

5

Export Program
Manual

Special Procedures

Special Programs • Mill Certification Program

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Introduction

These special procedures provide information about the Memorandums of Understanding (MOUs) PPQ has initiated with numerous lumber grading agencies, who provide the oversight of Mill Certification Programs. The purpose of the MOUs is to facilitate exports of coniferous sawn wood and to address the export concerns of the importing country.

Coniferous sawn wood is an important export from the U.S., which is highly regulated because of various pests, including the pine wood nematode, *Bursaphelenchus xylophilus*. Therefore, the MOUs establish how the wood products will be inspected and treated at the mill and the documentation that the mill will supply to PPQ for export certification of coniferous sawn wood.

Two of the MOUs eliminate the need to issue a PPQ Form 577 for coniferous sawn wood and allow participating lumber mills to issue their own certification for kiln dried coniferous lumber going to Member States of the European Union. The two MOUs are for the following situations:

- ◆ Coniferous sawn wood using heat treatment certification
- ◆ Debarking and grub hole control of coniferous sawn wood

Mill Certification Programs for coniferous sawn wood utilize the MOUs listed below and further detail:

- ◆ [*Mill Certification Program for Heat Treatment of Coniferous Sawn Wood Going to Member States of the European Union*](#)
- ◆ [*Kiln-Dried Coniferous Sawn Wood Going to Non European Union Member States*](#)
- ◆ [*Debarking and Grub Hole Control of Coniferous Sawn Wood*](#)
- ◆ [*Biannual Audit Checklist for Certification Programs*](#)

Mill Certification Program for Heat Treatment of Coniferous Sawn Wood Going to Member States of the European Union

The Mill Certification Program for heat treatment of coniferous sawn wood going to Member States of the European Union is the most widespread of the Mill Certification Programs. This program provides an industry certification system that is officially approved to meet the phytosanitary import requirements of the European Union for coniferous wood from the U.S.

See [Figure 5-7-1](#) on [page-5-7-3](#) and [Figure 5-7-2](#) on [page-5-7-4](#) for an example of an MOU for a Mill Certification Program for heat treatment of coniferous sawn wood going to Member States of the European Union.

Export shipments of wood from lumber mills that are **not** participating in a Mill Certification Program may be certified to Member States of the European Union with PPQ Form 577, if the mill meets the criteria specified in the export summary for the European Union.



Advise exporters that shipments may be rejected or destroyed at destination if the wood has **not** been sawn or kiln dried and heat treated, and is **not** accompanied by the proper certificate.

**3.2-34-85-0254-MU
MEMORANDUM OF UNDERSTANDING
BETWEEN THE
[ASSOCIATION]
AND THE
UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
PLANT PROTECTION AND QUARANTINE (APHIS)**

ARTICLE 1

The Memorandum facilitates the implementation of an officially approved industry certification system to satisfy the legislation of the European Community derived from Plant Health Directive 77/93/EEC, as amended, with respect to heat treatment of coniferous sawn wood destined to the European Union.

ARTICLE 2

Authority exists under the Plant Protection Act of Section 431 (a), Public Law 106-224, for the Secretary of Agriculture to cooperate with the States of political subdivisions thereof, farmers' associations, and similar organizations, and individuals to detect, eradicate, suppress, control, or to prevent or retard the spread of plant pests and plant diseases, including the export certification of domestic plants and plant products.

ARTICLE 3

The cooperating parties agree that:

- a. The overall direction and control of this cooperative program is to be maintained by APHIS. Inspectional personnel shall remain administratively responsible to the Association.
- b. The basic control requirement for coniferous sawn wood under this system is heat treating/kiln drying to the extent that all parts of the wood, including the core, have reached a temperature of at least 133 degrees F (56 degrees C) for 30 minutes.

