

4

Export Program
Manual

Special Procedures

Commodity • Grain (Federal Grain Inspection Service (FGIS))

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Introduction

The purpose of this section is to provide clarification on certain aspects of inspections conducted by USDA's Federal Grain Inspection Service (FGIS), a program area within the Grain Inspection, Packers and Stockyards Administration (GIPSA).

Under the U.S. Grain Standards Act and the Agricultural Marketing Act of 1946, FGIS conducts official sampling and inspections of grain offered for export. The Animal and Plant Health Inspection Service (APHIS) and FGIS have entered into a [*Memorandum of Understanding \(MOU\)*](#) that sets forth the policies and procedures by which GIPSA and APHIS will collaborate on the issuance of phytosanitary certificates. PPQ Forms 577 and 579 can be issued based upon FGIS inspection results, which will be reported on FGIS Form 921-2 Inspection Report–Insects in Grain.



FGIS Form 921-2 must be presented to the certifying office before issuing PPQ Form 577 or 579. The only exception to this policy is when an ACO performs the official inspection.

FGIS Official Agencies

In addition to FGIS inspectors, FGIS has designated private and state agencies to perform official inspection services at domestic location and delegated some state agencies to perform official inspection services at export port locations. For a listing of these designated and delegated agencies, see the following website:

<http://151.121.3.117/aboutus/oa-dir.htm>

FGIS Inspections

FGIS inspections, generally, only involve the detection of live weevils and other live insects injurious to stored grain.

FGIS issues a number of different documents. However, some of these documents do not indicate the presence of live pests when found. The only FGIS document that will always indicate whether insects were found in a consignment is the FGIS Form 921-2, Inspection Report - Insects in Grain. In order to ensure that the issuance of a PPQ Form 577 or 579 is based on the appropriate FGIS document, ES worked with the FGIS and the grain industry to develop a standard operating procedure (SOP) for using FGIS documents as the basis of phytosanitary certification.

The issuance of PPQ Form 577 or 579 for grain will be based on FGIS inspection results recorded on FGIS 921-2. An original or photocopy of the FGIS Form 921-2 is acceptable and must be kept on file with the Issuing Office copy of the PPQ Form 577 or 579. It is the exporter's responsibility to request an FGIS Form 921-2 from FGIS. See [Appendix A](#) for examples of FGIS Forms 921-2.

This form must be presented regardless of whether any other type of FGIS document was obtained for the consignment. If an FGIS Form 921-2 is not presented, a PPQ Form 577 or 579 cannot be issued without inspection by an ACO. If EXCERPT states that an FGIS document, other than an FGIS Form 921-2, is required for issuance of a PPQ Form 577 or 579, the FGIS Form 921-2 must still be presented.

When an importing country requires a consignment to be free of plant debris, soil, weed seeds, etc., note the following information:

- ◆ The exporter is responsible for requesting that FGIS inspect for plant debris, soil, weed seeds, etc., as part of their official inspection activities since FGIS, generally, only inspects for insects for phytosanitary inspection purposes

- ◆ When there are specific requirements for specific quarantine items in grain that must be attested to in an AD, were communicated through official communication, or provided in a specific grain commodity summary, ACOs **must** verify that the FGIS Form 921-2 indicates a negative result for the specified quarantine items before a PPQ Form 577 or 579 can be issued.

EXAMPLE

Argentina currently requires the following additional declaration (AD) for wheat grain: The shipment is free of *Cirsium arvense*.

In this case, the exporter must request that FGIS conduct an inspection for *Cirsium arvense* (Canadian thistle). FGIS inspectors follow special procedures when they must inspect for the presence of *Cirsium arvense* in wheat shipments. ACOs must review the FGIS Form 921-2 issued for the consignment to ensure it states that the consignment was found free of *Cirsium arvense*. FGIS may use the common name rather than the botanical name.

FGIS routinely inspects grain samples for the presence of the following weed seeds:

- ◆ Castor beans (*Ricinus communis*)
- ◆ Cottonseed in wheat grain to Egypt
- ◆ *Crotalaria* seeds (Fabaceae)
- ◆ Ragweed seeds (*Ambrosia*) for soybean shipments to Russia



If FGIS **cannot** inspect for a particular weed seed, the exporter **must** make arrangements for FGIS to draw an official sample for analysis by an approved laboratory.

