures.

A. Regulated Garbage removed from foreign arriving aircraft will be:  
(Check appropriate boxes)

- Separated from domestic garbage at the same catering kitchen (if separation occurs, all the conditions of item F must be met).
- Incinerated; Incinerator located at Miami International Airport;
- Steam sterilized and contracted for landfill burial without diversion; sterilizer located at 3500 N.W. 24 St., Miami, Fla.;
- Transported by an approved garbage hauler for incineration or sterilization -----

-----;

Other (Specify)

Scraping residue and runoff may be ground into an approved sewage system as defined in 7CFR 330.400 or 9CFR 94.5.

- B. The caterer will meet aircraft originating from a foreign location (foreign flights) on arrival for the purpose of decatering the aircraft. The caterer will immediately notify the local Plant Protection and Quarantine (PPQ) office at 526-2821 if unable to meet a flight on arrival, in which case the caterer will provide control over regulated garbage through assigned caterer or airline personnel in a manner acceptable to PPQ.
- C. Garbage removed from the aircraft will be continually maintained in enclosed receptacles with no leakage, no exposed garbage, or no holes in plastic bags until disposed of in an approved manner.
- D. The caterer is responsible for all regulated garbage (with exception of galley garbage, if galley garbage is contracted for removal by approved cleaner) including food waste, loose trays of food, and unused meals and will not allow its unauthorized diversion, removal, or use.
- E. The dock area and the area around garbage sterilizers, compactors, and/or dumpsters shall be kept clean and free of loose garbage. Compactor and dumpster leakage shall be contained in a manner acceptable to PPQ. APHIS approved disinfectant must be kept at the catering facility for garbage spills, after thorough pickup and cleaning. Disinfectant is not to be used in enclosed food handling areas. Do not maintain the prediluted disinfectant for more than 6 months.

F. If the caterer separates domestic from regulated garbage at the same catering kitchen--then the following conditions must be met:

1. Identify foreign flight galley equipment to prevent its association with domestic flight equipment and/or garbage (either by tag, label, or designated location);
2. Keep regulated garbage segregated from domestic garbage in a segregated area marked foreign garbage until incinerated, sterilized, or removed by an approved cartage firm;
3. Use easily identifiable containers for foreign garbage. Rigid containers shall be lettered with the words "REGULATED GARBAGE" or a similar acceptable phrase in English and any appropriate foreign language. Lettering shall be at least 2 inches high on indoor containers and at least 4 inches high on outdoor containers. Containers used for regulated garbage shall not be used for domestic garbage; nor shall containers for domestic garbage be used for regulated; and

G. Conspicuously post regulated garbage handling procedures in the work area in English and other appropriate languages.

H. PPQ will be notified of spillage. Cleaning and disinfecting will be accomplished immediately. Disinfectants approved by PPQ must be available at the facility.

#### Equipment.

A. If a sterilizer is used:

1. It will be capable of heating garbage to a minimum internal temperature of 212 degrees F and maintaining it at that temperature for at least 30 minutes. To achieve this, the sterilizer will be calibrated for the following time/temperature setting.

Temperature setting \_\_\_\_\_ PSI \_\_\_\_\_

Minimum cooking cycle \_\_\_\_\_

A maximum load of \_\_\_\_\_ bags of garbage per cooking cycle is allowed.

2. A thermocouple probe will be used initially and twice each year to recalibrate the temperature recording device and adjust the sterilization cycle to assure that the garbage is heated to a minimum internal temperature of 212 degrees F for at least 30 minutes. The test load will be at the maximum capacity of the sterilizer and of typical composition for the location. The tests will be supervised by an employee of PPQ, Animal and Plant Health Inspection Service (APHIS), U.S. Department of Agriculture (USDA). The adjusted sterilization cycle will be followed.
  3. The time and temperature record of each batch of foreign garbage shall be dated and initialed by the sterilizer operator and signed by the supervisor. It shall be retained at the establishment for at least 6 months and be available for review by PPQ representatives.
  4. The bottom rear drain of the sterilizer unit will be cleared between each cycle to assure proper steam circulation and drainage. This is accomplished by removing and cleaning the strainer inside the drain and then flushing the drain with a water hose to dislodge any foreign debris, or by cleaning the strainer and flushing the drain with another system acceptable to PPQ.
3. If an incinerator is used, it must reduce incinerated materials to an ash. Glass and metal shall be the only residue in the ash.

#### Cartage of Regulated Garbage (If applicable)

##### A. Handling Procedures

1. The caterer will manipulate, handle, or store regulated garbage in a manner approved by the local PPQ office and in a designated area before disposal. (Storage of regulated garbage in plastic bags must be in a closed building; if outside, must be in sealed plastic bags in a container with a tight-fitting lid.)
2. The caterer will transport regulated garbage directly from the USDA-APHIS approved catering establishment to the disposal facility in closed, leakproof containers without diversion.
3. The caterer will maintain a log which will include the date and quantity (weight) of garbage delivered to the disposal facility. This log will be made available to PPQ upon request.

4. PPQ will be notified of any spillage. Cleaning and disinfecting will be accomplished immediately. APHIS approved disinfectant must be kept at the catering facility for garbage spills after thorough pickup and cleaning. Disinfectant is not to be used in enclosed food handling areas. Do not maintain the prediluted disinfectant for more than 6 months.
5. The caterer will use easily identifiable containers for foreign garbage. Rigid containers shall be lettered with the words "Foreign Garbage" or a similar acceptable phrase. Lettering shall be at least 2 inches high on indoor containers and at least 4 inches high on outdoor containers.
6. The truck/container to be used for a purpose other than hauling foreign garbage must be cleaned and disinfected prior to such use.
7. All regulated garbage is to be kept completely separate from domestic garbage.

#### Training.

- A. The establishment shall present a training program to employees before they are permitted to handle or supervise the handling of regulated foreign arrival flight materials. This training program should be at least 1 hour in duration. Previously trained employees shall be provided review training annually. (This training may be given in more than one session).
- B. The training package must be approved by the local PPQ officer in charge, and may include both formal classroom training and on-the-job training. It must:
  1. Define regulated garbage;
  2. Explain the regulations and the purpose of the regulations;
  3. Include film, slides, or other training aids on foreign animal and plant diseases and pests;
  4. Specifically outline by demonstration, illustration, or picture, proper regulated garbage handling procedures for the facility, step-by-step from stripping of aircraft to disposal; and
  5. Be presented in English and other appropriate languages.
- C. Records of training administered to employees shall be made available to PPQ personnel upon request.

7. Backup System.

In the event the primary garbage disposal system is inoperable, the local PPD office must be notified in advance as to the use of the following prearranged approved backup system: (Check one or more)

- Incinerator located at MEDX, 8795 N.W. 58 St.; phone # 885-4004
- Incinerator located at Biomedical Service Corp., 1401 Chambers Rd., Bartow, Fl., 33830, operated by Browning Ferris Industries (BFI); phone # 1-800-437-4447
- Sterilizer located at \_\_\_\_\_
- Other (explain) Incinerator located at Miami International Airport

I. Environmental Protection.

If there will be processing of garbage, make sure the following statement appears on the compliance agreement: "By signing this agreement, the signer certifies that his/her facility has met or will meet the requirements of all applicable environmental authorities prior to handling garbage regulated by the Animal and Plant Health Inspection Service."

**NOTE:** This compliance agreement may be immediately cancelled or revoked for noncompliance. Violation of these Federal regulations can result in a criminal penalty of up to a \$5,000 fine, a year in jail, or both, or a civil penalty and a fine of up to \$1,000 per violation.

MED-X Inc.  
P.O. Box 025499  
Miami, FL 33102-5499

8795 N.W. 58 St.  
Miami, FL.

Garbage, as defined in 7 CFR 330.400 and 9 CFR 94.5

The Federal Plant Pest Act, The Plant Quarantine Act, Animal Quarantine Laws, Title 7 Code of Federal Regulations 330.400, and Title 9 Code of Federal Regulations 94.5

### WASTE CARTERER AND PROCESSING ESTABLISHMENT

#### A. Definition.

1. Garbage "means all waste material derived in whole or in part from fruits, vegetables, meats, or other plants or animal (including poultry) material, and other refuse of any character whatsoever that has been associated with any such material onboard any means of conveyance, and including food scraps, table refuse, galley refuse, food wrappers or packaging materials, and other waste material from stores, food preparation areas, passengers' or crews' quarters, dining rooms, or any other areas on vessels, aircraft, or other means of conveyance."

2. USDA means "United States Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection & Quarantine."

Page 1 of 3

Same as block 9

Frederick H. Foster  
Airport Sanitation Officer

USDA, APHIS, PPQ  
P.O. Box 59-2647 AMF  
Miami, FL 33159

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I. Regulated garbage is processed by: (check appropriate box)

( ) Steam sterilized \_\_\_\_\_  
(location)

( ) Nonpressurized water cooker \_\_\_\_\_  
(location)

( ) Incineration \_\_\_\_\_  
(location)

II. Processed material is disposed at the \_\_\_\_\_  
(name)

landfill located at \_\_\_\_\_  
(location)

III. Equipment

A. If equipment for steam sterilization or nonpressurized water cooker is used. (Water cooker water level must be reasonably close to garbage level in cooker.)

1. Must be capable of heating regulated garbage to a minimum internal temperature of 212 degrees F and maintaining that temperature for 30 minutes.

2. Cooking equipment shall have a time/temperature recording device. (Water cooker probe must be below surface of water.)

3. Time/temperature record (chart) for each batch processed shall be initialed and dated by operator. It will be retained by establishment for at least 6 months and be available for review by PPQ.

4. A thermocouple probe will be used initially and twice each year to verify accuracy of recording device/heating cycle to assure that regulated garbage is heated to a minimum internal temperature of 212 degrees and held at that temperature for at least 30 minutes.

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IV. Storage

- A. Must be in an enclosed area.
- B. Spillage must be removed and area cleaned and disinfected in a manner approved by PPQ.
- C. Any material in contact with untreated, regulated garbage must also be processed as regulated garbage.

V. A log must be maintained including the source (name), date, and quantity of the garbage processed.

VI. Carterer Handling Procedures. (check the appropriate box or boxes)

1. ( ) The cartage/cleaning firm transports regulated garbage directly to a central place for further compacting and then directly to an approved disposal facility.

( ) The cartage/cleaning firm manipulates, handles, or stores regulated garbage in a manner approved by the local PPQ office and in a designated area before disposal. (Storage of regulated garbage in plastic bags must be inside a closed building; if outside, must be in sealed plastic bags in a container with a tight-fitting lid.)

( ) The cartage/cleaning firm transports regulated garbage directly from the USDA-APHIS approved catering establishment or carrier to the disposal facility in closed, leakproof containers without diversion.

2. MED-X will maintain a log which will include the approved caterer or carrier name, date, and the quantity of garbage (weight). Logs and records will be maintained for review by USDA. Transportation and disposition records reflecting date, time, number, type and approximate weight of containers transported, and driver of the vehicle must be maintained for a period of one year from the end of the month in which the movement was made. An inventory control system will be provided at the point of origin to enhance monitoring. USDA Compliance Officers will periodically inspect transporting vehicles and/or holding areas. MED-X personnel shall lend them all the assistance that they require during this inspectional process.

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3. MED-X will be responsible for all foreign food waste in its possession and will not permit misappropriation of any food items.

4. Garbage is to be placed in individual small leakproof containers, (preferably red plastic bags) and securely closed. These "immediate" containers must then be placed in a shipping or handling container that is also leakproof. This second container shall be rigid and lettered with the words "Foreign Garbage" or a similar acceptable phrase with conspicuous printing in letters 2-4 inches in height, or prominently tagged using at least a 3 x 5-inch tag with 1-inch minimum height printing. Outdoor containers shall have lettering at least 4 inches in height. Plastic bags must be a minimum of 4 millimeters thickness each. It is expressly understood that the "shipping or handling" container (second) should be discarded as a portion of the garbage. In the event this is not the case, the shipping or handling container MUST be cleaned and disinfected prior to leaving the disposal site.

5. Containers must then be placed in a tightly covered, rigid, leakproof carrier that is to be secured by seal, lock, or similar device, for transportation through rural areas. Be advised that canvas or tarp covering is not acceptable.

6. Routing of the transporting vehicle must be direct and/or expedient and every effort made to use the closest USDA approved incinerator or sterilizer available. If this is not possible, you shall notify our 24 hour Operations Desk at (305) 526-2821, explaining the reason why this requirement cannot be met.

7. The transport vehicle/container will be received and the boxes of garbage will be unloaded at the MED-X incinerator facility which is approved by USDA to process garbage, provided the facility possesses a valid USDA Compliance Agreement.

8. PPQ will be notified of any spillage. If an accidental spill does occur, the USDA 24-hour Operations Desk in Miami at (305) 526-2821, shall be notified immediately. Cleaning and disinfecting will be accomplished immediately. MED-X is responsible for providing personnel and chemicals to effectively maintain control of regulated materials in the event of a spill or other emergency. An adequate supply of approved chemicals must be available on each carrier vehicle to accomplish proper disinfection of spillage, including all tools and equipment, shoes, etc., after thorough pickup and cleaning. Currently, only Environs One-Stroke is approved for this purpose. Disinfectant is not to be used in enclosed food handling areas. Do not maintain the prediluted disinfectant for more than 6 months.

9. The transport vehicle/container will be received with the doors secured by seal, lock, or similar device.

10. The truck/container to be used for a purpose other than hauling foreign garbage must have markings obliterated and be cleaned and disinfected using Environs One-Stroke, under PPQ supervision prior to such use.

11. All regulated garbage is to be kept completely separate from domestic garbage.

12. The following equipment shall be carried aboard all transport vehicles:

- A 1 gallon plastic container filled with water.
- Screw cap glass vials containing 1/2 ounces of "1 Stroke Environs".
- A whisk broom and dust pan.
- A scrub brush and scraping tool.
- A 1 pint spray bottle.
- A roll of paper towels.
- Plastic, leakproof bags at least 4 mils thick to hold the collected material.
- Absorbent material.

13. Storage: Regulated garbage materials, properly containerized and identified, may be stored for a period not to exceed 4 days prior to transporting provided such material is placed in an enclosed, covered, leakproof, rodent- and bird-proof container or room, or confined area, capable of being locked and preferably under refrigeration. MED-X must provide for priority incineration or sterilization, without delay, at destination. Logs or records must be maintained by management for review by PPQ.

14. The total weight of USDA regulated garbage received is to be tabulated and reported to USDA each month. This may be done by phone (305) 526-2803, Fax (305) 526-2594 ATTN: Compliance Team, or by letter to USDA APHIS PPQ, P.O. Box 59-2647 AMF, Miami, FL, 33159, ATTN: Compliance Team.

15. Handling procedures will be conspicuously posted in the work area.

16. The transport vehicle/container will have printed on the container door and both sides, in a conspicuous location, using red lettering at least 4 inches high, "USDA REGULATED GARBAGE" (a yellow background is preferred).

17. USDA officers will be allowed immediate and unrestricted access to property, facilities, equipment and records in order to determine compliance with this agreement. Officers will display badge and/or ID card upon request, but are not required to complete or sign any documents.

18. Containers will be of sufficient strength construction to prevent spillage, leakage or puncture of bags of garbage contained therein.

## VII. Training.

A. All processing/carterer personnel handling regulated garbage must complete an approved training program prior to onset of duties and attend refresher training no less often than annually thereafter. This training must include procedures for reporting and handling emergency spills, maintaining control of regulated materials, and proper cleaning and disinfecting of affected equipment and areas.

B. The training must be approved by the USDA APHIS PPQ Miami Compliance Team located at Concourse E, Miami International Airport, phone (305) 526-2803. Mailing Address: USDA APHIS PPQ, P.O. Box 59-2647 AMF, Miami, FL, 33159, ATTN: Compliance Team.

C. The training package must:

1. Define regulated garbage.
2. Explain the regulations and their purpose.
3. Include film, slides, or other training aids on foreign animal/plant pests and diseases.
4. Specifically outline step-by-step handling procedures for this establishment; and
5. Be presented in English and other appropriate languages.

D. Records of training administered to employees (names and dates) shall be made available to PPQ personnel upon request.

VIII. Disinfectant Information.

1. Authorized chemicals:

"1 Stroke Environ" or "1 Stroke Vesphene"

2. Source: Calgon-Vestal Laboratories  
7501 Page Ave., St. Louis, MO 63133

(or)

P.O. Box 147, St. Louis, MO 63166-0147

Telephone: (314) 862-2000  
(314) 862-9890

3. Directions for use:

- a. Add 1/2 ounce (or 4 ml) of the chemical to each gallon of water.
- b. Mix thoroughly (do not premix).