ARTICLE 4

The Association agrees to that:

- a. Heat treated/kiln dried coniferous sawn wood shipments shall be inspected by an approved representative of the Association and, subject to the terms of Article 4.c, below, shall be certified as confirming to the certification statement imprinted on the Heat Treatment Certification Using a Kiln Facility Certificate. A sample of this certificate is annexed to this Document.
- b. Shipments of coniferous sawn wood moving into export channels that have been heat treated/kiln dried according to the requirements of this system shall have bundles of coniferous wood in the shipment marked "HT" or "KD" at the preparing mill.
- c. Maintain signed agreements with participating mills, a register of participating mills, a registry of employees/agents to issue the Heat Treatment Certification Using a Kiln Facility Certificate, a register of agency employees who are authorized to authenticate such certificates, and copies of all certificates issued.
- d. Provide mill inspector training to all participating mills. Monthly review of the individual mill certification program shall be made through regular quality control checks by the Association.
- e. Make files and records available for review by APHIS in carrying out its responsibilities outlined in Article 5. Records will be retained for 3 years after the close of the Federal fiscal year.

ARTICLE 5

APHIS agrees to monitor the certification system for conformance by conducting random biannual inspections (minimally) at participating companies and at points of export and by reviews Lumber Grading Agency files and records.

FIGURE 5-7-1: Example of MOU for Mill Certification Program for Heat Treatment of Coniferous Sawn Wood Going to European Union Member States (front)

ARTICLE 6

This Memorandum is to define in general terms, the basis on which the parties concerned will cooperate and, as such, does not constitute a financial obligation on the part of APHIS. Each signatory party is to use and manage its own funds in carrying out the purpose of this Memorandum.

ARTICLE 7

Pursuant to Section 22, Title 41, United States Code, no member or delegate to Congress shall be admitted to any share or part of this Memorandum or to any benefit to arise there from.

ARTICLE 8

This Memorandum shall become effective upon date of final signature and shall continue in effect for 5 years. It may be amended at any time by mutual agreement between the parties in writing and may be terminated by mutual agreement of the parties or by either party upon 30 days written notice to the other party.

ASSOCIATION
[LUMBER GRADING AGENCY NAME]
[NAME AND TITLE OF AGENCY REPRESENTATIVE]

[Signature] _____ Date _____

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

[Signature] _____ Date _____
Regional Director

FIGURE 5-7-2: Example of MOU for Mill Certification Program for Heat Treatment of Coniferous Sawn Wood Going to European Union Member States (back)

Heat Treatment Declaration

These special procedures cover the export certification of wood and wood products requiring a heat treatment declaration.

ACOs may record an unmonitored heat treatment on an export certificate when the following conditions apply:

The material presented can be verified as the material represented on the certificate (lot numbers, board feet, etc.).

AND

The material is from a mill approved by the USDA and meets the facility specifications of the Center for Plant Health Science and Technology (CPHST) as noted in T404-e-2;

OR

The material is from a treatment facility certified under the “Certifying Facilities” guidelines in the *Treatment Manual* http://www.aphis.usda.gov/ppq/manuals/port/Treatment_Chapters.htm (section 6.6) and performed by an APHIS inspector (PPQ, ACO, ALSC).

Lumber Grading Agencies

Official control of Mill Certification Programs is maintained through MOUs established between PPQ and lumber grading agencies. The participating lumber grading agencies formulate, publish, and maintain grading rules, and provide inspection facilities for softwood under the provisions of the American Softwood Lumber Standard.

See [Figure 5-7-3](#) on [page-5-7-6](#) for a list of the lumber grading agencies participating in Mill Certification Programs for heat treatment of coniferous sawn wood going to Member States of the European Union.