The U.S. Grain Standards Act stipulates that all export “grain” consignments be inspected and weighed by FGIS. FGIS defines “grain” to mean: corn, wheat, soybeans, canola, flaxseed, sunflower seed, triticale, oats, barley, rye, sorghum and mixed grain. Certain exceptions to mandatory inspections are made for overland export “grain” consignments to Mexico and Canada and when total export volume from a specific facility is less than 15,000 tons annually.

FGIS has also established regulations governing the inspection of rice, peas, lentils, chickpeas, beans and a number of processed commodities. Official inspections of export consignments of these commodities are not mandatory under FGIS regulations.

When FGIS inspection is not mandatory, exporters can still request that FGIS conduct an inspection of a grain consignment and issue an FGIS Form 921-2 for phytosanitary purposes. Regardless of the situation, export consignments must be officially inspected by FGIS or an ACO in order to obtain a phytosanitary certificate.

Species that FGIS Can Inspect

FGIS is authorized to provide phytosanitary inspections for the commodities (milled or not) listed in [Table 4-3-1](#) on [page 4-3-4](#).

TABLE 4-3-1: Species that FGIS Can Inspect

Botanical Name	Common Name	Botanical Name	Common Name
<i>Avena byzantina</i>	oat	<i>Pisum sativum</i>	pea
<i>Avena sativa</i>	oat	<i>Secale cereale</i>	rye
<i>Brassica napus</i>	canola	<i>Sorghum bicolor</i>	sorghum
<i>Glycine max</i>	soybean	<i>Triticosecale</i> spp.	triticale
<i>Helianthus annuus</i>	sunflower	<i>Triticum aestivum</i>	wheat
<i>Hordeum vulgare</i>	barley	<i>Triticum compactum</i>	wheat
<i>Lens culinaris</i>	lentil	<i>Triticum durum</i>	wheat
<i>Linum usitatissimum</i>	flax	<i>Vigna radiata</i>	mung bean
<i>Oryza sativa</i>	rice	<i>Zea mays</i>	corn
<i>Phaseolus</i> spp.	bean		



Important

“Beans” includes any commodity designated by FGIS on an FGIS 921-2. The exporter is responsible for contacting FGIS to confirm that FGIS can inspect for a specific type of bean or commodity derived from “beans.”



Important

The commodity must be produced solely from grain (only the seeds of a plant) and one of the acceptable species (including beans) for FGIS to conduct the inspections.

A listing of FGIS service providers is available on the FGIS webpage at the following address: <http://www.gipsa.usda.gov/GIPSA/webapp?area=home&subject=fc&topic=fsp>.

FGIS Documentation

FGIS official personnel will record on FGIS Form 921-2 Inspection Report–Insects in Grain information about detections of live insects, larvae and other pests. The FGIS 921-2 Inspection Report–Insects in Grain should be reviewed for the presence of quarantine insects or to determine if the shipment is deemed “infested” under FGIS criteria. Should either situation occur, the shipment must be fumigated according to official procedures before it can be certified.

The remarks section of the FGIS 921-2 Inspect Report–Insects in Grain should also be examined for and action taken to address other phytosanitary concerns that may have also been detected during the official inspection of the shipment.

FGIS Treatments

Phytosanitary treatments listed on the FGIS Form 921-2 Inspection Report–Insects in Grain may be included on an export certificate. Under the APHIS-GIPSA MOU, FGIS personnel or official personnel of agencies designated or delegated by FGIS to perform official services can witness fumigation of grain and processed products for phytosanitary purposes.



FGIS will witness fumigation of vessels, but does **not** require official personnel to witness fumigation of railcars or containers. In the latter cases, the fumigator will provide a document with fumigation details.

Explanation of FGIS Form 921-2 Inspection Results

Refer to [FGIS Form 921-2, Inspection Report–Insects in Grain](#) on page A-1-18 for an explanation of pertinent information.