4. Disinfectant Procedures:

- a. Sweep up or scrape off as much of the contaminant as possible. Apply absorbent material. Put the sweepings or scrapings into a leakproof plastic bag for later incineration. Free surfaces from dirt and grease if applicable.
- b. Scrub the contaminated area or the area where the spillage occurred with a good detergent solution.  
NOTE: If the area is not effectively scrubbed first, then any viruses embedded below the surface remain untouched and the disinfectant is ineffective.
- c. Flush the scrubbed surfaces with clean water. Flushing is important because the detergent may react with the disinfectant and its activity.
- d. Disinfect the cleaned area with a generous spray of one-stroke Environs.

F. NOTICE.

1. By signing this agreement, the signer certifies that his/her facility has met or will meet the requirements of all applicable environmental authorities prior to handling garbage regulated by the Animal and Plant Health Inspection Service.
2. This compliance agreement may be immediately cancelled or revoked for non-compliance. Violation of these Federal regulations can result in a criminal penalty of up to a \$5,000 fine, a year in jail, or both, or a civil penalty fine of up to \$1,000 per violation.

ANNEX I

ST. VINCENT IMPORT STATISTICS

TABLE 11

STATISTICAL SUMMARY OF IMPORTED AGRICULTURAL COMMODITY VIA E.T JOSHUA AIRPORT FOR THE YEAR 1993

COUNTRY OF ORIGIN	FREQUENCY		OF	COMMODITY	
	VEGETABLE	ORNAMENTAL	FRUIT	PLANTING MATERIAL	ROOT CROP
ANGUILLA	-	-	1	-	-
ANTIGUA	3	-	2	-	-
BARBADOS	25	13	30	-	3
DOMINICA	2	1	11	-	-
ENGLAND	3	4	14	1	-
GRENADA	4	2	18	-	1
GERMANY	1	1	3	-	1
GUYANA	1	1	7	-	-
MARTINIQUE	-	4	3	-	-
PUERTO RICO	-	-	2	-	-
ST. KITTS	1	3	9	-	-
ST. LUCIA	-	3	14	-	1
TOBAGO	1	-	2	-	-
TORTOLA	-	1	4	-	-
TRINIDAD	34	15	31	1	-
U.S.A	15	4	53	-	1

ANNEX J

KAPHRA BEETLE ENDEMIC AREAS

## COUNTRIES WHERE TROGODERMA GRANARIUM (KHAPRA BEETLE) IS ENDEMIC

- o Afghanistan
- o Algeria
- o Bangladesh
- o Burkina Faso
- o Burma
- o Cyprus
- o Egypt
- o India
- o Iran
- o Iraq
- o Israel
- o Libya
- o Mali
- o Mauritania
- Morocco
- Niger
- Nigeria
- Pakistan
- Saudi Arabia
- Senegal
- Sri Lanka
- Sudan
- Syria
- Tunisia
- Turkey

If you are inspecting seeds in bags (especially in burlap or jute), and seed are from khapra beetle endemic countries, examine seams and ears of bags to uncover any khapra beetle that might be hiding there. If shipment is bagged in used burlap or jute bagging from khapra beetle endemic countries, treatment is required.

--- Require T302(d)(1) or (2)

--- Require written permit

--- U.S. authority 7CFR 319.75

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# APHIS Facts

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

## KHAPRA BEETLE

### BACKGROUND

A native of India, the khapra beetle has spread to other countries in Asia, Africa, Europe and North America. While it thrives best in warm climates, there is evidence that the beetle can survive cold winter months in heated warehouses and grain storage tanks. The beetle is a sluggish insect. It cannot fly and is spread entirely by shipping and trade. The problem of preventing the insect's spread is compounded by its ability to survive for several years without food and by its habit of hiding in cracks, crevices, and even behind paint scales. Left uncontrolled, they can make the surface of a grain bin come literally alive with millions of wiggling larvae eating their way down to the bottom.

### HOSTS

In addition to the obvious grain and stored product hosts, the beetle turns up in a variety of locations that would not be obvious food sources for the pest. It is often found in the ears and seams of burlap bags and wrappers, in baled crepe rubber, automobiles, steel wire, books, corrugated boxes (glue), bags of bolts and even soiled linen and priceless oil paintings. It is frequently intercepted on obvious food products such as rice and peanuts as well as dried animal skins. Such infestations result from storage of the products in infested warehouses, by transportation in infested carriers or from the re-use of sacks that previously contained products infested by the khapra beetle.

### DETECTION

Except for some attempts to develop traps and lures for the khapra beetle, the only sure inspection is visual. Certainly this is a meticulous chore because of the tiny size of the khapra beetle. High risk areas first checked include:

- 1) cracks in flooring and walls
- 2) behind loose paint
- 3) along pallets
- 4) seams of burlap bags
- 5) any low light areas and dark crevices
- 6) trash from cleaning devices

Low risk areas for inspection include:

- 1) well-lighted areas or areas where sunlight penetrates
- 2) areas which are moist or where debris is covered with mold

Vacuum cleaners are now being used by inspectors to assist the inspection process to draw larvae and cast skins out of cracks and crevices. Filters are changed between inspection locations.

### LIFE CYCLE AND DESCRIPTION

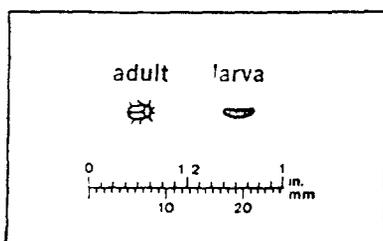
The tell-tale signs of a khapra beetle infestation are the larvae and their cast skins. The larvae are yellowish or reddish brown. Clothed with long barbed brown hairs, the larva has a tuft of longer hairs which gives it the typical carpet beetle larva look. Adults are brown to blackish in color with indistinct red-brown markings on the wing covers. Hairy on top, they may have a slick appearance when hairs are rubbed off. Mature larvae and adult females are about one-

eighth inch long; males and immature larvae are somewhat smaller. They pass through five to nine moults during this stage, resulting in numerous cast skins. Adults are short-lived, persisting for a few days at temperatures over 100 degrees F., or for perhaps several months or even years at temperatures below 50 degrees F. Adult activity is little noticed except at dusk, while remnants are seldom found as they are cleaned up by larvae. Mating occurs almost immediately following adult emergence, and egg deposition follows in from one to six days. Eggs are laid loosely among the host material infested. Hatching follows from one week to two weeks after deposition. Two types of larvae, short or long cycle, may develop. Under optimum conditions, the larval stage may be completed in less than a month, whereas

under crowded, starving or cold conditions, long cycle larvae may hide out in large numbers in building crevices and may persist from several months to three years or more without food.

#### TREATMENT

Fumigation using methyl bromide is the treatment of choice. Because the pest secretes itself in cracks and crevices of the building it is in, in addition to the contents, the whole building must be treated. Typically, the building is covered tightly with tarpaulins and fumigant is pumped in at the approved rate of 6 to 9 pounds per 1,000 cubic feet. The process takes several hours depending on the size of the building, and strict safety precautions are taken.



## KHAPRA BEETLE

*Trogoderma granarium* Everts

ANNEX K

GRENADA GARBAGE DISPOSAL CERTIFICATE

ANNEX K

Ref. No ..  
In replying the above  
Number and date of this  
letter should be quoted



MINISTRY OF AGRICULTURE,  
TRADE, INDUSTRY, ENERGY  
AND PRODUCTION,  
ST. GEORGE'S,  
GRENADA, W.I.

DATE .....

CERTIFICATE OF GARBAGE RELEASE

NAME OF SHIP: .....

NAME OF SHIP AGENT: .....

NAME OF DISPOSAL AGENT: .....

NO. OF BINS: ..... DURATION OF INSPECTION: .....

This garbage is hereby certified free of plant and animal material  
which pose risk for the entry of dangerous pest and diseases into  
Grenada.

It can be therefore be released.

.....  
NAME OF OFFICER

.....  
SIGNATURE OF OFFICER

.....  
NAME OF GARBAGE COLLECTOR

.....  
SIGNATURE OF GARBAGE COLLECTOR

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ANNEX L

GRENADA IMPORT STATISTICS BY COUNTRY

GRENADA CENTRAL STATISTICAL DEPARTMENT  
 TRADE STATISTICS REPORTING SYSTEM  
 COUNTRY TOTALS - IMPORTS

ANNEX I

Ends December 1991

Report Date: February 23 1993

COUNTRY/REPEAT COUNTRY NAME	VALUE	DUTY	VAT
098 ITALY	1,356,306.00	89,525.00	153,714.00
099 JAPAN	22,457,993.00	3,194,157.00	5,645,532.00
100 COUNTRIES NOT LISTED	1,413.00	309.00	551.00
101 CANARY ISLANDS	1,892.00	0.00	0.00
105 NEPAL	877.00	0.00	0.00
106 BANGLADESH	121,100.00	12,230.00	41,531.00
111 MARTINIQUE	365,772.00	14,214.00	115,642.00
112 PORTUGAL	175,644.00	28,237.00	68,244.00
115 URUGUAY	128,896.00	9,235.00	45,305.00
116 SWITZERLAND	225,159.00	6,763.00	12,816.00
117 HAITI	30,693.00	9,298.00	12,867.00
118 DOMINICAN REPUBLIC	1,351,378.00	14,691.00	29,169.00
119 MEXICO	200,822.00	14,223.00	47,633.00
120 CHINA	2,032,251.00	371,456.00	597,138.00
121 NORWAY	1,626,331.00	674.00	5,074.00
122 SWEDEN	1,243,575.00	76,206.00	153,607.00
123 GERMANY, FEDERAL REPUBLIC OF (WESTERN)	3,704,414.00	366,108.00	730,568.00
124 GERMAN DEMOCRATIC REPUBLIC (EASTERN)	195,343.00	14,713.00	31,487.00
125 FRENCH GUIANA	1,018.00	0.00	0.00
126 SURINAME	184.00	55.00	77.00
127 PUERTO RICO	3,169,354.00	224,996.00	926,627.00
129 MONACO	462.00	139.00	119.00
133 SWAZILAND	19,970.00	115.00	119.00
136 MAURITIUS (INCLUDING RODRIQUEZ)	136.00	61.00	68.00
138 ANTILLES, NETHERLANDS (EXCLUDING CURACAO AND ARUBA)	23,299.00	7,957.00	10,130.00
139 CURACAO	2,901,263.00	124,152.00	983,363.00
140 ARUBA	713,603.00	312.00	561.00
141 LUXEMBOURG	385,992.00	1,963.00	13,552.00
142 EGYPT	1,716.00	0.00	0.00
143 ECUADOR	2,140.00	954.00	992.00
144 HUNGARY	9,078.00	3,195.00	3,955.00
145 SPAIN	158,548.00	24,112.00	40,389.00
146 POLAND	17,662.00	2,521.00	5,244.00
147 GUATAMALA	1,794,984.00	498.00	562.00
149 TURKEY	12,841.00	2,600.00	3,767.00
150 FINLAND	240,218.00	8,087.00	11,220.00
151 BOLIVIA	4,700.00	940.00	1,833.00
152 PHILIPPINES	29,252.00	7,712.00	11,972.00
154 IRAN	4,967.00	2,236.00	2,310.00
157 PARAGUAY	3,436.00	1,031.00	1,442.00
158 AUSTRIA	68,685.00	9,343.00	14,967.00
160 PANAMA	78,082.00	15,867.00	22,549.00
161 U.S.S.R. (RUSSIA)	85,090.00	19,149.00	30,849.00
162 EL SALVADOR	3,427.00	883.00	922.00
163 LIBERIA	327.00	108.00	69.00
165 MALAGASY REPUBLIC (FORMERLY MADAGASCAR)	293.00	124.00	128.00
181 OMAN	10,281.00	1,504.00	3,895.00
185 YUGOSLAVIA	512,333.00	28,147.00	48,603.00

GRENADA CENTRAL STATISTICAL DEPARTMENT  
 TRADE STATISTICS REPORTING SYSTEM  
 COUNTRY TOTALS - IMPORTS

End: December 1991

Report Date: February 23 1993

COUNTRY/REPEAT COUNTRY NAME	VALUE	BUTY	VAT
001 UNITED KINGDOM INCLUDING CHANNEL ISLANDS,NORTHERN IRELAND(ULSTER)	43,725,190.00	2,440,264.00	3,988,864.00
002 CANADA	16,544,113.00	690,425.00	1,232,451.00
003 AUSTRALIA	90,062.00	32,669.00	35,337.00
004 GUYANA	683,682.00	1,934.00	108,844.00
005 INDIA	543,314.00	58,062.00	125,500.00
006 PAKISTAN	8,969.00	590.00	1,090.00
007 SRI LANKA (CEYLON)	50,214.00	6,382.00	12,445.00
009 GIBRALTAR	9,019.00	2,420.00	3,621.00
011 NEW ZEALAND	3,861,647.00	145,086.00	101,751.00
021 BURUNDI	3,157.00	0.00	947.00
022 BENIN (DAHOMEY)	1,312.00	432.00	563.00
024 TRINIDAD AND TOBAGO	50,329,161.01	1,742,009.00	10,996,154.00
027 MALAWI	1,719.00	336.00	655.00
028 VIRGIN ISLANDS (BRITISH)	14,007.00	3,469.00	4,331.00
032 DOMINICA	1,501,467.00	747.00	161,391.00
034 ST. VINCENT AND THE GRENADINES	2,303,637.00	2,037.00	121,914.00
035 ST.LUCIA	3,634,107.00	901.00	485,765.00
038 SINGAPORE	288,157.00	63,197.00	106,872.00
041 ANTIGUA AND BARBUDA	463,239.00	1,452.00	88,225.00
042 ST.KITTS-NEVIS-ANGUILLA	819,130.00	150.00	77,487.00
043 BARBADOS	11,067,150.00	70,678.00	1,770,908.00
044 JAMAICA	3,927,860.00	137,364.00	1,018,610.00
046 BELIZE	26,536.00	0.00	3,980.00
047 BERMUDA	5,330.00	0.00	0.00
049 MALAYA	86,463.00	7,111,766.00	34,040.00
050 HONG KONG	1,454,413.00	255,501.00	378,031.00
054 TANZANIA	627.00	125.00	245.00
056 NIGERIA	1,919.00	601.00	810.00
059 UNITED ARAB EMIRATES	40.00	12.00	17.00
065 MALTA	268.00	27.00	96.00
070 EIRE (REPUBLIC OF IRELAND)	1,573,152.00	15,510.00	30,088.00
073 ICELAND	55,344.00	0.00	0.00
076 NORTH KOREA	9,840.00	1,523.00	3,129.00
080 UNITED STATES OF AMERICA	98,862,319.00	7,577,316.00	13,807,304.23
081 VENEZUELA	6,228,879.00	115,020.00	306,784.00
082 BRAZIL	2,540,192.00	194,332.00	526,029.00
083 COLOMBIA	1,799,559.00	80,373.00	90,586.00
084 ARGENTINA	1,037,460.00	61,372.00	336,985.00
085 WETHERLANDS (HOLLAND)	6,220,687.00	145,996.00	172,228.00
087 CHILE	9,783.00	1,052.00	1,386.00
088 GUADALOUPE AND DEPENDENCIES	5,155.00	677.00	1,049.00
089 FRANCE	1,673,559.00	216,233.00	334,356.00
092 VIRGIN ISLANDS (U.S.A.)	18,340.00	5,146.00	7,302.00
093 DENMARK	2,714,080.00	228,043.00	384,363.00
094 CZECHOSLOVAKIA	242,377.00	47,109.00	82,159.00
095 BELGIUM	632,733.00	79,925.00	52,545.00
096 COSTA RICA	831,740.00	103.00	0.00
097 GREECE	76,634.00	15,640.00	20,820.00

GRENADA CENTRAL STATISTICAL DEPARTMENT  
 TRADE STATISTICS REPORTING SYSTEM  
 COUNTRY TOTALS - IMPORTS

Ends: December 1991

Report Date: February 23 1993

COUNTRY/REPEAT COUNTRY NAME	VALUE	DUTY	VAT
186 ISRAEL	31,237.00	303.00	1,219.00
187 LEBANON	154.00	15.00	76.00
189 SIERRA LEONE	2,500.00	750.00	1,463.00
191 ROMANIA	13,475.00	2,357.00	5,446.00
192 YEMEN, SOUTHERN	2,506.00	1,128.00	1,166.00
193 TAIWAN (FORMOSA)	2,988,833.00	618,439.00	1,026,549.00
194 THAILAND	524,564.00	121,553.00	193,285.00
196 AFGHANISTAN	27,020.00	11,670.00	12,416.00
197 SOUTH KOREA	1,179,657.00	229,550.00	351,635.00
199 SOMALIA	4,622.00	559.00	783.00
200 INDONESIA	299,447.00	92,227.00	121,585.00
*** Overall Total ***	316,525,338.01	27,333,557.00	48,564,942.23

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ANNEX M  
QUARANTINE FORMS

APPENDIX 1  
PPQ Form 212 (Cargo Hold and Record)

Example:

U.S. DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE		CARRIED		VOTERS NO	
<b>HOLD-PPQ</b>		In <sup>n</sup> / <sub>y</sub> Trader	006		
		DATE ARRIVED	10/27/88		1. DOCK/LOCATION
		DATE ACTION COMPLETED	November 3, 1988		OFFICE
SHIPMENT OR CONTAINER NO.	QUANTITY	COUNTRY/PORT OF ORIGIN	INTERESTED PARTY	ACTION/FINAL DISPOSITION	DATE
Bombay CC			Co. Taj Mahal	Treated + Released	
CTU 7115	43 cases	India Dressware	Broker M. G. Maner	Ad.S.	10/29/88
Bombay CCS			Sh. Royal Foods, Bombay	Hold - Cast skins found	
SEAU 11723	147 cartons	Foodstuff/India	Imp. Yogi Spices	10/29. Released - No action required	10/30/88
CHITTOONG CC			Sh/Imp: Sgt. Wm York	Inspect + Release	
UCSU 39102	1	POV/Bangladesh		R.B.	10/29/88
Calcutta 112		Mannhole covers/India	Sh. Ghandi Foundry, Inc.	Hold - woodborers	
1-288	288 crates	India	Imp. City of Mobile, AL		10/30
Calcutta		Fire Hydrants/India	Sh. Ghandi Foundry, Inc.	Hold - woodborers	
1-50	50 crates		Emp. Dept. Pub. Works, Jefferson AB		10/30
MARACA, C.B.		Dried Chili Peppers/India	Sh. Kumar Exo	Treated + Released	
UNTU 2535	70 bags	India	Imp. Zatarain, Inc.	PS	10/29/88

Purpose:

The PPQ Form 212 is used to record cargo held or cargo that is of PPQ interest. It also serves as a warning, hold, information, and clearance document when stapled or attached to the front of manifests or other cargo listings used by Customs in releasing shipments. Use of the PPQ Form 212 is optional and is intended for local port use as a worksheet and port record.