PPQ Region	Participating Lumber Grading Agency	Lumber Grading Agency Contact
Eastern	Northeastern Lumber Manufacturer's Association, Inc. 272 Tuttle Road Cumberland Center, Maine 04021	Jeff Easterling Executive Vice President Phone: 207-829-6901 FAX: 207-829-4293
	Renewable Resource Associates, Inc. 860 Johnson Ferry Road Suite 140 - 194 Atlanta, GA 30342	Lon J. Sibert President Phone: 678-528-3734 Cell: 770-330-9416 EFAX: 678-325-7330
	Southern Pine Inspection Bureau 4709 Scenic Highway Pensacola, Florida 32504	Tom S. Jones President Phone: 850-434-2611 FAX: 850-433-5594
	Timber Products Inspection, Inc. 1641 Sigman Road Conyers, Georgia 30012	David Conner Lumber Division Director Phone: 770-922-8000 FAX: 770-922-1290
Western	California Redwood Association and Redwood Inspection Service 405 Enfrente Drive, #200 Novato, California 94949	Christopher Grover Executive Vice President Phone: 415-382-0662 FAX: 415-382-8531
	Pacific Lumber Inspection Bureau, Inc. P.O. Box 7235 Bellevue, Washington 98008	Jeff Fantozzi Secretary/General Manager Phone: 253-835-3344 FAX: 253-746-5522
	West Coast Lumber Inspection Bureau Box 23145 Portland, Oregon 97281-3145	Jim Neeber Executive Vice President Phone: 503-639-0651 FAX: 503-684-8928
	Western Wood Products Association 522 SW Fifth Avenue Portland, Oregon 97220	Jim Matthews Asst. Director of Quality Standards Phone: 503-224-3930 FAX: 503-224-3934
	Timber Products Inspection, Inc. 105 SE 124th Avenue Vancouver, Washington 98684	Casey Dean Chief Lumber Inspector Phone: 360-449-3138 FAX: 360-449-3953

FIGURE 5-7-3: Lumber Grading Agencies Participating in Mill Certification Programs for Heat Treatment of Coniferous Sawn Wood Going to European Union Member States

Heat Treatment Certification Using a Kiln Facility

Lumber exported under a Mill Certification Program for heat treatment of coniferous sawn wood going to Member States of the European Union **must** be accompanied by a mill certificate, “Heat Treatment Certification Using a Kiln Facility.” The mill certificate attests that the wood has been properly heat treated.

Only sawn wood that has been kiln dried according to the provisions of the American Softwood Lumber Standard may be exported under this Mill Certification Program.

(See [Figure 5-7-4](#) on [page-5-7-8](#) for an example of Heat Treatment Certification Using a Kiln Facility.)


 <p>TIMBER PRODUCTS INSPECTION</p>	<h2 style="margin: 0;">HEAT TREATMENT CERTIFICATION USING A KILN FACILITY</h2>	CERTIFICATE NUMBER	
NAME AND ADDRESS OF SUPPLYING MILL (or as indicated in DESCRIPTION OF CONSIGNMENT)		NAME AND ADDRESS OF CONSIGNEE	
The lumber described below is certified to have undergone an appropriate heat treatment to achieve a minimum wood core temperature of 56 degrees C for 30 minutes.			
DESCRIPTION OF CONSIGNMENT		VOLUME	
INDICATE SPECIES, GRADE MARKS, OR OTHER IDENTIFYING MARKS. ALSO, INDICATE NUMBER OF PACKAGES AND BOARD FEET/CUBIC METERS BY LOT.			
This document is issued under a program officially approved by the Animal and Plant Health Inspection Service, U.S. Department of Agriculture. The products covered by this document are subject to preshipment inspection by that Agency. No financial liability shall be attached to the U.S. Department of Agriculture or to any officer or representative of the Department with respect to this certificate.			
AUTHORIZED PERSON RESPONSIBLE FOR CERTIFICATION			
NAME (Print)	SIGNATURE	TITLE	DATE
AGENCY VALIDATION			
SIGNATURE		TITLE	DATE

FIGURE 5-7-4: Example of Heat Treatment Certification Using a Kiln Facility

Mill Certification Program Responsibilities

When an MOU establishes a Mill Certification for heat treatment of coniferous sawn wood going to Member States of the European Union, the lumber grading agencies, the participating lumber mills, and the PPQ regional offices each have stipulated responsibilities. These program responsibilities are listed below for the following:

- ◆ *Lumber Grading Agencies*
- ◆ *Lumber Mills*
- ◆ *PPQ Regional Offices*

Lumber Grading Agencies

The responsibilities of lumber grading agencies, as stipulated in the MOUs, are as follows:

- ◆ Perform a monthly check of Mill Certification Program's quality control
- ◆ Maintain copies of issued certificates
- ◆ Maintain a list of designated personnel at each participating lumber mill who are approved to issue mill certificates
- ◆ Maintain signed agreements with participating lumber mills
- ◆ Provide training to participating lumber mills' inspectors
- ◆ Validate mill certificates issued by

Lumber Mills

The responsibilities of participating lumber mills, as stipulated under the MOUs, are as follows:

- ◆ Designate personnel to issue mill certificates (*Heat Treatment Certification Using a Kiln Facility* on page 5-7-7)
- ◆ Send issued mill certificates to the lumber grading agency for final review and validation
- ◆ Treat all shipments of coniferous sawn wood moving under a Mill Certification Program according to the American Softwood Lumber Standard for heat-treated or kiln-dried wood

PPQ Regional Offices

The responsibilities of the designated PPQ regional offices are as follows:

- ◆ Conduct biannual audits of each lumber grading agency for which an MOU is signed and of its participating lumber mills (see also [Biannual Audit Checklist for Certification Programs](#) on [page 5-7-30](#))
 - ❖ Meet with each lumber grade agency and participating lumber mills to review documentation
 - ❖ Confirm at participating lumber mills or at points of export that the shipments of coniferous sawn wood moving under a Mill Certification Program are meeting its conditions
 - ❖ Collect and submit to Export Services (ES) the results of the biannual audit by October 1 of each year (see [Figure 5-7-19](#) on [page-5-7-30](#) for an example of a Biannual Audit Checklist for the Wood Mill Certification Programs)
- ◆ Designate personnel to conduct biannual audits and randomly inspect lumber grade agencies and their lumber mills participating in a Mill Certification Program
- ◆ Maintain in the regional office those MOUs for Mill Certification Programs established in the region
- ◆ Randomly inspect for conformance to the Mill Certification Program participating lumber mills and shipments of wood at points of export
- ◆ Randomly review the files and records of participating lumber grading agencies

Audit results are used to support Mill Certification Programs when foreign countries inquire about program validity.

Kiln-Dried Coniferous Sawn Wood Going to Non European Union Member States

MOUs and Mill Certification Programs established for kiln-dried coniferous sawn wood going to non European Union Member States are similar to those previously mentioned (for coniferous sawn wood going to Member States of the European Union), yet are different in that they cover **only** kiln-dried coniferous sawn wood.

Wood that has been heat treated or merely debarked is **not** authorized under these MOUs.

See [Figure 5-7-5](#) on [page-5-7-11](#) for an example of an MOU for kiln-dried coniferous sawn wood.

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MEMORANDUM OF UNDERSTANDING
BETWEEN THE
[ASSOCIATION]
AND THE
UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
PLANT PROTECTION AND QUARANTINE (APHIS)

ARTICLE 1

The Memorandum facilitates the implementation of an officially approved industry certification system to provide an alternative basis for the Federal phytosanitary certification of kiln dried coniferous sawn wood. This program does not apply to European Union (EU) member states.

ARTICLE 2

Authority exists under the Plant Protection Act of Section 431 (a), Public Law 106-224, for the Secretary of Agriculture to cooperate with the States of political subdivisions thereof, farmers' associations, and similar organizations, and individuals to detect, eradicate, suppress, control, or to prevent or retard the spread of plant pests and plant diseases, including the export certification of domestic plants and plant products.

ARTICLE 3

The cooperating parties agree that:

- a. The overall direction and control of this cooperative program is to be maintained by APHIS. Inspectional personnel shall remain administratively responsible to the Association.
- b. The basic control requirement for coniferous sawn wood under this system is kiln drying to the extent that all parts of the wood have reached a temperature of at least 160 degrees F (71 degrees C) and the moisture content of the wood has been reduced to less than 20 percent by weight.