U.S. Shipments Exported through Canadian Facilities

For shipments loaded at U.S. ports in the Great Lakes and exported through Canadian facilities, ACOs should consult the following SOP:

Standard Operating Procedure: USDA-APHIS-PPQ Phytosanitary Certification of U.S. Grain Stored in Canadian Elevators

The Great Lakes and the St. Lawrence Seaway are a transportation link for moving goods between the heartland of North America and international markets. U.S. grain that is exported through the Great Lakes/St. Lawrence Seaway is initially loaded onto “laker” vessels. Lakers are small vessels which are able to navigate the Great Lakes and St. Lawrence Seaway to ports which handle ocean-going vessels.

As a laker is loaded, FGIS conducts a phytosanitary inspection and issues an FGIS 921-2 for the consignment loaded. Once the laker reaches ports capable of handling ocean going vessels the grain may be transferred from the laker to a Canadian grain elevator (for storage) or an ocean going vessel. It is standard industry practice that U.S. grain stored at Canadian elevators is segregated and held in bond under identity preservation procedures.

In order to assist in the phytosanitary certification of grain moving through the Great Lakes and the St. Lawrence Seaway a procedure was developed through a Memorandum of Understanding (MOU) between Plant Protection and Quarantine (PPQ) and the Grain Inspection, Packers and Stockyards Administration (GIPSA). GIPSA, in turn, has an MOU with the Canadian Grain Commission (CGC) which allows the CGC to conduct phytosanitary inspections of U.S. origin grain stored in Canadian elevators.

While a U.S. phytosanitary certificate may be issued based on the FGIS inspection, exporters are encouraged to request a U.S. phytosanitary certificate only after obtaining a CGC inspection for any grain stored in Canadian elevators.

Instructions for Issuing a Phytosanitary Certificate

Certification Based on an FGIS Inspection

A phytosanitary certificate for a lot of grain loaded aboard an ocean-going vessel may be issued based on the FGIS 921-2s issued for the laker(s) that make up the lot of grain if:

- ◆ The phytosanitary certificate is issued within 30 days after the FGIS inspection. If the inspection(s) takes place over a period of days, the clock starts on the first day of inspection. If multiple FGIS 921-2s are combined for one consignment, the oldest date of inspection is considered day 1. If the exporter requests a phytosanitary certificate outside the 30 day time limit, the grain must be inspected by CGC. Refer to the heading [Certification Based on a CGC Inspection](#).
- ◆ The phytosanitary certificate must meet the importing country's time limits.

Certification Based on a CGC Inspection

1. Applicants should contact the USDA-APHIS-PPQ Duluth, MN office, by phone, to make sure that the Duluth PPQ Office will be available for phytosanitary certification. The Duluth, MN office phone message will be updated weekly to inform customers of absences and/or alternate contacts. As much lead time as possible is requested. The contact information is as follows:

USDA APHIS PPQ
515 West 1st Street, Rm. 226
Duluth, MN 55802
Ph: 218-720-5282
Fax: 218-720-5281

2. The applicant will submit, by fax, a PPQ Form 572 Application for Inspection and Certification of Domestic Plant and Plant Products to the appropriate USDA-APHIS-PPQ office to apply for a phytosanitary certificate. The application must be complete and include name of importing country and intended use, i.e. consumption, animal feed, planting. A fillable, PDF copy of the application may be found at: <http://www.aphis.usda.gov/ppq/pim/exports/certificates&forms.htm>. US applicants may also apply for service using the web based Phytosanitary Certificate Issuance and Tracking (PCIT) system.

Upon receipt of the application, USDA-APHIS-PPQ will review the importing country's phytosanitary requirements and forward the information, including time limits, to the Canadian Grain Commission (CGC).

3. The applicant will submit, by fax, FGIS 907 Application for Phytosanitary Inspection to the appropriate CGC elevator to schedule the phytosanitary inspection. The exporter will be responsible for scheduling the phytosanitary inspection with CGC to ensure that the importing country's time limits are met. The application must include the name of the importing country. The CGC Supervisor will coordinate the inspection at the elevator.
4. The CGC will forward by FAX a completed FGIS 921-2 to the PPQ Duluth office. The CGC will forward the billing documents, for the phytosanitary inspection, to the FGIS Toledo Field Office.
5. The applicant must submit proof of payment¹ or purchase pre-paid phytosanitary certificates prior to the issuance of the phytosanitary certificate. The Duluth office will prepare and issue² the phytosanitary certificate.