BEST AVAILABLE COPY

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BEST AVAILABLE COPY

**APPENDIX 1**  
**PPQ Form 254 (Disposition of Plants and Plant or Animal Products)**

Example:

U.S. DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE		1. CUSTOMS ENTRY NO. 15-0019-6657	
DISPOSITION OF PLANTS AND PLANT OR ANIMAL PRODUCTS		2. TO U.S. Customs Service 2 World Trade Center New York, NY 10019	
3. THE MATERIAL DESCRIBED BELOW IS SUBJECT TO IMMEDIATE EXPORT ARRANGEMENTS TO YOU FOR DESTRUCTION UNDER THE SUPERVISION OF A REPRESENTATIVE OF THIS AGENCY, OR OTHER PROVISIONS AS NOTED UNDER REASON 7, FOR THE FOLLOWING REASONS:			
7 CFR 319.56 <span style="float: right;">P. 252</span>			
4. QUANTITY 227 boxes of fresh mangoes			
5. MARKS AND NUMBERS "FRESH, SWEET MANGO" #1-227			
6. SHIPPER Agrifresh Industries		ADDRESS 9611 Kings Road Bridgetown, Barbados	
7. CONSIGNEE Proimport-Export, Inc.		Brook Terminal Bldg., Stall 56 Brooklyn, NY 10031	
8A. NAME OF CARRIER TWA Flt. #6716		8B. No. 213-8742-119	8. DATE ARRIVED October 15, 1993
9. REASONS Mangoes subject to either of the following actions: 1. Destruction by incineration or sterilization, OR 2. Immediate export Safeguard until destroyed or exported by keeping mangoes separate from other produce and requiring one of the above within 48 hours.			
11. SIGNATURE OF PLANT PROTECTION AND QUARANTINE OFFICER <i>Robert Bradley</i>		12. PPD OFFICE Brooklyn, NY	13. DATE October 16, 1993
RECORD OF DISPOSITION			
14. METHOD OF INSPECTION		15. SIGNATURE OF CUSTOMS INSPECTOR	
16. DISTRIBUTION OF COPIES			
PPQ FORM 254 (APR 83) Replaces PPQ Form 534 (6/74) which may be used.			

Purpose:

The PPQ Form 254 is designed for use when shipments of commodities are not eligible for entry or when the importer (given proper opportunity) refuses to take required treatment action or meet other PPQ requirements. Ordinarily, when cargo or commodities are found infested and a treatment is available, a PPQ Form 523 is used. Submit the form as evidence in any violation.

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**APPENDIX 1**  
**PPQ Form 277 (Baggage Information Data)**

**Example:**

STATION: JAR, Jamaica		PERIOD: Jan. 19, 1993					
AIRLINE AND FLIGHT NO.	NO. ON BOARD (PAK & CREW)	INSPECTIONS			SEIZURES		SHOES C & D
		TOTAL	POB	PLANT	ANIMAL	WGT	
UA 002	332	✓✓✓✓✓✓	✓	✓	—	—	—
TWA 15	377	✓✓✓✓✓	✓	—	✓	1 kg	—
JAL 233	241	✓✓✓✓✓✓	✓✓	✓✓✓	✓✓	5 kg	✓✓
LUFT 89	218	✓✓✓✓✓	✓	✓	✓✓	1.5 kg	

PPQ FORM 277 (AUG 86) BAGGAGE INFORMATION DATA (OVER)

STATION: JAR, Jamaica		PERIOD: Jan. 1993					
AIRLINE AND FLIGHT NO.	NO. ON BOARD (PAK & CREW)	INSPECTIONS			SEIZURES		SHOES C & D
		TOTAL	POB	PLANT	ANIMAL	WGT	
Jan. 1993	542, 100	9,056	4,618	8,610	2,006	2,516 kg	187
Jan. 1992	391, 325	6,911	2,876	2,154	985	1,105 kg	

PPQ FORM 277 (AUG 86) BAGGAGE INFORMATION DATA (OVER)

**Purpose:**

The PPQ Form 277 serves two purposes: 1) As an officer's daily tally card to record the number of referrals and quarantine actions taken on passenger/crew baggage at airports, and 2) As a semiannual report for airports designated by Headquarters to report the number of referrals and quarantine actions taken on passenger/crew baggage as a result of referrals.

# APPENDIX 1 PPQ Form 288 (Ship Inspection Report) and Addendum

## Example:

U.S. DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE SHIP INSPECTION REPORT		1. PORT IMPORTING	2. FLAGNAME OF VESSEL	3. PORT
		Baltimore, MD	LR Shining Star	Dundalk Marine Terminal
4. PORT (Port and Country)		5. VIA		
Yokohama, Japan		Los Angeles--Panama Canal		
6. ARRIVAL DATE		7. ARRIVAL TIME	8. INSPECTION DATE	9. INSPECTION TIME
March 19, 1993		ETA 1100 Actual 1130	March 20, 1993	From 0900 To 0945
10. NO. PASSENGERS AND CREW CLEAR		11. NO. PIECES OF BAGGAGE		12. PROPOSED DEPARTURE DATE
0		0		March 22, 1993
PROHIBITED AND/OR RESTRICTED AGRICULTURAL MATERIALS				
13. COMMODITY	14. LOCATION	15. COUNTRY OF ORIGIN	16. SAFEGUARD AND/OR RESTRICTION PROCEDURE	
Beef, 1,200 kg	S	Argentina	} May be used while in port.	
Fork, 500 kg	S	Japan		
Cabbage, 200 kg	S	Japan		
Peppers, 50 kg	S	Japan		
Explant, 40 kb	S	Japan		
<p><b>SAFEGUARD NOTICE:</b> While this vessel is in the territorial limits of the United States, no crew member or other person shall remove any of the following items except by specific permission of an agricultural officer: (1) fruits, vegetables, roots, or other animal products; (2) live plants; (3) live birds; (4) honey, sirup, rice hulls, feed mixtures or concentrates; (5) garbage from feed mixtures including rice hulls, meal, shrapnel, and other feed containers. GARBAGE MUST BE KEPT IN COVERED, LEAKPROOF CONTAINERS BEHIND THE VESSEL'S RAILINGS AT ALL TIMES.</p> <p>If any agricultural items are seized, the seals are not to be broken or removed while this vessel is within territorial limits of the United States or the St. Lawrence Seaway except under direction of an Agricultural Officer.</p> <p><b>WARNING NOTICE:</b> The requirements above are specified in 7 CFR 338 and 8 CFR 84 and violations are punishable by fine and imprisonment. (7 U.S.C. 1680g)</p>				
17. I Fully Understand the Safeguards Prescribed Above. (Signature of Responsible Ship's Officer)		18. TITLE		19. DATE
<i>Steven M. Queen</i>		Captain		3-20-93
20. CONDITION OF GARBAGE CONTAINERS WHEN INSPECTED		DEFICIENT CONTAINERS CORRECTED	21. SHIP AREAS AND INSPECTED	22. LIVE ANIMALS/BIOMASS ABOARD
COVERED	SECURE RAILINGS	LEAKPROOF	<input checked="" type="checkbox"/> CANTINE <input type="checkbox"/> DRY STORES <input type="checkbox"/> PANTRY	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Type: _____ Number: _____
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
APHIS MARPOL ANNEX V COMPLIANCE CHECKLIST				
THE FOLLOWING OBSERVATIONS WERE MADE BY APHS PERSONNEL AFTER INSPECTING VESSEL'S WASTE HANDLING PROCEDURES AND EQUIPMENT:				
23.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Plastic materials requiring disposal are used aboard the vessel.		
24.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	There are waste pails at the vessel's trash for disposal ashore.		
25.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	There is a functional incinerator or other disposal method aboard.		
26a.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Responsible vessel representative was requested to show garbage pickup receipt or other evidence of lawful disposal of plastics ashore.	TITLE OF REPRESENTATIVE	PPQ BOARDING OFFICER INITIALS
			Captain	<i>MB</i>
26b.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Responsible vessel representative produced garbage pickup receipt or other evidence of lawful disposal of plastics ashore.	TITLE OF REPRESENTATIVE	PPQ BOARDING OFFICER INITIALS
			Captain	<i>QP</i>
ALERT: Report the presence of Navy Base fireworks or military band to the nearest Agricultural Officer, telephone _____				
27. REMARKS				
Automobiles for discharge at Charleston, SC.				
28. SUBSEQUENT PORTS OF CALL (Include)		29. NO. PASSENGERS	30. OFFICER'S SIGNATURE	
Charleston, SC		0	<i>Steven M. Queen</i>	
PPQ FORM 288 (JUN 82) Previous edition may be used.				

## Purpose:

The PPQ Form 288 serves the following purposes: 1) As a port record of the ship inspection, 2) As an order to the Captain or other responsible ship's officer to take or observe designated safeguards; and documented agreement to those safeguards, 3) As a means of notifying subsequent ports of observations made

**APPENDIX 1**  
**PPQ Form 309A (Interception Record Worksheets)**

**Example:**

PORT AND NO 01 <b>Miami</b>		INSPECTOR (Name) 08 <b>FL M. Stevens</b>		INTERCEPTION DATE 06 <b>12/10/93</b>		PORT ACTIVITY TYPE 22 <input type="checkbox"/> AP <input checked="" type="checkbox"/> W/P <input type="checkbox"/> L/S <input type="checkbox"/> S	
PEST 02 <b>Coleoptera</b>				ORIGIN 07 <b>Leghorn, Italy</b>		DESTINATION 08 <b>W. Palm Beach, FL</b>	
NO 01 Larvae 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 12 <input type="checkbox"/> 13 <input type="checkbox"/> 14 <input type="checkbox"/> 15 <input type="checkbox"/> 16 <input type="checkbox"/> 17 <input type="checkbox"/> 18 <input type="checkbox"/> 19 <input type="checkbox"/> 20 <input type="checkbox"/> 21 <input type="checkbox"/> 22 <input type="checkbox"/> 23 <input type="checkbox"/> 24 <input type="checkbox"/> 25 <input type="checkbox"/> 26 <input type="checkbox"/> 27 <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 31 <input type="checkbox"/> 32 <input type="checkbox"/> 33 <input type="checkbox"/> 34 <input type="checkbox"/> 35 <input type="checkbox"/> 36 <input 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# APPENDIX 1

## PPQ FORM 518 (Report of Violation)

### Example:

REPORT OF VIOLATION		SERIAL NO.
1. U.S. DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE		A 39983
2. WHERE INTERCEPTED (City or Port and State, and country if necessary)		3. DATE VIOLATION DISCOVERED
San Francisco, CA		Oct. 2, 1993
5. ARTICLE NUMBER BY VIOLATION OF REGULATIONS		4. VIOLATED REG./COMPL. AGREEMENT #
Regulated garbage		7CFR 330.400 & 9CFR 94.5*
7. NAME AND BUSINESS ADDRESS OF VIOLATOR (Shipper, Carrier, Consignor, Garbage handler, forwarding agent, broker, ship's agent, etc. Identify violator)		6. COUNTRY OF ARTICLE (Include country if necessary)
Sky Cbebs (caterers) 9600 Camino Road San Mateo, CA 96472		China, People's Republic of
10. NAME AND BUSINESS ADDRESS OF CARRIER		8. VIOLATOR HAD COMPLIANCE AGREEMENT 1
China Air P.O. Box 9700 San Francisco, CA 95731		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Permit <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
12. IDENTITY OF CARRIER		9. IF NO VIOLATOR WAS AWARE OF REGULATION
PLANE Act No. EC 112 Flight No. 101	SHIP Flag Name	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
ROAD VEHICLE License No.		11. CARRIER WAS AWARE OF REGULATION
		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
14. DISPOSITION OF PEST RISK # or articles named in item 3 when fumigated, steamed, etc.		13. NAME AND BUSINESS ADDRESS OF CONSIGNEE
Foreign garbage was picked up and taken to the TWA incinerator where it was incinerated.		N/A
15. REMARKS (Attach additional sheets if necessary)		
*Block 2—Compliance agreement number SP7. **Block 9—compliance agreement SP7 on September 1, 1992. The compliance agreement specified requirements for handling regulated garbage.		
16. VIOLATOR OR CARRIER'S STATEMENT OF VIOLATION (Attach additional sheets if needed; identify who gave statement)		
See attached statement "Violator's Statement."		
17. OFFICER'S STATEMENT (Must attach a detailed, signed and dated statement. State how the action violated the regulations or compliance agreement cited in item 5. Describe fully the facts of the violation from discovery through disposition of pest risk including where, to be, what, and where.)		
18. SIGNATURE OF INITIATING OFFICER		
Heather Gross		19. PRINTED NAME OF OFFICER AND WORK UNIT
		Heather Gross
20. DATE REPORT COMPLETED		21. OFFICER IN CHARGE COMMENTS (Attach additional sheets if necessary)
October 3, 1993		Last Previous Penalties: RSS-CP-62-87, RSS-CP-95-87 (assessed \$750 fine) (given warning letter) Assessment: Assess a \$1,000 fine
22. SIGNATURE OF OFFICER IN CHARGE		23. PRINTED NAME OF OFFICER IN CHARGE AND WORK UNIT
H.V. Cate		H. V. Cate
24. DATE SIGNED		25. DATE REPORT COMPLETED
October 3, 1993		October 3, 1993

### Purpose:

The PPQ Form 518 is used to report violations for unauthorized movement of regulated cargo, for not presenting the required certificates or permits, and to report violations of the garbage regulations and/or compliance agreement at an airport. Together with statements from the officer, violator, witnesses, and documentary and physical evidence—the PPQ Form 518 becomes a part of the total case file. This form is also used for violations of domestic quarantines including Hawaii and Puerto Rico.