ARTICLE 4

The Association agrees to/that:

- a. Kiln dried coniferous sawn wood shipments shall be inspected by an approved representative of the Association and, subject to the terms of Article 4.c, below, shall be certified as conforming to the certification statement imprinted on the **Mill Certificate of Kiln Drying**. A sample of this certificate is annexed to this document.
- b. Shipments of coniferous sawn wood moving into export channels that have been kiln dried according to the requirements of this system shall have bundles of coniferous wood in the shipment marked "KD" or "Kiln Dried" at the preparing mill.
- c. Maintain signed agreements with participating mills, a register of participating mills, including names and representatives approved to issue **Mill Certificates of Kiln Drying**, and copies of all certificates issued.
- d. Provide mill inspector training to all participating mills. Monthly review of the individual mill certification program shall be made through regular quality control checks by the Association.
- e. Make files and records available for review by APHIS in carrying out its responsibilities outlined in Article 5. Records will be retained for 3 years after the close of the Federal fiscal year.

ARTICLE 5

APHIS agrees to monitor the certification system for conformance by conducting random biannual inspections (minimally) at participating companies and at points of export and by reviews Lumber Grading Agency files and records.

FIGURE 5-7-5: Example of MOU for Kiln Dried Coniferous Sawn Wood (front)

ARTICLE 6

This Memorandum is to define in general terms, the basis on which the parties concerned will cooperate and, as such, does not constitute a financial obligation on the part of APHIS. Each signatory party is to use and manage its own funds in carrying out the purpose of this Memorandum.

ARTICLE 7

Pursuant to Section 22, Title 41, United States Code, no member or delegate to Congress shall be admitted to any share or part of this Memorandum or to any benefit to arise there from.

ARTICLE 8

This Memorandum shall become effective upon date of final signature and shall continue in effect for 5 years. It may be amended at any time by mutual agreement between the parties in writing and may be terminated by mutual agreement of the parties or by either party upon 30 days written notice to the other party.

ASSOCIATION
[LUMBER GRADING AGENCY NAME]
[NAME AND TITLE OF AGENCY REPRESENTATIVE]

[Signature] _____ Date _____

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

[Signature] _____ Date _____
Regional Director

FIGURE 5-7-6: Example of MOU for Kiln Dried Coniferous Sawn Wood (back)

Lumber Grading Agencies

PPQ established MOUs with lumber grading agencies to facilitate the export certification of kiln dried coniferous sawn wood going to **non** European Union Member States. See [Figure 5-7-7](#) on [page-5-7-13](#) for a list of participating lumber grading agencies.

Lumber Grading Agency	Lumber Grading Agency Contact
California Redwood Association and Redwood Inspection Service 405 Enfrente Drive, No. 200 Novato, California 94949	Christopher Grover Executive Vice President Phone: 415-382-0662 FAX: 415-382-8531
Pacific Lumber Inspection Bureau Inc. P.O. Box 7235 Bellevue, Washington 98008	Jeff Fantozzi Secretary/Manager Phone: 253-835-3344 FAX: 253-746-5522
Renewable Resource Associates, Inc. 860 Johnson Ferry Road Suite 140 - 194 Atlanta, GA 30342	Lon J. Sibert President Phone: 678-528-3734 Cell: 770-330-9416 EFAX: 678-325-7330
Timber Products Inspection, Inc. 105 SE 124th Avenue Vancouver, Washington 98684	Casey Dean Chief Lumber Inspector Phone: 360-449-3138 FAX: 360-449-3953
Timber Products Inspection, Inc. 1641 Sigman Road Conyers, GA. 30012	David Conner Lumber Division Phone: 770-922-8000 FAX: 770-922-1290
West Coast Lumber Inspection Bureau Box 23145 Portland, Oregon 97281-3145	Jim Neeber Executive Vice President Phone: 503-639-0651 FAX: 503-684-8928
Western Wood Products Association 522 SW Fifth Avenue Portland, OR 97220	Jim Matthews Assistant Director of Quality Standards Phone: 503-224-3930 FAX: 503-224-3934