Instructions for Replacing a Phytosanitary Certificate

No U.S. phytosanitary certificate will be replaced more than 30 days after an FGIS inspection unless the following conditions have been met:

1. For grain stored in a Canadian elevator: CGC must conduct a phytosanitary inspection
2. For grain loaded from a laker directly onto an ocean going vessel: exporter must provide documentation proving that the consignment was loaded onto the ocean going vessel prior to the 31st day after the FGIS inspection.

1 Payment should be mailed or sent overnight delivery to the PPQ Duluth office when it has been verified that the phytosanitary certificate can be issued. In interest of time, the phytosanitary certificate will be issued when a faxed copy of the completed check for payment is received.

2 Any charges for FedEx or shipment costs other than regular U.S. Postal Service charges will be the applicant's responsibility. If the applicant wants the completed phytosanitary certificate FedEx'd to a specific location, please provide a FedEx account number along with the shipping information.

**Alternate
Contact
Information and
Additional
Information**

Use the alternate contact information only when the Duluth PPQ Officer has indicated he/she will be out of the office on the day(s) you require the issuance of a PPQ Form 577 or 579.

USDA APHIS PPQ
P.O. Box 18
BHW Federal Building, Rm. 288
One Federal Drive
St. Paul, MN 55111

Contact: Kevin Connors,
Minnesota State Plant Health Director
Phone: 612-725-1722
Fax: 612-725-1723

Phytosanitary certification will be available during the normal working hours of the PPQ offices in Duluth and St. Paul. Requests for certification outside those hours must be arranged in advance to provide for overtime service.

**Summary of
Activity by
Participants**

Applicants

- ◆ Submits to USDA-APHIS-PPQ PPQ Form 572 Application for Inspection and Certification of Domestic Plant and Plant Products for Export.
- ◆ Submits to CGC FGIS 907 Application for Phytosanitary Inspection (with country of destination).
- ◆ Schedules the phytosanitary inspection with CGC supervisor at appropriate elevator.
- ◆ Pays USDA-APHIS-PPQ for phytosanitary certificate.
- ◆ Pays USDA-GIPSA-FGIS for phytosanitary inspection service by CGC.

Canadian Grain Commission (CGC)

- ◆ Provides phytosanitary inspection AND forwards inspection certificate, Inspection Report, FGIS 921-2, to USDA-APHIS-PPQ Duluth office
- ◆ Bills USDA-GIPSA-FGIS for phytosanitary inspection service

USDA-APHIS-PPQ

- ◆ Forwards phytosanitary requirements to CGC
- ◆ Issues a PPQ Form 577 or 579 based upon CGC inspection results and payment for the PPQ Form 577 or 579

USDA-GIPSA-FGIS

- ◆ Remits payment to CGC for phytosanitary inspectional services
- ◆ Bills exporter for reimbursement of CGC phytosanitary inspectional services

SOP Date: August 25, 2007

Determining Eligibility For Certification

ACOs can determine their phytosanitary actions by using [Table 4-3-2](#) on [page 4-3-9](#) for all grain inspected by FGIS.

TABLE 4-3-2: Determine Action to Take on Grain Inspected by FGIS

If FGIS found:	And:	And the pest is:	And the consignment:	Then:
No insects	—————→			GO to Table 4-3-3
Live insects	Fumigation was noted on FGIS Form 921-2	—————→		
	Fumigation was not noted on FGIS Form 921-2	Regulated	Was treated	REFUSE to issue PPQ Form 577 or 579
			Was not treated	
		Non-regulated and designated as “infested” on the FGIS Form 921-2	Was treated	GO to Table 4-3-3
	Was not treated	REFUSE to issue PPQ Form 577 or 579		
	Non-regulated and not designated as “infested” on the FGIS Form 921-2	—————→		GO to Table 4-3-3

TABLE 4-3-3: Determine Whether to Issue PPQ Form 577 or 579

If the consignment:	Then:
Meets all the country’s phytosanitary requirements	ISSUE PPQ Form 577 or 579
Does not meet all the country’s phytosanitary requirements	REFUSE to issue PPQ Form 577 or 579

Completion of PPQ Forms 577 or 579 for Grain Products

FGIS has the authority to provide phytosanitary inspections of grain and processed grain products. In addition to inspecting grain (milled or not), FGIS is authorized to provide phytosanitary inspections for the grain products listed in [Table 4-3-4](#) on [page 4-3-11](#).