**APPENDIX 1  
PPQ Form 519 (Compliance Agreement)**

**Example:**

UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE PROGRAMS		
COMPLIANCE AGREEMENT		
1. NAME AND MAILING ADDRESS OF PERSON OR FIRM Dobbs House 333 Turnhouse Road Anchorage, AK 99500		2. LOCATION Bldg. #27 Anchorage International Airport Anchorage, AK 99503
3. REGULATED ARTICLE(S) Regulated garbage		
4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS 7CFR 330.400 and 9CFR 94.5		
5. I/We agree to the following  See attached sheets		
7. SIGNATURE <i>Danielle</i>	8. TITLE Manager (Catering)	9. DATE SIGNED June 10, 1993
The affixing of the signatures below will validate this agreement which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance		10. AGREEMENT NO. ANC-1988-15
		11. DATE OF AGREEMENT June 10, 1993
12. PPH OFFICIAL (Name and Title) Victor S. Smith Officer in Charge	13. ADDRESS USDA, APHIS, PPO P.O. Box 901196 Anchorage, AK 99519-0191	
14. SIGNATURE <i>Victor S. Smith</i>	15. ADDRESS	
16. STATE AGENCY OFFICIAL (Name and Title)	17. SIGNATURE	

PPQ FORM 519  
AUG. 1977  
REPLACES PPO 574, 519 588, AND A01 93 WHICH ARE OBSOLETE

**Purpose:**

The PPQ Form 519 is a form which provides a signed written agreement with shippers, dealers, carriers, and garbage handlers and processors to indicate their understanding of methods, conditions, and procedures necessary for compliance with regulations. The PPQ Form 519 has a variety of uses in both domestic

# APPENDIX 1

## PPQ Form 591<sup>1</sup> (Notice of Alleged Violation)

### Example:

U.S. DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE				<input checked="" type="checkbox"/> Passenger <input type="checkbox"/> Crew <input type="checkbox"/> Service Personnel		SERIAL NUMBER
<b>NOTICE OF ALLEGED VIOLATION</b>						8334993
<b>SECTION I - FOR USE BY USDA PLANT PROTECTION AND QUARANTINE (PPQ) OFFICER (Please Print)</b>						
1. PORT	2. DATE	3. TIME	4. CARRIER (Name and ID)		5. ADDRESS/RESTRICTED ZONE	
Miami International Airport, Miami, FL	11/16/93	1420			Brasil	
6. NAME OF ALLEGED VIOLATOR				7. IDENTIFICATION NUMBER		
Hector Matos				<input checked="" type="checkbox"/> Passport <input type="checkbox"/> Drivers License <input type="checkbox"/> Other number		
8. ADDRESS (Number and St. for U.S. addresses)				9. REGULATIONS VIOLATED		
Postoffice 1021 Calle		White or United States 19390 N 10th Street		7CFR 319.56		
Sao Paulo		Miami, FL				
Brasil						
10. MATERIALS DECLARED				10. MATERIALS SEIZED		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable Was there an opportunity to declare such goods?				a. Quantity and Description 20 fresh yams (Dioscorea Spp.) 2 fresh oranges (Citrus sinensis)		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No				b. Origin Brasil Brasil		
11. REMARKS (Additional facts relevant to detection or enforcement. ATTACH STATEMENT IF CASE IS FORWARDED) The 20 yams and 2 oranges were hidden in the bottom of Mr. Matos' duffel bag under a false bottom which was placed in the bag. I asked Mr. Matos four times if he had any fresh fruit. Each time Mr. Matos emphatically replied "NO."						
12. SIGNATURE OF OFFICER					14. OFFICE NUMBER	
<i>Amelia Adams</i>					1234	
<b>SECTION II - ALLEGED VIOLATOR (Please read Section I and Section 8. If you agree to waive hearing and pay the penalty, sign and date below.)</b>						
Section 10 of the Plant Quarantine Act (7 U.S.C. 163), Section 108 of the Federal Plant Pest Act (7 U.S.C. 1500g), and Section 3 of the Act of February 2, 1903 (21 U.S.C. 122) authorize the Secretary of Agriculture to assess a civil penalty not exceeding \$1000 against any person who violates any of these acts or any regulations promulgated thereunder, after notice and an opportunity for hearing on the record. You may waive hearing and agree to pay a specified civil penalty in settlement of this matter. If you do not wish to pay a specified civil penalty in settlement of this matter and to waive hearing, a complaint will be issued charging you with the above violation and affording you an opportunity for a hearing. However, the civil penalty offered to settle this matter at this time shall not be relevant in any respect to the civil penalty which may be assessed after a hearing. I acknowledge that I have an opportunity for a hearing and waive such hearing; and as a civil penalty in full settlement of this matter, I agree to pay the sum of \$ 100.00						
SIGNATURE					DATE	
<i>Hector Matos</i>					11/16/93	
<b>SECTION III - FOR USE BY U.S. CUSTOMS SERVICE OR PPQ OFFICE</b>						
AMOUNT RECEIVED			SIGNATURE OF CARRIER		DATE	
			<i>Martha Amentraut</i>		11/16/93	
PPQ FORM 591 (AUG 92) <span style="float: right;">1-PPQ PORT OFFICE</span>						

### Purpose:

The PPQ Form 591 is used to assess civil penalties for passengers and crew who attempt to smuggle prohibited or restricted agricultural items in their baggage after failing to declare the items. PPQ Form 591 is also used to assess civil penalties for crew and service personnel who remove regulated

**APPENDIX 1**  
**PPQ Form 592 (Notice of Violation)**

**Example:**

U.S. DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE		SERIAL NO.	
<b>NOTICE OF VIOLATION</b>		D 02502	
<input checked="" type="checkbox"/> GARBAGE <input type="checkbox"/> SEALS <input type="checkbox"/> NOTIFICATION			
<b>SECTION I - FOR USE BY USDA PLANT PROTECTION AND QUARANTINE OFFICER (Please Print)</b>			
1. PORT New York, NY	2. CARRIER (Name and #) Br <sup>m</sup> /v Cunard Princess	3. DATE OF ARRIVAL 12/10/93	4. TIME 1135
5. ARRIVING FROM (List all previous ports) London, England		6. DATE AND TIME VIOLATION DISCOVERED December 10, 1993; 1245	
7. NAME AND ADDRESS OF OWNER/OPERATOR Cunard Lines Ltd. London, England		8. NAME AND ADDRESS OF AGENT HANDLING CARRIER AT PORT Kerr Steamship Co. 1011-76 WTC #1 New York, NY 10017	
9. THE FOLLOWING CONDITION(S) WHICH VIOLATE 7 CFR 326.469 AND 9 CFR 84.6 OR 7 CFR 326.112 AND 326.117 WERE FOUND ON OR ASSOCIATED WITH THE CARRIER NAMED ABOVE:			
<input type="checkbox"/> Garbage observed being dumped into harbor or inland waterway <input type="checkbox"/> Garbage removed from carrier without authorization <input type="checkbox"/> Garbage stowed in an unauthorized manner (describe in remarks) <input checked="" type="checkbox"/> Garbage found in uncovered containers <input type="checkbox"/> Garbage observed stowed outside the quarantined premises <input checked="" type="checkbox"/> Garbage found in leaking containers <input type="checkbox"/> Unauthorized breaking of APHIS seals <input checked="" type="checkbox"/> Garbage seals damaged on deck <input type="checkbox"/> Inadequate notification of arrival			
REMARKS (if case is forwarded, officer's statement shall be attached) Orange peel were found scattered on the deck and in uncovered garbage containers. The oranges originated in Brazil.			
10. OFFICER'S SIGNATURE <i>William Watson</i>	11. BADGE NUMBER 4321	12. DATE 12/10/93	
<b>SECTION II - IF YOU AGREE TO WAIVE HEARING AND PAY THE PENALTY, SIGN AND DATE</b>			
Section 10 of the Plant Quarantine Act (7 U.S.C. 163), Section 108 of the Federal Plant Pest Act (7 U.S.C. 1500g), and Section 3 of the Act of February 2, 1903 (21 U.S.C. 1323) authorize the Secretary of Agriculture to assess a civil penalty not exceeding \$1000 against any person who violates any of these acts or any regulations promulgated thereunder, after notice and an opportunity for hearing on the record. You may waive hearing and agree to pay a specified civil penalty in settlement of the matter if you do not wish to pay a specified civil penalty in settlement of this matter and to waive hearing at the time, a complaint will be issued charging you with the above violation and affording you an opportunity for a hearing. However, the civil penalty ordered to settle this matter at the time shall not be relevant in any respect to the civil penalty which may be assessed after a hearing. I acknowledge that I have been given an opportunity for a hearing and waive such hearing, and as a civil penalty in full settlement of the matter, I agree to pay the sum of \$250.00. Pay by postal money order or Company or certified check drawn ONLY on a U.S. bank, payable to U.S. Treasury at the office shown in Section III. Payment must be made by 3:00 p.m. of the next business day after signing this notice.			
SIGNATURE <i>Kelli Goe</i>	TITLE Captain	DATE 10 Dec 1993	
<b>SECTION III - FOR USE BY RECEIVING OFFICE</b>			
ADDRESS OF RECEIVING OFFICE USDA, APHIS, PPQ 209 River Street Hoboken, NJ 07030	AMOUNT OF CHECK \$	DATE 12/11/93	
SIGNATURE OF OFFICER <i>John Paton</i>			
<b>SECTION IV - ACKNOWLEDGEMENT OF RECEIPT OF FORM (If Section II not signed)</b>			
I acknowledge that I have received a copy of this form at this time and on the date noted:			
SIGNATURE	TITLE	DATE	
PPQ FORM 592 (FEB 84)	Previous edition may be used		PART 1 - PPQ

**Purpose:**

The PPQ Form 592 is used to document garbage violations on carriers, the improper breaking of PPQ seals, and failure to provide advance notification of arrival of both aircraft and vessels when advance notification is required. The form is also used to document the unauthorized breaking of APHIS seals on

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Grenada

"CERTIFICATE OF INSPECTION  
FOR EXPORTATION OF FRUITS, VEGETABLES & FLOWERS  
FOR THE GOVERNMENT OF GRENADA"

DATE:

NO. OF PHYTOSANITARY CERTIFICATE:

NAME OR SHIPPER	IDENTIFICATION MARK ON PACKAGE(S)	NO. & DISCRIPTION OF PRODUCT	QUANTITY WT. LBS/KG

I hereby certify that I have examined the consignment  
above and that in my opinion, it is fit for export

Start of inspection \_\_\_\_\_

Completion of inspection \_\_\_\_\_

\_\_\_\_\_  
Name of Inspecting Officer

Time of Inspection \_\_\_\_\_

\_\_\_\_\_  
Signature of Exporter

\_\_\_\_\_  
Signature of Inspecting  
Officer

# PHYTOSANITARY CERTIFICATE

## PLANT PROTECTION SERVICE

OF ..... No. 10901 .....

This is to certify that the plants, parts of plants or plant products described below or representative samples of them were thoroughly examined on (date) .....

by (Name) .....an authorised Officer of the (Service)

.....and were found to the best of his knowledge to be substantially free from injurious diseases and pests ; and that the consignment is believed to conform with the current phytosanitary regulations of the importing Country both as stated in the additional declaration hereon and otherwise.

Fumigation or disinfection treatment (if required by importing Country)

Date ..... Treatment .....

Duration of exposure ..... Chemical and concentration.....

### ADDITIONAL DECLARATION

.....19 ....

.....(Signature)

.....(Rank)

(Stamp of the Service)

### DESCRIPTION OF THE CONSIGNMENT:

Name and address of Exporter .....

Name and address of Consignee .....

Number and description of package .....

Distinguishing marks .....

Origin (if required by importing Country) .....

Means of conveyance .....

Point of entry .....

Quantity and name of produce .....

Botanical name (if required by importing Country) .....

No liability shall attach to .....or to any officer or representative of the Ministry with respect to this Certificate.

# Permit to Import Planting Material

(NOT OTHERWISE PROHIBITED)

The Plant Protection Ordinance, 1947

I hereby certify that.....  
of ..... is  
granted permission by the Chief Agricultural Officer to import the undermentioned  
articles into the State of Grenada, provided that:—

- (a) Such planting material is neither growing in nor accompanied by soil.
- (b) Such planting material is accompanied by a phytosanitary certificate issued by a duly authorised person in the Country of origin.
- (c) Such planting materials, on entering the State, be examined by a Plant Protection Officer before delivery to the owner or consignee thereof.

.....  
.....  
.....  
.....  
.....

.....  
*Plant Protection Officer, Ministry of Agriculture,  
Forestry and Fisheries, GRENADA*

Date:.....

Ref. No. \_\_\_\_\_  
 In replying the above  
 Number and date of this  
 letter should be quoted.



MINISTRY OF AGRICULTURE, LANDS,  
 FORESTRY AND FISHERIES,  
 ST. GEORGE'S,  
 GRENADA, W.I.

DATE:.....

SHIP INSPECTION REPORT

Vessel: (Flag Name) ..... Nationality ..... Shipping Agent:.....  
 Proceeding From: ..... Via ..... Destination: .....  
 Arrived at Wharf: ..... Boarded in Steam: .....  
 Inspection Began: ..... Inspection Completed: .....

LOCATION	COMMODITY	ORIGIN	DISPOSITION
In refrigerator or dry stores			
CARGO			

Inspections	Condition of Garbage	Remarks
- Dry Stores	- Covered	
- Pantry	- Uncovered	
- Garbage	- Sorted	
	- Unsorted	

Safeguard Notice:

Except by provision of law agricultural seals should not be broken while ship is in territorial waters of Grenada. Unless approval for discharge is granted by a Plant Quarantine Inspector, the following items should remain on Board:

- Fruits, vegetables, plant and animal products and by-products
- Live plants that furnish the ship

I fully understand the safeguard notice prescribed above .....  
 Signature (Ship's Officer)

ANNEX N

ST. VINCENT and GRENADA QUARANTINE OPERATIONS MANUALS

## Grenada

## PLANT IMPORT SCHEDULE - 1993

COMMODITY	DECISION/STATUS	CONDITION/REASON
ALL PLANTING MATERIAL	MUST CHECK WITH PEST MANAGEMENT UNIT	
APPLE	PERMIT EXCEPT FROM FRUIT FLY INFESTED AREAS	PHYTOSANITARY CERTIFICATE/ INSPECTION
ARROWROOT (SOIL FREE)	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
ARTICHOKE (JERUSALEM)	PERMIT	PHYTOSANITARY CERTIFICATE INSPECTION
AVOCADO A) FRUITS B) PLANTING MATERIAL	PROHIBITED	EXCLUSION OF FRUIT FLIES AND SEED WEEVIL
BANANA/PLANTAIN	PROHIBITED	EXCLUSION OF FRUIT FLIES, FRUIT SCARRING BEETLES FUNGAL DISEASES, AND VECTORS OF VIRAL DISEASES
BEANS	PROHIBITED	EXCLUSION OF SPOTTED WILT VIRUS
BET	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
BREAD FRUIT A) FRUITS B) PLANTS	PROHIBITED	EXCLUSION OF FRUIT FLIES AND FUNGAL DISEASES
BREADNUT	PROHIBITED	EXCLUSION OF FRUIT FLIES AND FUNGAL DISEASES

COMMODITY	DECISION STATUS	CONDITION/REMARKS
BROCCOLI (FROZEN)	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
CABBAGE	PROHIBITED	EXCLUSION OF BUDWORMS
CARROTS	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
CASSAVA A) PLANTS B) TUBERS	PROHIBITED PERMIT	WHITE FLY EXCLUSION (PC) INSPECTION
CAULIFLOWER	PERMIT EXCEPT: EUROPE	PHYTOSANITARY CERTIFICATE/ INSPECTION
CELERY	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION EXCLUSION OF CABBAGE LEAF MINER
CINNAMON (BARK)	NO PERMIT REQUIRED	PHYTOSANITARY CERTIFICATE/ INSPECTION
CITRUS	PROHIBITED EXCEPT: ST. VINCENT	PHYTOSANITARY CERTIFICATE/ INSPECTION EXCLUSION OF FRUIT FLY
CHRISTMAS TREES (PINE)	RESTRICTED	EXCLUSION OF PESTS OF CHRISTMAS TREES
COCOA A) SEEDS B) PLANTING MATERIALS	PROHIBITED	PHYTOSANITARY CERTIFICATE/ INSPECTION EXCLUSION OF VIRAL DISEASES OF COCOA

COMMODITY	DECISION/STATUS	CONDITION/REMARKS
COCONUT A) PLANTS B) SEEDS	PROHIBITED PROHIBITED	EXCLUSION OF VIRAL DISEASES OF COCONUT
COFFEE A) SEEDS B) PLANTS	PROHIBITED PROHIBITED	EXCLUSION OF COFFEE LEAF RUST & BERRY BORER & FRUIT FLIES
CUCUMBER	PROHIBITED	EXCLUSION OF PICKE WORM & FRUIT FLIES
CORN A) SEEDS B) FROZEN (ON COB)	PERMIT PERMIT	PHYTOSANITARY CERTIFICATE/INSPECTION
CUSTARD APPLE	PROHIBITED	EXCLUSION OF FRUIT FLIES & INTERNAL FEEDERS
ANTHURIUMS	PROHIBITED FROM AREAS WITH BACTERIAL BLIGHT	EXCLUSION OF BACTERIAL BLIGHT
GINGER LILY HELICONIA	PROHIBITED	EXCLUSION OF DANGEROUS PESTS AN DISEASE- WILT
ORCHIDS	PROHIBITED FROM COUNTRIES WITH <u>THRIPS PALMI</u>	
ALL OTHER CUT FLOWERS	PERMIT	PHYTOSANITARY CERTIFICATE/INSPECTION
EGG PLANTS	PROHIBITED	EXCLUSION OF FRUIT FLIES
GARLIC	PERMIT	PHYTOSANITARY CERTIFICATE/INSPECTION
GINGER ROOT	PROHIBITED	EXCLUSION OF WILT AND OTHER DISEASES
GRANADILLA (GIANT)	PROHIBITED EXCEPT ST.VINCENT	EXCLUSION OF FRUIT FLIES