The commodity must be produced solely from grain (only the seeds of a plant) AND one of the acceptable species (including beans) in order for FGIS to conduct the inspections.



Blocks 9 and 10 are critical blocks; **never** correct information in these blocks unless directed otherwise in the export summary.

NEVER IDENTIFY a commodity to a level below the species classification (e.g., variety, cultivar) unless listed and required as such in an export summary.

Do not list or refer to any of the following:

- ◆ Grades
- ◆ Intended uses
- ◆ Other commercial terms
- ◆ Sizes
- ◆ Trade names

If there is **not** enough space to list all entries, fill out PPQ Form 576 (refer to [Attachment Sheets for PPQ Form 577 or 579](#) on [page 3-10-1](#)).



PCIT will do this automatically.

ENTER the botanical name, including genus and specific epithet (species classification). Botanical names are **mandatory** for certifying propagative material and are preferred or required for all other products (e.g., New Zealand requires the botanical name for all certified commodities). Exporters are responsible for providing the botanical name. ACOs **must** verify the botanical name to the best of their ability.

LINE OUT unused space, recognizing that as information technology advances there are other acceptable methods of lining out, such as using horizontal lines or symbols. White space **must** be sufficiently lined out so that information **cannot** be added to the certificate.

TABLE 4-3-4: Completion of PPQ Forms 577 or 579 for Grain Products

If the block is:	Then follow these instructions to complete PPQ Form 577 or 579:
9. NAME OF PRODUCE AND QUANTITY DECLARED	Enter the common name of the commodity then the following as appropriate (for example, "oat bran") <ul style="list-style-type: none"> ◆ (bran) ◆ (brewers dried grains) ◆ (cakes) ◆ (cubes) ◆ (distillers dried grains) ◆ (dried) ◆ (ground) ◆ (feed) ◆ (flakes) ◆ (flour) ◆ (gluten feed) ◆ (gluten meal) ◆ (gluten pellets) ◆ (grits) ◆ (groats) ◆ (malted grain) ◆ (meal) ◆ (middling) ◆ (middling pellets) ◆ (pellets) ◆ (rolled)
10. BOTANICAL NAME OF PLANTS	Enter only the botanical name of the commodities eligible for FGIS inspection: <i>Avena sativa, Avena byzantina, Brassica napus, Glycine max, Helianthus annuus, Hordeum vulgare, Lens culinaris, Linum usitatissimum, Oryza sativa, Phaseolus spp.¹, Pisum sativum, Secale cereale, Sorghum bicolor, Triticosecale spp., Triticum aestivum, Triticum compactum, Triticum durum, Vigna radiata, and Zea mays</i>

1 Beans include any commodity designated as "bean" by FGIS on an FGIS Form 921-2.

Other FGIS Documents

There are isolated cases when, in addition to the FGIS Form 921-2, an FGIS certificate is required. EXCERPT will state when other FGIS certificates are required. The FGIS Form 921-2 is **not** considered to be a certificate.



Except for FGIS certificates issued for beans and rice, FGIS certificates issued for official inspections of exports will show the FGIS seal in the center of the certificate. The seal indicates the grain was officially sampled and inspected by FGIS or an official agency working under GIPSA authority.

If EXCERPT states that an FGIS certificate is required, use [Table 4-3-5](#) on [page 4-3-12](#) to determine if the FGIS certificate presented is acceptable. Examples of some acceptable FGIS certificates are in [Table A-1-1](#) on [page A-1-2](#).

TABLE 4-3-5: Determine if You Can Use the FGIS Certificate to Issue a PPQ Form 577 or 579

If the sample and inspection was:	Then the FGIS certificate will be:
“Official”	WHITE and can be used as the basis for issuing PPQ Form 577 or 579
“Submitted” (not officially sampled)	PINK and cannot be used as the basis for issuing PPQ Form 577 or 579
A “warehouse sample” (not officially sampled)	YELLOW and cannot be used as the basis for issuing PPQ Form 577 or 579



Official Grain Inspection Certificates, Official Sample - Lot Inspection, provided by official agencies of FGIS differ from those provided by FGIS. However, an FGIS seal must be visible in the center of the certificate.

06-8100-1064-MU

Memorandum of Understanding (MOU)

Between the Grain Inspection Packers And Stockyards Administration (GIPSA) and the Animal And Plant Health Inspection Service (APHIS) Plant Protection and Quarantine (PPQ)

Article I - Purpose

The Grain Inspection Packers and Stockyards Administration (GIPSA) and the Animal and Plant Health Inspection Service (APHIS) have certain related objectives in the discharge of their responsibilities associated with export shipments of U.S. grain and related products from U.S. and Canadian ports. This document revises an Agreement dated November 05, 1981 between the Federal Grain Inspection Service (FGIS), which is now part of GIPSA, and APHIS/Plant Protection and Quarantine (PPQ). The original agreement was intended to improve GIPSA/APHIS collaboration, and in turn, the efficiency of phytosanitary certification of U.S. grain exports. This document updates the original agreement by providing updated procedures and responsibilities for the phytosanitary inspection and certification of export grain and related products.

Article II - Background

The United States is a signatory to the International Plant Protection Convention (IPPC) of the Food and Agriculture Organization (FAO). The IPPC develops and adopts International Standards for Phytosanitary Measures (ISPMs) by which an importing country may require a phytosanitary certificate for certain agricultural products. Under the IPPC, the National Plant Protection Organization (NPPO) of the exporting country is responsible for establishing and maintaining a national export certification system to produce valid and credible phytosanitary certificates.

APHIS/PPQ is delegated responsibility under Section 108 of the United States Department of Agriculture's Plant Protection Act (PPA) of 2000 to inspect plants and plant products offered for export and to certify to the NPPO of the importing country that such products are free of plant pests in accordance with its phytosanitary requirements.

GIPSA provides quality inspections of grains, rice, pulses, legumes, and related products and processed by-products under the U.S. Grain Standards Act (USGSA) and Agricultural Marketing Act (AMA), and in doing so, provides APHIS with the pest status of consignments. APHIS uses this information to issue a phytosanitary certificates for these commodities.

(The term grain shall mean all products for which GIPSA is responsible for under the USGSA and AMA.) GIPSA carries out its inspection responsibilities through Federal and licensed non-Federal personnel. For the purposes of this document, the term GIPSA will be used to refer to GIPSA or its official inspection personnel.

Article III - Authorities

Title 7, Section 79(e)(1) (Inspection of Exports), of the USGSA, for official inspection personnel employed by the Secretary, or other persons under contract with the Secretary, to officially inspect at export port locations, all grain required or authorized to be inspected.

Section 418 (Certification for Exports), Public Law 106-224, of the PPA to inspect plants and plant products offered for export and to certify to the NPPO of the importing country that such products are free of plant pests in accordance with the phytosanitary requirements of foreign countries; and

Section 431(a) (Cooperation), Public Law 106-224, of the PPA to cooperate with other Federal agencies, the government of foreign countries, international organizations or associations, States and their political subdivisions, farmer's associations and similar organizations, and other persons to detect, eradicate, suppress, control, and prevent or retard the spread of plant pests and diseases.

Article IV - Mutual Responsibilities & Understanding

It is mutually understood and agreed to/that:

- A.** APHIS/PPQ and GIPSA will maintain a working relationship with each other ensuring mutual cooperation and understanding in executing this MOU.
- B.** GIPSA will charge a fee to the applicant for services related to phytosanitary inspection as warranted.