COMMODITY	DECISION/STATUS	CONDITION/REMARKS
GRAPES	PROHIBITED FROM FRUIT FLY INFESTED AREAS	PHYTOSANITARY CERTIFICATE/ INSPECTION
GUAVA	PROHIBITED EXCEPT ST. VINCENT	EXCLUSION OF FRUIT FLIES
HERBS (DRIED)	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
KIWI	PROHIBITED FROM FRUIT FLY AREAS	EXCLUSION OF FRUIT FLIES
LEMON	PROHIBITED EXCEPT: ST. VINCENT	EXCLUSION OF FRUIT FLIES
LETTUCE	PERMIT EXCEPT: USA, JAMAICA, EUROPE, & SOUTH AMERICA	PHYTOSANITARY CERTIFICATE/ INSPECTION EXCLUSION OF SPOTTED WILT VIRUS
LIME	PROHIBITED EXCEPT: ST. VINCENT & THE GRENADINES	EXCLUSION OF FRUIT FLIES
MELON A) WATERMELON B) MUSKMELON	PROHIBITED PROHIBITED	EXCLUSION OF FRUIT FLIES, PALM THRIPS & PICKLE WORM
MANGO	PROHIBITED EXCEPT: ST. VINCENT	EXCLUSION OF FRUIT FLIES
MANGOSTEEN	PROHIBITED	EXCLUSION OF FRUIT FLIES
MUSHROOM	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
OKRA	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION

COMMODITY	DECISION/STATUS	CONDITION/REMARKS
POTATO (SOIL FREE)  A) WHITE  B) SWEET	PERMIT   PROHIBITED	PHYTOSANITARY CERTIFICATE/ INSPECTION  EXCLUSION OF SWEET POTATO STEM BORER
PUMPKIN	PROHIBITED	EXCLUSION OF FRUIT FLIES/THRIPS AND WHITE FLIES
RADISH (SOIL FREE)	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
SAPODILLA	PROHIBITED	EXCLUSION OF FRUIT FLIES AND INTERNAL FEEDERS
SEEDS (FOR CONSUMPTION)	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
SORREL (DRIED)	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
SOURSOP	PROHIBITED	PHYTOSANITARY CERTIFICATE/ INSPECTION EXCLUSION OF FRUIT FLIES
SPINACH	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION

COMMODITY	DECISION STATUS	CONDITION/REMARKS
ONION	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
PAPAYA	PROHIBITED EXCEPT: ST. VINCENT & THE GRENADINES	PHYTOSANITARY CERTIFICATE/ INSPECTION EXCLUSION OF FRUIT FLIES
PARSLEY	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
PASSION FRUIT	PROHIBITED EXCEPT: ST. VINCENT	EXCLUSION OF FRUIT FLIES
PEANUTS	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
PEARS	PERMIT ONLY FROM FRUIT FLY FREE AREAS	PHYTOSANITARY CERTIFICATE/ INSPECTION
PEPPER A) SWEET/BELL B) HOT C) SEASONING	PROHIBITED	EXCLUSION OF VIRAL, DISEASES
PIGEON PEA A) UNSHELLED B) SHELLED	PROHIBITED PERMIT	EXCLUSION OF PEST ON PIGEON PEAS PHYTOSANITARY CERTIFICATE/ INSPECTION
PINEAPPLE A) PLANTS B) FRUITS	PROHIBITED EXCEPT: ST. VINCENT	PHYTOSANITARY CERTIFICATE/ INSPECTION EXCLUSION OF FRUIT FLIES

COMMODITY	DECISION/STATUS	CONDITION/REMARKS
SUGAR CANE	PROHIBITED	EXCLUSION OF VIRAL DISEASES OF SUGAR CANE
SQUASH	PROHIBITED	EXCLUSION OF FRUIT FLIES AND PALM THRIPE
STAR APPLE	PROHIBITED EXCEPT: FROM ST. VINCENT	EXCLUSION OF FRUIT FLIES
THYME	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
TOMATO (FRUIT)	PROHIBITED	EXCLUSION OF FRUIT FLIES
WATERCRESS	PERMIT	PHYTOSANITARY CERTIFICATE/ INSPECTION
YAMS TANNIAS DASHEEN	PROHIBITED	PHYTOSANITARY CERTIFICATE/ INSPECTION EXCLUSION OF NEMATODES, VIRAL & FUNGAL DISEASES

MINISTRY OF AGRICULTURE - QUARANTINE SERVICEINTRODUCTION:

St. Vincent and the Grenadines continue to enjoy a relatively high level of Agricultural productivity. There are relatively few pests/diseases of quarantine importance in these islands.

It is our objective to retain this status for as long as possible. Agriculture is a serious and important business for us. We will urge our national<sup>ts</sup> and non-nationals alike to try to assist us in maintaining this enviable position.

If you obtain all your agricultural needs from within these islands the chances of introducing exotic pests will be greatly minimized.

However, the Ministry of Agriculture is aware that some agricultural products may have to be imported. The following list is to serve as a guide in making decisions concerning agricultural products coming into the country.

It is very important to note that the Ministry, through its Animal Health and Production and Plant Protection Units remains the only authoritative source of information with regards to Quarantine requirements. Kindly address your inquiries to them (Phone 61111 Ext 312 or 326 or 71283).

AGRICULTURE IS OUR BUSINESS  
LET US ALL PROTECT IT

LIST OF PLANT/PLANT PRODUCTS

<u>COMMODITY</u>	<u>ORIGIN</u>	<u>ACTION TO BE TAKEN</u>
1. BANANA & BANANA SP	All countries	All fruits and planting materials and prohibited. Destroy by burning.
2. COCONUTS & PALM FAMILY	All countries	Live plants and coirs as a rooting medium are prohibited. Whole dehusked nuts maybe allowed in with permit. No copra. Destroy confiscated materials by incineration.
3. FRUITS: a) Mangoes	All countries except Grenada	Prohibit. Certificate of origin and phytosanitary certificate are required for G'da. Live plants require permit.
b) Citrus - eg. oranges and grapefruit	All countries except Grenada	Fresh fruits are prohibited except where certification can clearly show treatment to eradicate fruit flies and there is the absence of citrus canker in country of origin.

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c) Avocado	All countries outside Caricom	Prohibit
d) Pawpaw/Papaya	All countries	Prohibit
e) Guavas	All countries except Grenada	Prohibit
f) Sabodillas/Star Apple/Star Apples	All countries except Grenada	Prohibit
g) Melons	Puerto Rico. T'dad, Jamaica	Prohibit
h) Pineapples	All countries	Prohibit all planting materials. Permit required for commercial quantities and planting materials. Tops of fruits must be taken off and retained for inspection.
i) Apples →	All countries except where grown in UK, C'da. Nothern USA eg. Oregon, Washington State, Michigan.	Prohibit. Permit required for commercial quantities

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j) Pears	All countries except UK, C'da. Northern USA as for apples.	Prohibit. Permit required for commercial quantities. Inspection.
k) Grapes	All countries	Inspection and release.
4. AROIDS eg tannias, eddoes	All countries	Prohibit
5. YAMS	All countries	Allow only by permit.
6. SWEET POTATOES	All countries	Tubers & Vines prohibited.
7. WHITE POTATOES	All countries	Allow only for consumption from areas free of Golden nematode. <u>Heterodera rostochiensis</u> . Soil free. certificate & inspection needed.
8. PEANUTS	All countries	Allow only shelled or processed peanuts for consumption only. Planting seeds require permit.
9. COCOA	All countries	All only roasted seeds.



ANNEX 0

PHYTOSANITARY SUMMARY

A SUMMARY OF THE PLANT QUARANTINE IMPORT REQUIREMENTS OF  
THE DOMINICAN REPUBLIC\*

The approved name for the Dominican Republic is the Dominican Republic.

This summary supersedes the following documents: summary dated 10/86-01 and all related updates.

## Restrictions

Disclaimer--The information in this summary is believed to be correct and current at the time of publication. Nevertheless, this information is not legally authoritative.

Each summary has three main sections: General Information, Product Requirements, and Subsidiary and Nonphytosanitary Information. The sections primarily identify those import requirements for United States origin plants and plant products.

General  
Information

The first part of the General Information section is a list of terms and abbreviations that are used to describe the import requirements that apply to plants and plant products listed in this summary. The second part of this section is a table of general restrictions, requirements, and prohibitions that apply to all products or large classes of products. Here broad information is listed for plants and plant products from all countries of origin.

Product  
Requirements

All the plants and plant products that the Dominican Republic identified as having special entry requirements are listed in the Product Requirements section. Within this section, the information specifies only those requirements pertaining to plants and plant products originating in the United States.

Subsidiary and  
Nonphytosanitary  
Information

This section contains subsidiary information not directly related to the phytosanitary certification of plants and plant products. This information is only beneficial to exporters and importers.

\*Prepared by the United States Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine, Federal Building, Hyattsville, Maryland 20782.

Throughout the summaries the following two symbols are used: 1) The asterisk (\*) highlights those pests that are not known to occur in the contiguous, continental 48 States (they may or may not be present in Alaska, Hawaii, or Puerto Rico), and 2) The plus sign (+) highlights those pests uncertain to occur in the United States.

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GENERAL INFORMATION  
Definitions of Terms and Coded Abbreviations

AD--Initials that represent additional declaration. AD's are statements required by the Dominican Republic which further describe the exported product. These statements are written at the bottom of the phytosanitary certificate (PC) in a designated area, and should be held to a minimum. Only write an AD on the certificate when it is listed in the summary as a requirement.

Bulb--A term loosely applied to any plant with a swollen or thickened storage organ from which the stalk grows up and roots grow down. This definition includes corms, tubers, rhizomes, and tuberous roots.

Coniferous (evergreens)--A group of woody plants that bears woody cones containing naked seeds.

Cut flowers--Cut portion of a plant which is highly perishable, with or without foliage or bloom, and other parts of the plant attached to the cut portion used for decorating. This plant form does not cover parts for planting or propagation.

Dominican Republic--The eastern two-thirds of Hispaniola Island that is located in the West Indies.

Forms of plants and plant products--In this summary the entry requirements for plants and plant products are organized by the scientific name of the plant, which is then divided into the forms of the plant. These forms may or may not be restricted. The forms of a plant are listed below and are independently defined in this section.

- Cut flowers
- Flower bulbs and tubers
- Fruit and vegetables
- Herbaceous plants
- Seeds
- Wood
- Woody plants

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Herbaceous plants--Whole, herbaceous (characteristic of an herb as distinguished from a woody plant) plants and parts (cuttings, grafts, living roots) used for planting or propagation. This plant form does not cover cut flowers, parts of plants used for decorating, flower bulbs or tubers, fruit, or seeds.

IP--Initials that represent import permit. An IP is special authorization granted by the Plant Protection Service of the Dominican Republic. IP's are required to enter all plants and plant products. The IP's will state the port where the plants and plant products must enter the Dominican Republic. IP's must be requested by the importer to the Ministry of Agriculture (see Subsidiary and Nonphytosanitary Information for the address).

Packing material--Substance that plants or plant products are wrapped and stored in.

PC--Initials that represent phytosanitary certificate. A PC is a form conforming to the model adopted by the International Plant Protection Convention, Rome, 1951 (as amended 1979). This certificate must be a Federal Phytosanitary Certificate.

Plant products--Unmanufactured, unprocessed, or milled material of plant origin which may contribute to the spread of plant pests or pathogens.

Plants--Living plants and parts thereof, including seeds.

Prohibited--Plants and plant products not allowed to enter the Dominican Republic. Note that the Ministry of Agriculture can authorize the entry of these prohibited commodities under an IP.

Seeds--All seeds (the ripened ovule, enclosing a rudimentary plant and food necessary for its germination) intended for planting. Seeds not intended for planting are excluded from this definition.

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Wood--Wood which retains all or part of its natural, round surface, with or without bark.

Woody plants--Whole, woody plants (characterized by the presence of wood or xylem) and parts (cuttings and grafts) for planting or propagation. This form does not include cut flowers, parts of plants for decorating, flower bulbs or tubers, fruit, or seeds.

GENERAL INFORMATION  
Table of General Restrictions, Requirements, and  
Prohibitions

---

A. Unrestricted products

There are no unrestricted plants or plant products. All personal and/or commercial shipments entering must be accompanied by a certificate of fumigation or PC, and an IP.

---

B. Prohibited products

<u>Product Form and Plant Name</u>	<u>Country of Origin</u>
1. Plants and plant products infested with any living stage of <u>Trogoderma</u> spp. (dermestid beetles)	All countries NOTE: Shipments found infested with <u>Trogoderma</u> spp. are denied entry until treatment is conducted.
2. Plants containing heroic (powerful) drugs, or that can be used to obtain these drugs.	All countries
3. Cut flowers:	
Orchidaceae	Hawaii and all countries where <u>Ceratitidis capitata*</u> (Mediterranean fruit fly) is known to occur.

4. Fruit and vegetables:

Host fruit of Ceratitis capitata (Mediterranean fruit fly) from the continental U.S.A.

Fruit originating in any United States Department of Agriculture (USDA) Mediterranean fruit fly regulated area.

Actinidia chinensis (kiwi)

Capsicum frutescens

(annuum) (pepper)

Carica papaya (papaya)

Carissa macrocarpa (natal plum)

Casimiroa edulis (white sapote)

Citrus aurantiifolia (lime, sweet)

C. aurantium (sour orange)

C. grandis (pummelo)

C. limon (lemon)

C. medica (citrus citron)

C. paradisi (grapefruit)

C. reticulata (mandarin

orange, tangerine)

C. reticulata x. fortunella

(orange, calamondin)

C. reticulata x. sinensis

(orange, king)

Citrus reticulata var. unshu

(orange, unshu)

C. sinensis (orange, sweet)

Cydonia oblonga (quince)

Diospyros kaki (Japanese

persimmon)

Eriobotrya japonica (loquat)

Eugenia dombeyi

(brasiliensis) (Spanish

cherry (Brazilian plum)

E. jambos (rose apple)

E. uniflora (surinam

cherry)

Dominican Republic  
Prohibited Products

General Information  
Prohibited Products

Feijoa sellowiana (pineapple  
guava)  
Ficus carica (fig)  
Fortunella japonica (kumquat,  
Chinese orange)  
Fragaria spp. (strawberry)  
Juglans spp. (walnut with  
husk)  
Lycopersicon lycopersicum  
(tomato, pink and red ripe)  
Malus sylvestris (apple)  
Mangifera indica (mango)  
Manikara zapota (sapodilla,  
white sapodilla)  
Murraya exotica (mock orange)  
Olea europea (olive)  
Opuntia spp. (optunia cactus)  
Persea americana (avocado)  
Phoenix dactylifera (date)  
Prunus americana (plum)  
P. armeniaca (apricot)  
P. avium (cerasus) (cherries,  
sweet and sour)  
P. domestica (prune)  
P. dulcis (amygdalus) (almond  
with husk)  
Prunus persica (peach)  
P. persica var. nectarina  
(nectarine)  
P. salicina (Japanese plum)  
Psidium cattleianum  
(strawberry guava)  
P. guajava (guava)  
P. guajava (Pomiferum)  
(pomiform guajava)  
Punica granatum (pomegranate)  
Pyrus communis (pear)  
Syzigium malaccense (Eugenia  
malaccensis) (mountain  
apple)  
Terminalia cherbula (black  
myrobalan)

Thevetia peruviana (yellow  
oleander)  
Vitis spp. (grape)

Host fruit of Dacus dorsalis  
(oriental fruit fly) from  
the continental U.S.A.

Fruit originating in any USDA  
oriental fruit fly regulated area.