Article V - Aphis Responsibilities

- A.** APHIS/PPQ will specify the specific grains GIPSA and their official service providers can inspect for phytosanitary purposes.
- B.** PPQ will:
 - 1.** Provide technical pest identification training for at least two supervisors from each GIPSA location responsible for activities under this MOU.
 - 2.** Periodically monitor the accuracy of pest identification performed by GIPSA and official service providers; and,
 - 3.** Identify all live insects, larvae, and other pests which cannot be identified by GIPSA.
 - 4.** Provide vials, envelopes, etc., required for the submission of specimens.
- C.** PPQ will be the primary contact point for applicants requesting phytosanitary certification and will provide all necessary information to enable applicants to obtain phytosanitary certification.
- D.** PPQ will not, except under special circumstances (e.g., analysis for plant pathogens, etc.):
 - 1.** Inspect grain at elevators or on waterborne carriers; or
 - 2.** Request official subplot or composite samples of grain.

- E.** PPQ may ask GIPSA to furnish official samples, copies of inspection logs, official grain inspection certificates, or other inspection information (Inspection Report - Insects in Grain, Form FGIS 921-2) for review and will:
- 1.** Issue a Federal Phytosanitary Certificate; or
 - 2.** Inform GIPSA and the exporter or their agent of circumstances that prevent the issuance of a phytosanitary certificate.

PPQ will maintain the integrity of any official samples obtained from GIPSA and official service providers and return such samples as soon as possible.

Article VI - GIPSA and Official Service Provider Responsibilities

A. General:

- 1.** GIPSA personnel shall accept applications from exporters for phytosanitary inspections and perform the requested service. Exporters must provide GIPSA with the importing country's phytosanitary requirements.
- 2.** GIPSA personnel shall, in accordance with prescribed GIPSA procedures, examine officially drawn samples for live insects, larvae, and other pests prohibited by the country of destination.
- 3.** GIPSA personnel will record on Form FGIS 921-2, "Inspection Report - Insects in Grain", pertinent information about any detection of adult insects, larvae, or other pests.
- 4.** GIPSA personnel will notify APHIS/PPQ of live insects or other pests that cannot be accurately identified. Once APHIS/PPQ has been notified, the applicant shall arrange for transportation of the pests to APHIS/PPQ for identification. Official personnel shall secure and preserve the identity of any specimens sent to APHIS/PPQ.
- 5.** Official personnel shall preserve the identity of these pests until such time as they are turned over to APHIS/PPQ. When submitting pests to APHIS/PPQ for identification, the specimens shall be identified by:
 - a.** Name of applicant;
 - b.** Mode of transportation and identification of carrier;
 - c.** Kind of grain;
 - d.** Date found;
 - e.** Sublot number, if applicable
 - f.** Quantity of grain represented by the sample, subsample, component sample, or sublot sample;
 - g.** Hold number (s), if applicable; and
 - h.** Country of destination.
- 6.** Upon request of APHIS/PPQ, GIPSA personnel shall witness the fumigation of grain infested with insects that are prohibited by the country of destination, in accordance with established procedures in the GIPSA Fumigation Handbook.

7. Upon request of APHIS/PPQ, GIPSA personnel may re-inspect grain for infestation after fumigation, in accordance with the established GIPSA procedures.
8. Upon request of APHIS/PPQ, GIPSA personnel shall witness the fumigation of grain infested with insects prohibited by the country of destination. The fumigation procedures shall be identical to the procedures outlined in the GIPSA Fumigation Handbook. For purposes of phytosanitary certification, the fumigation procedure shall be witnessed even if the grain is not considered “Infested” under the United States Grain Standards Act, or designated as “Sample Grade” due to insect infestation for products inspected under the Agricultural Marketing Act.
9. When grain is infested with prohibited insects and the affected shiphold(s) cannot be fumigated because:
 - a. The ship does not meet the requirements for on-board fumigation as outlined in the GIPSA Fumigation Handbook, or
 - b. The receiving country will not accept grain which has been fumigated.

GIPSA personnel shall, upon request of APHIS/PPQ, witness the complete removal of the infested grain.

10. GIPSA personnel will issue FGIS 921-2 Form to reflect the phytosanitary condition of any lot infested with insects when the affected containerized shipment cannot be fumigated.
11. GIPSA personnel will report to APHIS/PPQ any incidence of live or dead *Trogoderma granarium* (khapra beetle).
12. Additional file samples for phytosanitary inspections are not required. Official file samples may be forwarded to APHIS/PPQ if needed. GIPSA personnel shall maintain a record of all official file samples furnished to APHIS/PPQ.
13. Upon completion of inspection, GIPSA personnel shall promptly provide the completed Form FGIS 921-2, “Inspection Report - Insects in Grain” for the shipment directly to the applicant for service, or mail, fax, or electronically submit a completed copy of the Form FGIS 921-2, “Inspection Report - Insects in Grain” to the APHIS/PPQ office that will issue the phytosanitary certificate. Upon request, a completed copy of Form FGIS 909 and/or Form FGIS 909-2, “Official Export Grain Inspection Certificate,” or Form FGIS 917, “Official Grain Inspection and Weighing Certificate,” or other approved official certificate shall also be submitted.

To expedite the issuance of a phytosanitary certificate by APHIS/PPQ, GIPSA personnel may telephone their findings to the APHIS/PPQ office that will issue the phytosanitary inspection certificate.

B. Reporting procedures for U.S. grain in Canadian ports:

When a phytosanitary inspection is completed, regardless of whether it is performed in conjunction with an inspection for official grade, a completed copy of Form FGIS 921-2, "Inspection Report - Insects in Grain," shall be promptly mailed, faxed, or electronically transmitted to the Duluth, Minnesota office of APHIS/PPQ.

Upon request, a completed copy of Form FGIS 909, "Official Export Grain Inspection Certificate," and a completed copy of Form FGIS 916, "Official Certificate," shall be promptly mailed, faxed, or electronically transmitted to:

USDA-APHIS-PPQ
515 West 1st. Street, Rm. 226
Duluth, MN 55802
Phone: 218-720-5282
Fax: 218-720-5281

Article VII - Application Procedures

- A. U.S. Grain in Canadian Ports:** This section applies only to phytosanitary inspection services on U.S. grain shipped through Canadian ports including, but not limited to, Baie Comeau, Montreal, Port Cartier, Quebec City, Sorel, and Trois Rivieres.

Applicants requesting phytosanitary inspection services should check the "other closely related services" block on Form GIPSA 907, "Application for Inspection and Weighing Services" and write "phytosanitary." Exporters or their agents must apply for phytosanitary inspection services with the APHIS/PPQ field office at the following address:

USDA-APHIS-PPQ
515 West 1st. Street, Rm. 226
Duluth, MN 55802
Phone: 218-720-5282
Fax: 218-720-5281

- B. Export Grain at U.S. locations:** Applicants requesting phytosanitary inspection services for grain shipped from export ports and other domestic locations in the United States shall apply with the appropriate APHIS/PPQ office or GIPSA.

Article VIII - Statement of No Financial Obligation

Signature of this MOU does not constitute a financial obligation on the part of APHIS or GIPSA. Each signatory party is to use and manage its own funds in carrying out the purpose of this MOU. Transfers of funds or items of value are not authorized under this MOU.

Article IX - Limitations of Commitment

This MOU and any continuation thereof shall be contingent upon the availability of funds appropriated by the Congress of the United States. It is understood and agreed that any monies allocated for purposes covered by this MOU shall be expended in accordance with its terms and the manner prescribed by the fiscal regulations and/or administrative policies of the party making the funds available. If fiscal resources are to transfer, a separate agreement must be developed by the parties.

Article X - Congressional Restriction

Under 41 USC 22, no member of or delegate to Congress shall be admitted to any share or part of the MOU or to any benefit to arise therefrom.

Article XI - Amendments

This MOU may be amended at any time by mutual agreement of the parties in writing.

Article XII - Termination

This MOU may be terminated by either party with sixty (60) days written notice to the other party.

Article XIII - Effective Date and Duration

This MOU will be in effect upon date of final signature and will continue for 5 years.

**UNITED STATES DEPARTMENT OF AGRICULTURE
GRAIN INSPECTION PACKERS AND STOCKYARDS ADMINISTRATION**

James E. Link, Administrator

Date

**UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
PLANT PROTECTION AND QUARANTINE**

W. Ron DeHaven, Administrator

Date