Anacardium occidentale  
(cashew)

Annona cherimola (cherimoya)

A. muricata (soursop)

A. reticulata (custard  
apple)

Any fruit, nuts, vegetables,  
or berries that are canned or  
dried or frozen

Artocarpus altilis  
(breadfruit)

A. heterophyllus (jackfruit)

Averrhoa carambola  
(starfruit)

Calophyllum inophyllum  
(Indian laurel, kamani)

Cananga odorata  
(ylang-ylang)

Capsicum annuum (bell  
pepper, Chile pepper)

Capsicum frutescens var.  
grossum (sweet pepper)

C. frutescens (abbreviatum)  
(oriental bush red pepper)

Carica papaya (papaya)

Carissa macrocarpa (Natal  
plum)

Casimiroa edulis (white  
sapote)

Cereus coerulescens (tuna,  
cactus)

Chrysophyllum cainito (star  
apple)

C. oliviforme (satinleaf)

Citrus aurantiifolia (lime, sweet)  
C. aurantifolia (Key, Mexican, or Persian lime)  
C. aurantium (sour orange)  
C. grandis (pummelo)  
C. limetioides (sweet lime)  
C. limon (lemon)  
C. paradisi (grapefruit)  
C. reticulata (mandarin orange, tangerine)  
C. reticulata x. fortunella (orange, calamondin)  
C. reticulata x. sinensis (king orange)  
C. reticulata var. unshu (Unshu orange)  
C. sinensis (sweet orange)  
Clausena lansium (wampi)  
Coccoloba uvifera (seagrape)  
Coffea arabica (Arabian coffee)  
Cucumis sativas (cucumber)  
Cydonia oblonga (quince)  
Diospyros discolor (velvet apple)  
D. kaki (Japanese persimmon)  
Dovyalis hebecarpa (ketembilla)  
Dracaena draco (dragon tree)  
Eriobotrya japonica (loquat)  
Eugenia brasiliensis (grumichama)  
E. jambos (rose apple)  
E. malaccensis (malay apple)  
E. uniflora (Surinam cherry)  
Euphoria longan (longan)  
Feijoa sellowiana (pineapple guava)  
Ficus carica (fig)

General Information  
Prohibited Products

Dominican Republic  
Prohibited Products

Fortunella japonica (kumquat,  
Chinese orange)  
Garcinia dulcis (gourka)  
G. mangostana (mangosteen)  
Jubaea spectabilis (coquito  
palm)  
Juglans hindsii (walnut)  
J. regia (English walnut)  
Lychee chinensis (lychee  
nut)  
Lycopersicon lycopersicum  
(tomato, pink and red ripe)  
Malpighia glabra (Barbados  
cherry, West Indian cherry)  
Malus sylvestris (apple)  
Mammea americana (mamme  
apple)  
Mangifera indica (mango)  
Manikara zapota (sapodilla,  
chiku sapodilla)  
Mimusops elengi (Spanish  
cherry)  
Morus nigra (black mulberry)  
Murraya exotica (mock orange)  
Musa nana (dwarf banana)  
M. paradisiaca var.  
paradisiaca (banana)  
Opuntia megacantha  
(pricklypear)  
Passiflora edulis  
(passionflower, yellow  
lilikoi, passionfruit)  
P. ligularis (sweet  
granadilla)  
P. mollissima (softleaf  
passion-flower)  
Persea americana (avocado)  
Phoenix dactylifera (date)  
Pouteria campechiana  
(canistel)

Prunus americana (plum)  
P. armeniaca (apricot)  
P. domestica (prune)  
P. ilicifolia (Catalina  
cherry)  
P. lusitanica (Portuguese  
cherry)  
P. persica (peach)  
P. persica var. nectarina  
(nectarine)  
Psidium guajava (guava)  
Punica granatum (pomegranate)  
Pyrus communis (pear)  
Rhodomyrtus tomentosa (downy  
rose myrtle)  
Sandoricum koetjape (santol)  
Santalum album (white  
sandalwood)  
S. paniculatum (sandalwood)  
Solanum muricatum (pepino)  
S. pseudocapsicum (Jerusalem  
cherry)  
Spondias dulcis (Otaheite  
apple)  
S. tuberosa (imbu)  
Terminalia catappa (tropical  
almond)  
T. chebula (myrobalan)  
Thevetia peruviana (yellow  
oleander)  
Vitis spp. (grape)  
Wickstroemia phyllyraefolia  
(akia)

---

5. Herbaceous plants:

Orchidaceae

Hawaii and all countries where  
Ceratitidis capitata\* (Mediterranean  
fruit fly) is known to occur.

---

6. Woody plants:

Coniferae (evergreens)  
(alive or dead)

All countries

---

C. Restricted products

1. All plants and plant products:

All plants and plant products including herbaceous plants, woody plants, wood (logs and lumber), seeds, fruit and vegetables, cut flowers, and flower bulbs and tubers, and excluding those that are prohibited and those specifically mentioned in the Product Requirements section of this summary

An IP is required for the plants and plant products, and they must be accompanied by a PC, must be free from obvious insect infestation and symptoms of disease, soil, and sawdust; and are subject to being grown in quarantine upon arrival.

---

2. Fruit and vegetables:

Host fruit of Ceratitidis capitata (Mediterranean fruit fly) from the continental U.S.A.

Actinidia chinensis (kiwi)

Capsicum frutescens

(annuum) (pepper)

Carica papaya (papaya)

PC and IP are required. Fruit must have originated outside an area regulated by the USDA for the Mediterranean fruit fly. If the fruit transits an area regulated by the USDA for the Medfly, the fruit must be in closed or covered containers.

Carissa macrocarpa (natal plum)  
Casimiroa edulis (white sapote)  
Citrus aurantiifolia (lime, sweet)  
Citrus aurantium (sour orange)  
C. grandis (pummelo)  
C. limon (lemon)  
C. medica (citrus citron)  
C. paradisi (grapefruit)  
C. reticulata (mandarin orange, tangerine)  
C. reticulata x. fortunella (orange, calamondin)  
C. reticulata x. sinensis (orange, king)  
C. reticulata var. unshu (orange, unshu)  
C. sinensis (orange, sweet)  
Cydonia oblonga (quince)  
Diospyros kaki (Japanese persimmon)  
Eriobotrya japonica (loquat)  
Eugenia dombeyi (brasiliensis) (Spanish cherry (Brazilian plum))  
E. jambos (rose apple)  
Eugenia uniflora (surinam cherry)  
Feijoa sellowiana (pineapple guava)  
Ficus carica (fig)  
Fortunella japonica (kumquat, Chinese orange)  
Fragaria spp. (strawberry)  
Juglans spp. (walnut with husk)  
Lycopersicon lycopersicum (tomato, pink and red ripe)  
Malus sylvestris (apple)

AD that, "The product(s) in this shipment originated in an area not regulated for harmful species of fruit flies."

Mangifera indica (mango)  
Murraya exotica (mock orange)  
Olea europea (olive)  
Opuntia spp. (tuna, Indian  
fig, optunia cactus)  
Persea americana (avocado)  
Phoenix dactylifera (date)  
Prunus americana (plum)  
P. armeniaca (apricot)  
P. avium (cerasus) (cherries,  
sweet and sour)  
P. domestica (prune)  
P. dulcis (amygdalus) (almond  
with husk)  
P. persica (peach)  
P. persica var. nectarina  
(nectarine)  
P. salicina (Japanese plum)  
Psidium cattleianum (strawberry  
guava)  
P. guajava (guava)  
P. guajava (Pomiferum)  
(pomiform guajava)  
Punica granatum (pomegranate)  
Pyrus communis (pear)  
Syzigium malaccense (Eugenia  
malaccensis) (mountain apple)  
Terminalia cherbula (black  
myrobalan)  
Thevetia peruviana (yellow  
oleander)  
Vitis spp. (grape)

Host fruit of Dacus dorsalis  
(oriental fruit fly) from the  
continental U.S.A.

Anacardium occidentale (cashew)  
Annona cherimola (cherimoya)  
A. muricata (soursop)

PC is required. Fruit must have  
originated outside an area  
regulated by the USDA for the  
oriental fruit fly. If the fruit  
transits an area regulated by the  
USDA for the oriental fruit fly,

Annona reticulata (custard  
(apple)  
Any fruit, nuts, vegetables,  
or berries that are canned or  
dried or frozen  
Artocarpus altilis (breadfruit)  
A. heterophyllus (jackfruit)  
Averrhoa carambola (starfruit)  
Calophyllum inophyllum (Indian  
laurel, kamani)  
Cananga odorata (ylang-ylang)  
Capsicum annuum (bell pepper,  
Chile pepper)  
Capsicum frutescens var. grossum  
(sweet pepper)  
C. frutescens (abbreviatum)  
(oriental bush red pepper)  
Carica papaya (papaya)  
Carissa macrocarpa (Natal  
plum)  
Casimiroa edulis (white  
sapote)  
Cereus coerulescens (tuna, cactus)  
Chrysophyllum cainito (star  
apple)  
C. oliviforme (satinleaf)  
Citrus aurantiifolia (lime,  
sweet)  
C. aurantifolia (Key, Mexican, or  
Persian lime)  
C. aurantium (sour orange)  
C. grandis (pummelo)  
C. limetioides (sweet lime)  
C. limon (lemon)  
C. paradisi (grapefruit)  
C. reticulata (mandarin  
orange, tangerine)  
C. reticulata x. fortunella  
(orange, calamondin)

the fruit must be in closed or  
covered containers.

AD that, "The product(s) in this  
shipment originated in an area not  
regulated for harmful species of  
fruit flies."

Citrus reticulata x. sinensis  
(king orange)  
C. reticulata var. unshu  
(Unshu orange)  
C. sinensis (sweet orange)  
Clausena lansium (wampi)  
Coccoloba uvifera (seagrape)  
Coffea arabica (Arabian coffee)  
Cucumis sativas (cucumber)  
Cydonia oblonga (quince)  
Diospyros discolor (velvet apple)  
D. kaki (Japanese persimmon)  
Dovyalis hebecarpa (ketembilla)  
Dracaena draco (dragon tree)  
Eriobotrya japonica (loquat)  
Eugenia brasiliensis  
(grumichama)  
E. jambos (rose apple)  
E. malaccensis (malay apple)  
E. uniflora (surinam  
cherry)  
Euphoria longan (longan)  
Feijoa sellowiana (pineapple  
guava)  
Ficus carica (fig)  
Fortunella japonica (kumquat,  
Chinese orange)  
Garcinia dulcis (gourka)  
G. mangostana (mangosteen)  
Jubaea spectabilis (coquito palm)  
Juglans hindsii (walnut)  
J. regia (English walnut)  
Lychee chinensis (lychee nut)  
Lycopersicon lycopersicum  
(tomato, pink and red ripe)  
Malpighia glabra (Barbados  
cherry, West Indian cherry)  
Malus sylvestris (apple)  
Mammea americana (mamme apple)  
Mangifera indica (mango)  
Manikara zapota (sapodilla,  
chiku sapodilla)

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Mimusops elengi (Spanish  
cherry)  
Morus nigra (black mulberry)  
Murraya exotica (mock orange)  
Musa nana (dwarf banana)  
M. paradisiaca var.  
paradisiaca (banana)  
Passiflora edulis (passionflower,  
yellow lilikoi, passionfruit)  
P. ligularis (sweet granadilla)  
P. mollissima (softleaf passion-  
flower)  
Persea americana (avocado)  
Phoenix dactylifera (date)  
Pouteria campechiana (canistel)  
Prunus americana (plum)  
P. armeniaca (apricot)  
P. domestica (prune)  
P. ilicifolia (Catalina cherry)  
P. lusitanica (Portuguese cherry)  
P. persica (peach)  
P. persica var. nectarina  
(nectarine)  
Psidium guajava (guava)  
Punica granatum (pomegranate)  
Pyrus communis (pear)  
Rhodomyrtus tomentosa (downy  
rose myrtle)  
Sandoricum koetjape (santol)  
Santalum album (white sandalwood)  
S. paniculatum (sandalwood)  
Solanum muricatum (pepino)  
S. pseudocapsicum (Jerusalem  
cherry)  
Spondias dulcis (Otaheite apple)  
S. tuberosa (imbu)  
Terminalia catappa (tropical  
almond)  
T. chebula (myrobalan)

Thevetia peruviana (yellow  
oleander)  
Vitis spp. (grape)  
Wickstromeia phyllyraefolia  
(akia)

---

D. Packing material and soil

Plants and plant products permitted for importation must be clean and free from soil, sawdust, and foreign materials. Previously disinfected moss is acceptable as packing material.

---

E. Points of entry

The IP will state the specific port where the plants or plant products are to enter the Dominican Republic.

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PRODUCT REQUIREMENTS

Plants and  
Plant Products

Entry Requirements

COFFEA arabica (Coffee)  
plants and plant parts  
including seeds for  
propagation

PC and IP are required. Plants and plant parts must be free from obvious insect infestation, symptoms of disease, soil, and sawdust. Are subject to being grown in quarantine or fumigated upon arrival. Must come from an experiment station or federally inspected agricultural industry. AD that, "The (plant part) has (have) been cultivated under the vigilance of the Department of Agriculture, and grown and developed free of diseases and pests."

--berries

Berries are prohibited if originating in an area regulated by the USDA for the oriental fruit fly.

Berries must have originated outside of an area regulated by the USDA for the oriental fruit fly. AD that, "The product(s) in this shipment originated in an area not regulated for harmful species of fruit flies."

If the berries transited an area regulated for the oriental fruit fly, those berries must have been in closed or covered containers.

---

CONIFERAE

seeds for propagation

PC and IP are required. The seeds must be free from obvious insect infestation, symptoms of disease, soil, and sawdust, and must be in good health. The seeds are subject to fumigation when they arrive in the Dominican Republic.

---

wood (logs and lumber)

PC and IP are required. Wood must be free from obvious insect infestation, symptoms of disease, soil, and sawdust. Are subject to fumigation upon arrival.

---

ZEA mays (Corn)

plants and plant parts  
including seeds for  
propagation

PC and IP are required. Plants and plant parts must be free from obvious insect infestation, symptoms of disease, soil, and sawdust. Plants and plant products are subject to being grown in quarantine or fumigated upon arrival and must come from an experiment station or federally inspected agricultural industry. AD that, "The (plant part) has (have) been cultivated under the vigilance of the Department of Agriculture, and grown and developed free of diseases and pests."

---

## SUBSIDIARY AND NONPHYTOSANITARY INFORMATION

## Request for IP's

An application for an IP must contain the following information:

- |                               |                                  |
|-------------------------------|----------------------------------|
| a. Name of importer           | e. Name of commodity             |
| b. Name of exporter           | f. Value                         |
| c. Port and country of export | g. Port of entry                 |
| d. Quantity                   | h. Intended use of the commodity |

Information about applying for IP's and importing plants or plant products into the Dominican Republic may be obtained from:

Director General  
Direiccion General de Foresta  
Central De Los Heroes  
Santa Domingo, Dominican Republic

All plants and plant products imported into the Dominican Republic in violation of their regulations will be confiscated, disinfected, and destroyed.

When importing cacao, coffee, corn, plantain, rice, sugarcane, and tobacco plants, the importer must notify the Dominican Republic Department of Agriculture of the place where the importer will plant the material and report regularly the plants' state of health and development. The Dominican Republic Department of Agriculture watches over such plants and orders their destruction when necessary.

Planes or ships destined to the Dominican Republic must stop the distributing of fruit or vegetables to passengers five miles before they reach their destination. All types of vegetable waste must be placed in hermetically sealed containers for delivery to phytosanitary officials at the port of arrival for disinfection and destruction.

The Dominican Republic Department of Agriculture has the authority to require fumigation of ships or planes coming from certain countries that are considered sources of insects and diseases harmful to the agriculture. Required fumigations must take place 7 miles away from the Dominican port of destination.

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ANNEX P

ST.VINCENT SIGNIFICANT PESTS

ST. VINCENT: PESTS OF ECONOMIC SIGNIFICANCE.

CROP	ENGLISH NAME	LATIN NAME
Banana	Banana Weevil	<u>Cosmopolites sordidus</u> (Germ.)
	Thrips	<u>Echinothrips mexicanus</u> Moulton.
	Brown Rat	<u>Rattus norvegicus</u> (Berkenhout)
	Black Rat	<u>Rattus rattus</u> L.
Coconut	Whitefly	<u>Aleurodicus cocois</u>
	Coconut Scale	<u>Aspidiotus destructor</u>
	Coconut Mite	<u>Eriophyes guerreronis</u> Keifer
	Nipa Mealybug	<u>Nipaecoccus nipae</u> (Mask)
	beneficial — Ladybird Beetle	<sup>♂</sup> <u>Pseudozaya trinitatis</u> (Marshall)
	Palm Weevil	<u>Rhynchophorus palmarum</u> (L.)
	Star Scale	<u>Vinsonia stellifera</u> (Westwood)
Cocoa	Ambrosia beetle	<u>Xyl<sup>e</sup>borus</u> spp.
	Red-Banded Thrips	<u>Selenothrips rubrocinctus</u> (Giard)
	Lamelicorn Beetle (white grub adult)	<sup>1</sup> <del>Lachnosterna</del> <u>Phyllophaga patens</u> Arrow
Coffee	Akee Fringed Scale	<u>Asterolecanium pustulans</u> (Cockerell)
	Soft Green Scale	<u>Coccus viridis</u> (Green)
	White Coffee Leaf Miner	<u>Leucoptera coffeella</u> (Guer.)
	Citrus Mealybug	<u>Planococcus citri</u> (Risso)
	Helmet Scale	<u>Saissetia coffeae</u> (Walker)
Mango	Red Wax Scale	<u>Ceroplastes rubens</u> Maskell
	Florida Red Scale	<u>Chrysomphalus aonidum</u> (L.)
	Red-Banded Thrips	<u>Selenothrips rubrocinctus</u> (Giard)

↙



Citrus	Cassava Scale	<u>Aonidomytilus albus</u> (Chkl.)
	Green Citrus Aphid	<u>Aphis spiraecola</u> Patch
	Florida Wax Scale	<u>Ceroplastes floridensis</u> Comstock
	Purple Scale	<u>Chrysomphalus aonidum</u> (L.)
	Brown Scale	<u>Coccus hesperidum</u> L.
	Soft Green Scale	<u>Coccus viridis</u> (Green)
	Curculionid Beetle	<u>Cryptorhynchus corticalis</u> Boh.
	beneficial - Ladybird Beetle	<u>Curinus coeruleus</u> Mulsant
	Citrus Weevil	<u>Diaprepes abbreviatus</u> (L.)
	Citrus Weevil	<u>Diaprepes excavatus</u>
	Citrus Weevil	<u>Diaprepes famelicus</u> (Olivier)
	Montserrat Cottony Cushion Scale	<u>Icerya montserratensis</u> Riley & Howard
	Cottony Cushion Scale	<u>Icerya purchasi</u> Maskell
	Citrus Mussel Scale	<u>Lepidosaphes beckii</u> (Newman)
	Citrus Weevil	<u>Litostylus pudens</u> (Boheman)
	Coreid Bug	<u>Leptoglossus praemorsus</u>
	Jacaranda Bug	<u>Orthezia insignis</u> Browne
	Croton Bug	<u>Orthezia praelonga</u> Douglas
	Termite	<u>Microcerotermes arboreus</u> Emerson
	Citrus Mealybug	<u>Planococcus citri</u> (Risso)
	Trilobite Scale	<u>Pseudaonidia trilobitiformis</u> (Green)
	Helmet Scale	<u>Saissetia coffeae</u> (Walker)
	Black Scale	<u>Saissetia oleae</u> (Bernard)
	West Indian Red Scale	<u>Selenaspidus articulatus</u> (Morgan)

	Black Citrus Aphid	<u>Toxoptera aurantii</u> B. de Fonscolombe
	Citrus Snow Scale	<u>Unaspis citri</u> (Comstock)
	Star Scale	<u>Vinsonia stellifera</u> (Westwood)
Papaya	Leaf Hopper of papaya	<u>Empoasca papayae</u> Oman
Plantain	Banana Weevil	<u>Cosmopolites sordidus</u> (Germ.)
	Thrips	<u>Echinothrips mexicanus</u> Moulton
	Brown Rat	<u>Rattus norvegicus</u> (Berkenhout)
	Black Rat	<u>Rattus rattus</u> L.
Avocado	???????????	
Pepper	Aphid	<u>Aphis</u> spp.
	Curculionid	<u>Baris</u> sp.
	Green Stink Bug	<u>Nezara viridula</u> (L.)
	White Peach Scale	<u>Pseudaulacaspis pentagona</u> (Targioni-Tozzetti)
	Gelechiid Moth	<u>Pthorimaea</u> spp.
Ginger	Ginger Root Borer	<u>Palaeopus subgranulatus</u>
Sweet Potato	Argus Tortoise Beetle	<u>Chelymorpha cassidea</u> (Fab.)
	Leaf Beetle	<u>Chelymorpha polysticta</u> Boh.
	West Indian Sweet Weevil	<u>Euscepes postfasciatus</u> (Fairmaire)
	Sweet Potato Leaf Roller	<u>Acrospila tripunctata</u> (F.)
	(tortoise) Leaf Beetle	<u>Metriana judaica</u> (F.)
	Sweet Potato Leaf Roller	<u>Microthyris anormalis</u> (Guenee)
	Ginger Root Borer	<u>Palaeopus subgranulatus</u> Mshll.
beneficial —	Firefly Beetle	<u>Pyropyga incognita</u>

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	<sup>u</sup> Circulionid Beetle	<u>Rhyssomatus nigerrimus</u> Fahraeus
	Tropical Red Spider Mite	<u>Tetranychus cinnabarinus</u> (Boisd.)
	Leaf Webber	<u>Trichotaphe melissia</u> (Wlsm.)
	Cabbage Looper	<u>Trichoplusia ni</u> (Hubner)
	Black Sweet Potato Beetle	<u>Typophorus nigritus</u> F.
Cabbage	Bean Aphid	<u>Aphis fabae</u> Scopoli
	Cabbage White Butterfly	<u>Ascia monuste</u> (L.)
	Tomato Leafminer	<u>Liriomyza sativae</u> Blanchard
	Cabbage Budworm	<u>Hellula phidilealis</u>
	Diamondback moth	<u>Plutella xylostella</u> (Linnaeus)
	Mole Cricket	<u>Scapteriscus</u> spp.
	Fall Armyworm	<u>Spodoptera frugiperda</u> (J.E. Smith)
	Owlet Moth	<u>Spodoptera</u> spp.
Tomato	Tomato Flower Midge	<u>Contarinia lycopersici</u> Felt
	Corn Earworm	<u>Heliothis zea</u> (Boddie)
	Common Sugarcane Leafhopper	<u>Hortensia similis</u> Wlk.
	Coreid Bug	<u>Leptoglossus cinctus</u> (Herrich- Schaeffer)
	Tomato Leafminer	<u>Liriomyza pusilla</u> (Meigen)
	Tobacco Hornworm	<u>Manduca sexta</u> (L.)
	Green Stink Bug	<u>Nezara viridula</u> (L.)
	Black Bug	<u>Phthia picta</u> (Drury)
	Potato Tuber Moth	<u>Phthorimaea operculella</u> (Zeller)
	Mole Cricket	<u>Scapteriscus</u> spp.

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	Carmine Spider Mite	<u>Tetranychus cinnabarinus</u> (Boisduval)
Carrot	???????????	
Cucumber	Bean Aphid	<u>Aphis fabae</u> Scopoli
	Melon Aphid	<u>Aphis gossypii</u> Glover
	Melon Worm	<u>Diaphania hyalinata</u> (L.)
	Tropical Red Spidermite	<u>Tetranychus cinnabarinus</u> (Boisd.)
Yam	???????????	
Okra	Cotton Leafworm	<u>Alabama argillacea</u> (Huebner)
	Melon Aphid	<u>Aphis gossypii</u> Glover
	Cotton Lacebug	<u>Corythuca gossypii</u> (Fabricius)
	Green Stink Bug	<u>Nezara viridula</u> (L.)
	Pink Boll Worm	<u>Pectinophora gossypiella</u> (Saunders)
Onion	Spidermite	<u>Tetranychus</u> spp.
	Leafminer	<u>Liriomyza</u> sp.
	Fall Armyworm	<u>Spodoptera sunia</u> (Guenee)
	Mole Cricket	<u>Scapteriscus</u> spp.
	Onion Thrips	<u>Thrips tabaci</u> Lindeman
Pineapple	Curc <sup>l</sup> ionid Beetle	<u>Cholus zonatus</u>
	Pineapple Scale	<u>Diaspis bromeliae</u> (Kerner)
Dasheen	Groundnut Aphid	<u>Aphis craccivora</u> Koch
	Melon Aphid	<u>Aphis gossypii</u> Glover
	beneficial - Ladybird Beetles	<u>Chilocorus cacti</u> (L.)
	Cotton Lacebug	<u>Corythuca gossypii</u> (Fabricius)
Peanut	Fall Armyworm	<u>Spodoptera frugiperda</u> (J.E. Smith)
Beet	<del>Black</del> Bean Aphid	<u>Aphis fabae</u> Scopoli

Beet Leafroller	<u>Herpetogramma bipunctalis</u> (F.)
Southern Armyworm	<u>Spodoptera eridania</u> (Cramer)
Beet Webworm	<u>Spoladea recurvalis</u> (Fabricus)
Pigeon Pea Pod Borer	<u>Ancylostomia stercorea</u> (Zell.)
Aphids	<u>Aphis</u> spp.
Akee Fringed Scale	<u>Asterolecanium pustulans</u> (Cockerell)
Bean Weevils	<u>Bruchus</u> spp.
Oriental Cowpea Bruchid	<u>Callosobruchus chinensis</u> (L.)
Green Shield Scale	<u>Chloropulvinaria psidii</u> (Maskell)
Long Shield Scale	<u>Coccus longulus</u> (Douglas)
Citrus Weevil	<u>Diaprepes abbreviatus</u> (L.)
Citrus Weevil	<u>Diaprepes</u> spp.
Green and Brown Stink Bug	<u>Edessa meditabunda</u> (F.)
Bean Leafhopper	<u>Empoasca fabae</u> (Harris)
Leafhopper	<u>Empoasca</u> spp.
Orange and Black Treehopper	<u>Enchenopa ignidorsum</u> Walker
Flower Thrips	<u>Frankliniella insularis</u> (Franklin)
Caribbean Pod Borer	<u>Fundella pellucens</u> Zeller
Tobacco Budworm	<u>Heliothis virescens</u> (F.)
Green Weevil	<u>Litostylus</u> spp.
Green Stink Bug	<u>Nezara viridula</u> (L.)
Stink Bug	<u>Piezodorus guildinii</u> (Westwood)
White Peach Scale	<u>Pseudaulacaspis pentagona</u> (Targioni-Tozzetti)

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	Helmet Scale	<u>Saissetia coffeae</u> (Walker)
	Black Scale	<u>Saissetia oleae</u> (Olivier)
Cassava	Cassava Scale (Cockerell)	<u>Aonidomytilus albus</u>
	Barnacle Scale	<u>Ceroplastes cirripediformis</u> Comstock
	Cotton Lacebug	<u>Corythuca gossypii</u> (Fabricius)
	Cassava Thrips	<u>Corynothrips stenopterus</u> Williams
	Sugarcane Root and Stalk Borer	<u>Diaprepes abbreviatus</u> (L.)
	Cassava Hornworm	<u>Erinnyis ello</u> (L.)
	Green and Brown Stink Bug	<u>Edessa meditabunda</u> (F.)
	Thrips	<u>Frankliniella melanommata</u> Williams
	Cassava Leaf-Gall Midge	<u>Iatrophobia braziliensis</u> (Rubs.)
	Cerambycid Beetle	<u>Lagocheirus araneiformis</u> (L.) ^
	Green Stink Bug	<u>Nezara viridula</u> (L.)
	White Peach Scale	<u>Pseudaulacaspis pentagona</u> (Targioni-Tozzetti)
	Citrus Mealybug	<u>Planococcus citri</u> (Risso)
	Helmet Scale	<u>Saissetia coffeae</u> (Walker)
	Cassava Shoot Fly	<u>Silba chalybea</u> Wiedeman
	Carmine Spidermite	<u>Tetranychus cinnabarinus</u> (Boisduval)
	Cassava Lacewing	<u>Vitiga illudens</u> (Drake)
Arrowroot	Arrowroot Leafroller	<u>Calpodes ethlius</u> (Cramer)
Ornamentals	??????????	

## Beans

Leafminer	<u>Agromyza</u> spp.
Bean Leaf Miner	<u>Agromyza inaequalis</u> Malloch
Bean Weevils	<u>Bruchus</u> spp.
Leafminer	<u>Liriomyza</u> spp.
Cotton Lacebug	<u>Corythuca gossypii</u> (Fabricus)
Bean Leafhopper	<u>Empoasca fabae</u> (Harris)
Green Stink Bug	<u>Nezara viridula</u> (L.)
Spidermite	<u>Tetranychus</u> spp.
Bean Leaf Roller	<u>Urbanus proteus</u> (L.)

ST. VINCENT: DISEASES OF ECONOMIC SIGNIFICANCE

Banana	Panama Disease	<u>Fusarium oxysporum</u> f. sp. <u>cubense</u> (B.F. Smith) Snyder & Hansen
	Spiral Nematode	<u>Helicotylenchus</u> spp.
	Reniform Nematode	<u>Rotylenchus</u> spp.
	Root Knot Nematode	<u>Meloidogyne incognita</u> (Kofoid & White) Chitwood
	Yellow Sigatoka	<u>Mycosphaerella musicola</u> Leach
	Burrowing Nematode	<u>Radopholus similis</u> (Cobb) Thorne
	Reniform Nematode	<u>Rotylenchus reniformis</u>
Coconut	Bud Rot	<u>Phytophthora palmivora</u>
Cocoa	Coffee Canker	<u>Ceratocystis fimbriata</u> Ellis & Halsted
	Cushion Gall Disease	<u>Fusarium rigidiuscula</u>
	Black Pod Rot	<u>Phytophthora palmivora</u>
Mango	Anthracnose	<u>Colletotrichum gloeosporioides</u> (Penz)
	Stem End Rot	
	Root Knot Nematode	<u>Meloidogyne incognita</u> (Kofoid & White) Chitwood
Citrus	Melanose	<u>Diaporthe citri</u> (Pawe) Wolf
	Sour Orange Scab	<u>Elsinoe fawcetti</u> Bitancourt & Jenkins
	Withertip	<u>Gloeosporium limetticolum</u> Claus
	Anthracnose	<u>Glomerella cingulata</u> (Stonem) Spauld & Schrenk
	Greasy Spot	<u>Mycosphaerella horii</u>
	Gummosis	<u>Phytophthora nicotianae</u> var <u>parasitica</u> Dastur

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	Leaf Spot	<u>Phyllosticta batatas</u> (Thuemen) Cooke
	Foot Rot of Sweet Potato	<u>Plenodomus destruens</u> Harter
Cabbage	Bacterial Soft Rot	<u>Erwinia caratovora</u> (L.R. Jones) Bergey et al.
	Root Knot Nematode	<u>Meloidogyne incognita</u> (Kofoid & White) Chitwood
	Black Rot	<u>Xanthomonas campestris</u> (Pammel) Dawson
Tomato	Early Blight	<u>Alternaria solani</u> (Ellis & Martin) Sorauer
	Leaf Spot of Tomato	<u>Ascochyta lycopersici</u>
	Bacterial Soft Rot	<u>Erwinia carotovora</u> (L.R. Jones) Bergey et al.
	Leaf Mould of Tomato	<u>Fulvia fulva</u> (Cooke) Ciferri
	Root Knot Nematode	<u>Meloidogyne incognita</u> (Kofoid & White) Chitwood
	Bacterial Wilt	<u>Pseudomonas solanacearum</u> (E.F. Smith)
	Bacterial Scab (Doidge)	<u>Xanthomonas vesicatoria</u> Dowson
Carrot	Carrot Leaf Blight	<u>Alternaria dauci</u> (Kuhn) Groves & Sholko
	Early Blight	<u>Cercospora carotae</u> (Passerini) Solheim
	Damping Off	<u>Corticium rolfsii</u> (Sacc.) Curzi
	Bacterial Soft Rot	<u>Erwinia caratovora</u> (L.R. Jones) Holland
	Bark Disease	<u>Fusarium</u> spp.
	Root Knot Nematodes	<u>Meloidogyne</u> spp.
	Aster Yellows	Aster Yellows Mycoplasma

Cucumber	Cucumber Mosaic	Cucumber Mosaic Virus
	Bacterial Soft Rot	<u>Erwinia caratovora</u> (L.R. Jones) Holland
	Powdery Mildew	<u>Erysiphe cichoracearum</u> De Candolle
	Spiral Nematode	<u>Helicotylenchus</u> spp.
	Root Knot Nematode	<u>Meloidogyne incognita</u> (Kofoid & White) Chitwood
	Downy Mildew	<u>Peudoperonospora cubensis</u> (Berk. et Curt.)
	Fungus	<u>Rhagadologium cubensis</u>
Yam	Anthrachnose	<u>Glomerella cingulata</u> (Stonem.) Spauld & Schrenk.
Okra	Bark Disease	<u>Fusarium</u> spp.
	Root Knot Nematode	<u>Meloidogyne incognita</u> (Kofoid & White) Chitwood
Onion	Purple Blotch of	<u>Alternaria porri</u> (Ellis) Ciferri
	Bacterial Soft Rot	<u>Erwinia carotovora</u> (L.R. Jones) Bergey et al.
	Bark Disease	<u>Fusarium</u> spp.
	Root Knot Nematode	<u>Meloidogyne</u> spp.
Pineapple	Bacterial Soft Rot	<u>Erwinia carotovora</u> (L.R. Jones) Bergey et al.
	Spiral Nematode	<u>Helicotylenchus</u> spp.
	Reniform Nemaode	<u>Rotylenchus reniformis</u> (Lindford and Oliviera)
Dasheen	Dasheen Mosaic	Dasheen Mosaic Virus
	Anthrachnose	<u>Glomerella cingulata</u> (Stonem.) Spauld & Schrenk
	Mosaic	Mosaic Virus
	Black Rot	<u>Xanthomonas campestris</u> (Pammel) Dowson

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Peanut	???????????	
Beet	Cercospora Leaf Spot	<u>Cercospora beticola</u> Saccardo
Pigeon Pea	Leaf Spot of Pigeon Pea	<u>Cercospora cajani</u> P. Henn.
	Fusarium Wilt	<u>Fusarium oxysporum</u> f.sp. <u>vasinfectum</u> (Atk.) Synd.
	Collar Rot	<u>Physalospora cajanae</u>
Cassava	???????????	
Arrowroot	???????????	
Ornamentals	???????????	
Beans	Common Mosaic of Beans	Bean Common Mosaic Virus
	Leaf Spot of Beans	<u>Cercospora canescens</u> Ellis & Martin
	Cowpea Mosaic Virus	Cowpea Yellow Mosaic Virus
	Powdery Mildew	<u>Erysiphe polygoni</u> De Candolle
	Root Rot	<u>Macrophomina phaseolina</u> (Tassi) G. Goid
	Grease Spot	<u>Pseudomonas phaseolicola</u> (Burkholder) Dowson
	Bean Blight	<u>Xanthomonas phaseoli</u> (E.F. Smith) Dowson

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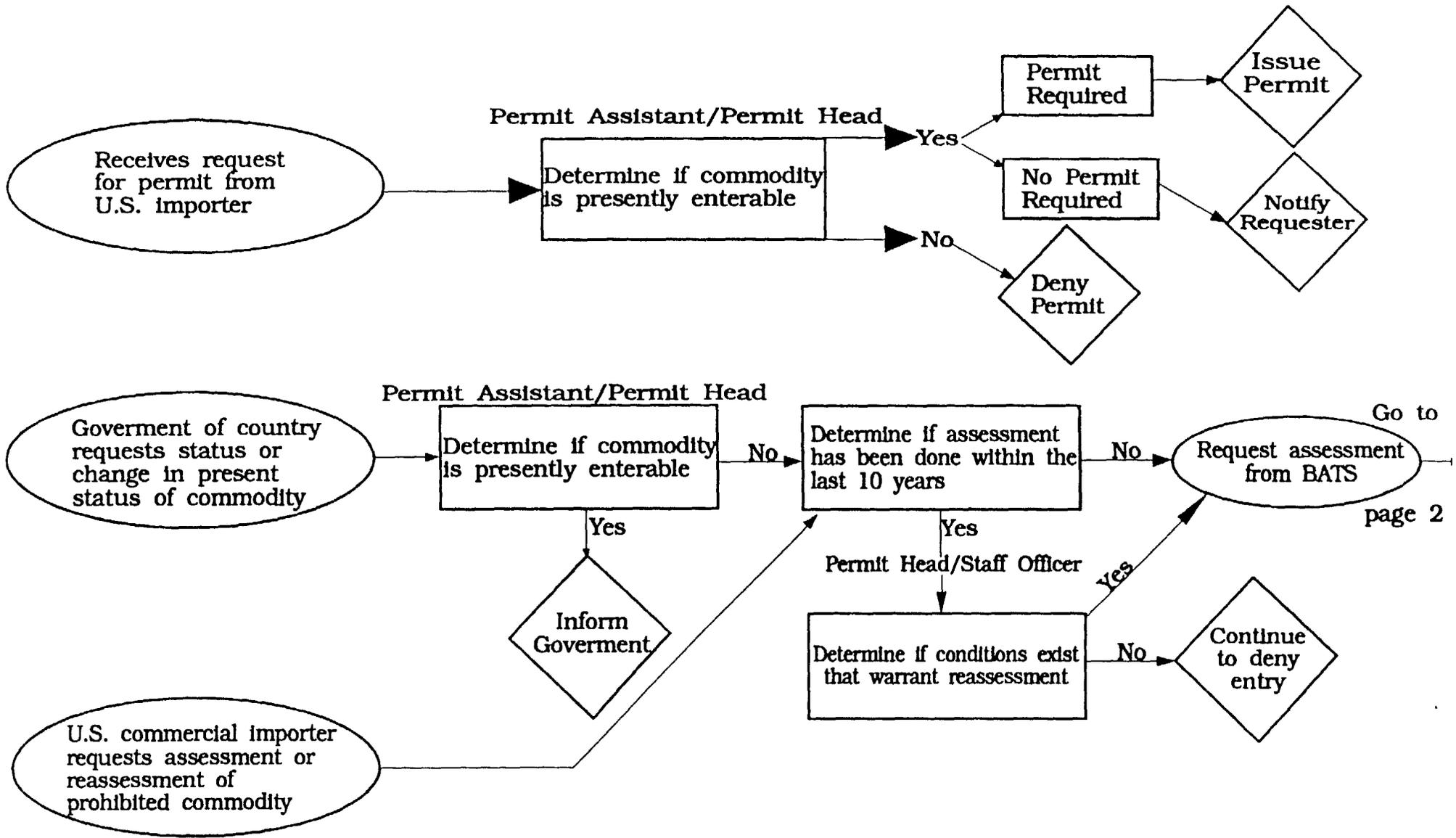
Papaya	Papaya Bunchy Top	Mycoplasma
	Pawpaw Canker	<u>Erwinia</u> spp.
Plantain	Panama Disease	<u>Fusarium oxysporum</u> f. sp. <u>ubense</u> (B.F. Smith) Snyder & Hansen
	Root Knot Nematode	<u>Meloidogyne incognita</u> (Kofoid & White) Chitwood
	Burrowing Nematode	<u>Radopholus similis</u> (Cobb) Thorne
	Reniform Nematode	<u>Rotylenchus reniformis</u>
Avocado	???????????	
Pepper	Early Blight	<u>Alternaria solani</u> (Ellis & Martin) Sorauer
	???????????	<u>Bisaltia bimaculatus</u>
	Pepper Anthracnose	<u>Colletotrichum piperatum</u> (Ellis & Everhart) Ellis & Halsted
	Damping Off	<u>Corticium rolfsii</u> (Sacc.) Curzi
	Anthracnose	<u>Glomerella cingulata</u> (Stonem.) Spauld & Schrenk
	Powdery Mildew	<u>Leveillula</u> sp.
	Bacterial Wilt	<u>Pseudomonas solanacearum</u> (B.B. Smith) B.B. Smith
	Pepper Virus	Virus Complex
	Bacterial Scab	<u>Xanthomonas vesicatoria</u> (Doidge) Dawson
Ginger	Leaf Spot of Ginger	<u>Phyllosticta zingiber</u>
Sweet Potato	White Rust of Sweet Potato	<u>Albugo ipomoea-panduratae</u> (Schweinitz) Swingle
	Black Rot of Sweet Potato	<u>Ceratocystis fimbriata</u> Ellis & Halstead
	Sweet Potato Rust	<u>Coleosporium ipmoea</u> (Schweinitz) Burrell

ANNEX Q  
USDA IMPORT AUTHORIZATION PROCESS

# IMPORT AUTHORIZATION PROCESS

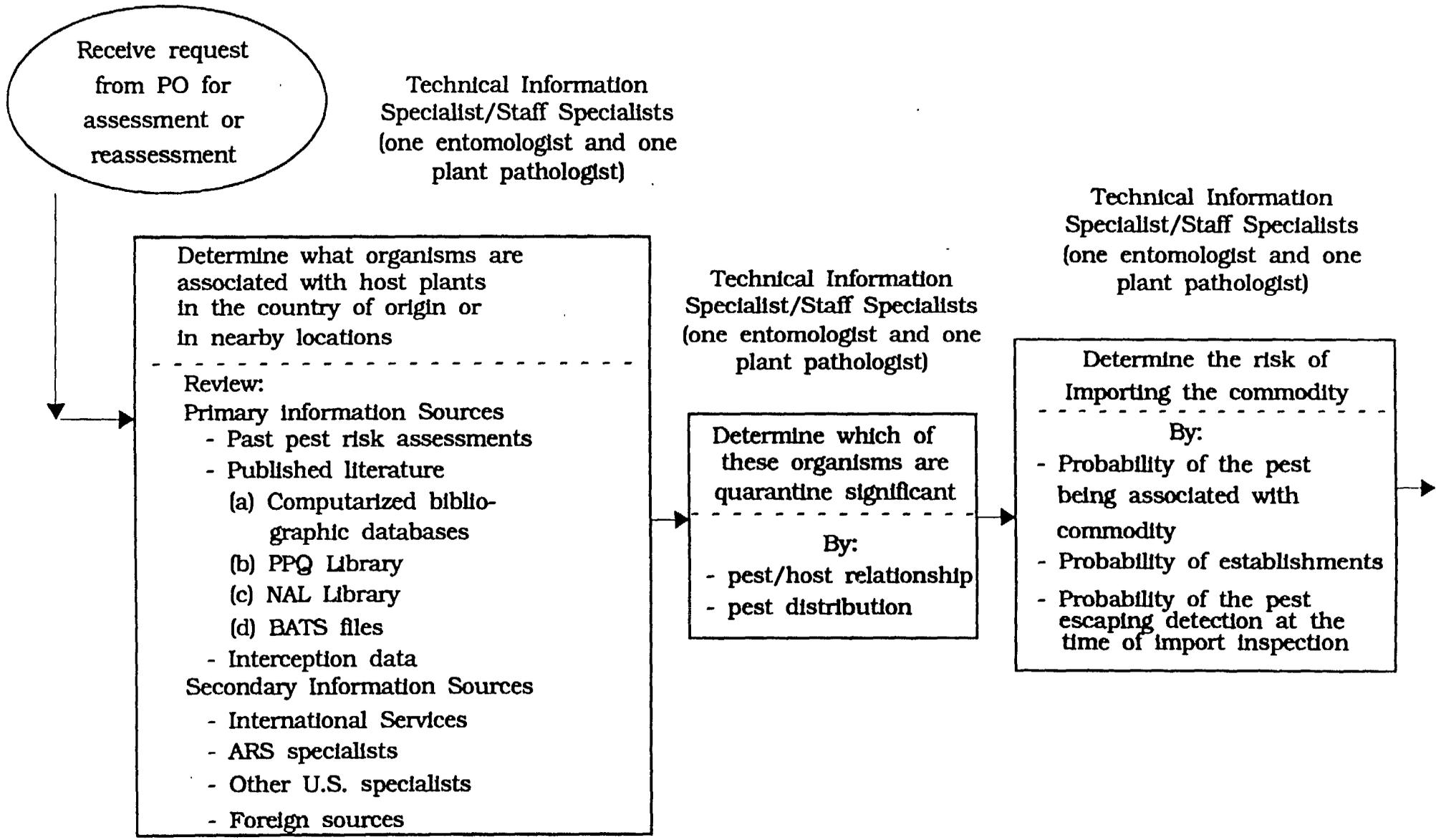
## PERMIT UNIT - PORT OPERATIONS (PO)

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# Biological Assessment and Taxonomic Support Staff (BATS)

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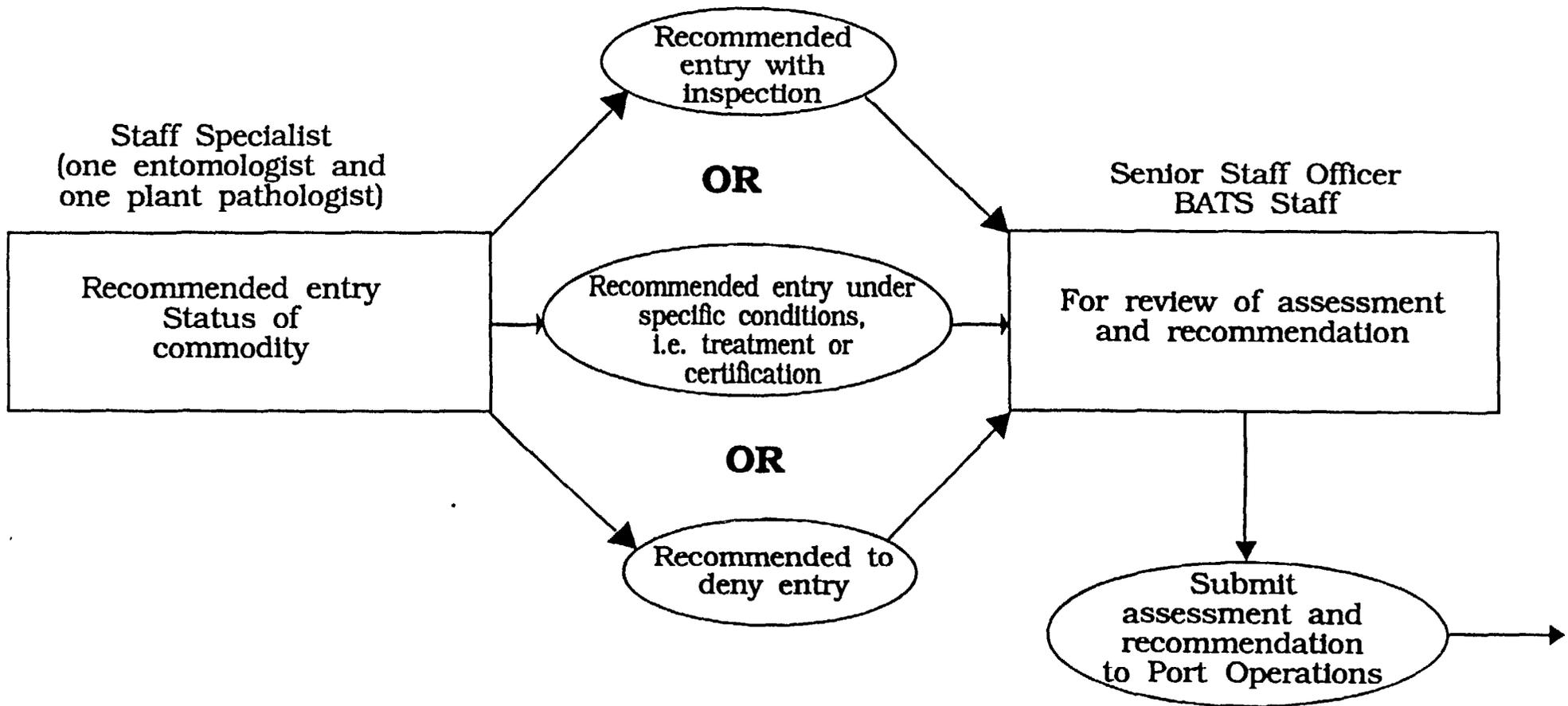


Pest Risk Assessment Process



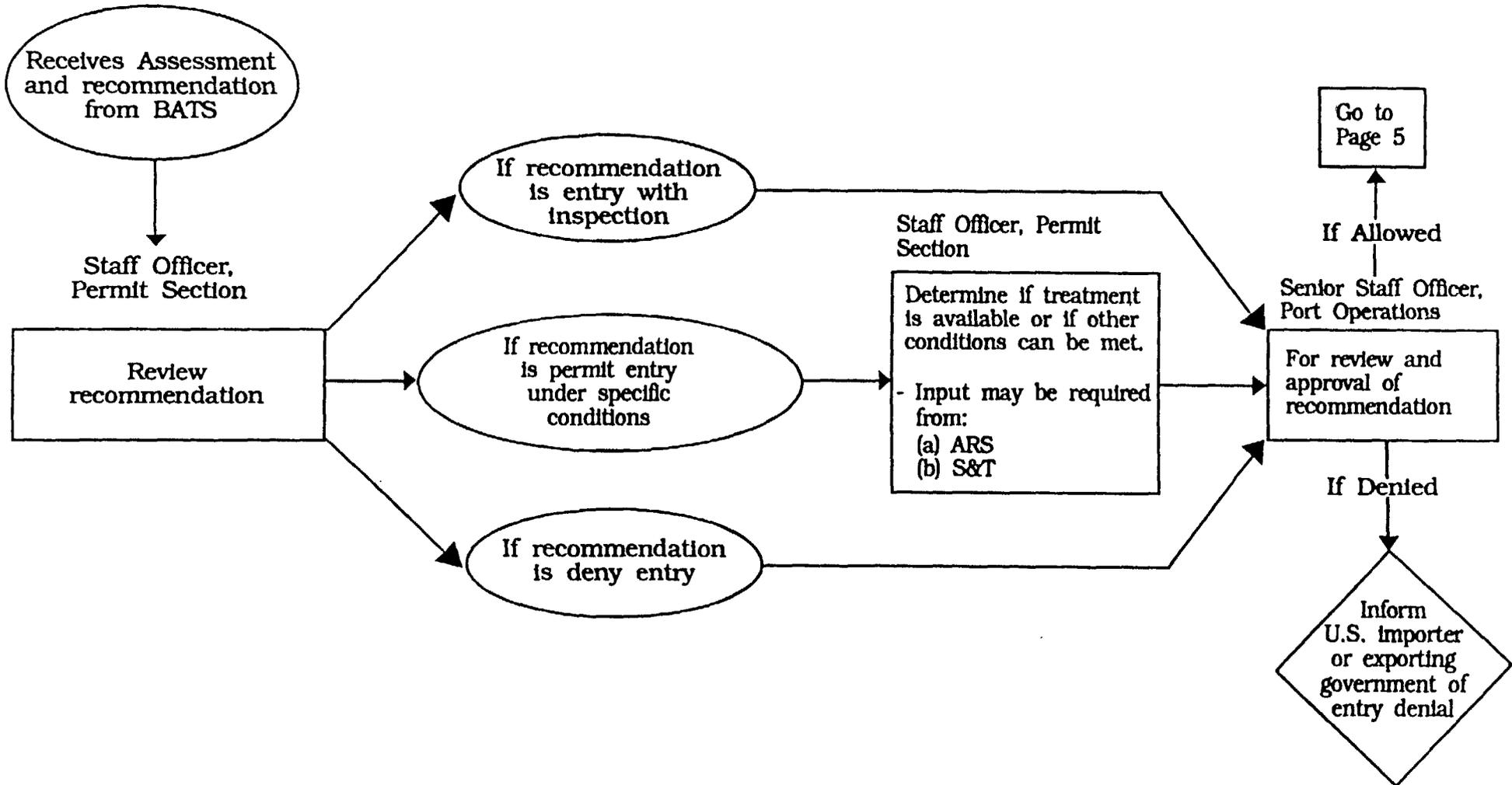
# Biological Assessment and Taxonomic Support (BATS)

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# Permit Unit - Port Operations (PO)

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# Regulatory Analysis and Development Staff (RADS)

# Port Operations