FIGURE 5-7-7: Lumber Grading Agencies Participating in Mill Certification Programs for Kiln Drying of Coniferous Sawn Wood

Mill Certificate of Kiln Drying

All shipments of kiln-dried coniferous sawn wood certified under these MOUs **must** have mill certificates validated by a participating lumber grading agency. The mill certificates **must** be presented to PPQ for conversion to PPQ Form 577 (see [Figure 5-7-8](#) on [page-5-7-14](#) for an example of a Mill Certificate of Kiln Drying).

MILL CERTIFICATE OF KILN DRYING		CERTIFICATE NUMBER	
NAME AND ADDRESS OF SUPPLYING MILL		NAME AND ADDRESS OF CONSIGNEE	
The lumber described below is certified to have been kiln dried to the extent that all parts of the wood have reached a temperature of at least 160 degrees F. (71 degrees C.) and the moisture content is less than 20 percent.			
DESCRIPTION OF CONSIGNMENT		VOLUME	
INDICATE SPECIES, GRADE MARKS, OR OTHER IDENTIFYING MARKS. ALSO, INDICATE NUMBER OF PACKAGES AND BOARD FEET/CUBIC METERS BY LOT (<i>Lot number and volume are required</i>).			
Mill Order No.: _____ Invoice No.: _____ Customer No.: _____	Number of Bundles.: _____ Marks on Bundles.: _____ Vessel.: _____		
This document is issued under a program officially approved by the Animal and Plant Health Inspection Service, U.S. Department of Agriculture. The products covered by this document are subject to preshipment inspection by that Agency. No liability shall be attached to the U.S. Department of Agriculture or to any officer or representative of the Department with respect to this certificate.			
AUTHORIZED PERSON RESPONSIBLE FOR CERTIFICATION			
NAME(Print)	SIGNATURE	TITLE	DATE
AGENCY VALIDATION			
AUTHORIZED SIGNATURE	TITLE	DATE	

FIGURE 5-7-8: Example of Mill Certificate of Kiln Drying

Mill Certification Program Responsibilities

When an MOU is entered into establishing a Mill Certification Program for kiln drying of coniferous sawn wood moving to non-European Member States, the lumber grading agencies, the lumber mills, and PPQ each have stipulated responsibilities. These program responsibilities are listed below for the following:

- ◆ *Lumber Grading Agencies*
- ◆ *Lumber Mills*
- ◆ *PPQ Port Offices*
- ◆ *PPQ Regional Offices*

Lumber Grading Agencies

The responsibilities of lumber grading agencies are essentially the same as those listed for coniferous sawn wood going to Member States of the European Union, **except** that lumber grading agencies return mill certificates to the lumber mill for conversion to PPQ Form 577s. The lumber grading agencies' responsibilities are as follows:

- ◆ Perform a monthly check of the Mill Certification Program's quality control
- ◆ Maintain copies of issued certificates
- ◆ Maintain a list of designated personnel at each lumber mill who are approved to issue mill certificates
- ◆ Maintain signed agreements with participating lumber mills
- ◆ Provide training to participating lumber mills' inspectors
- ◆ Return to lumber mills the validated mill certificates for conversion to PPQ Form 577s by PPQ
- ◆ Validate mill certificates issued by participating lumber mills

Lumber Mills

The responsibilities of participating lumber mills are as follows:

- ◆ Certify shipments are using a Mill Certificate of Kiln Drying for kiln-dried coniferous wood being exported to non European Union Member States
- ◆ Designate personnel to issue mill certificates
- ◆ Present validated mill certificates to PPQ for conversion to PPQ Form 577s
- ◆ Send issued mill certificates to the lumber grading agency for final review and validation

PPQ Port Offices The responsibilities of PPQ Port Offices are as follows:

- ◆ Issue PPQ Form 577s for those shipments of kiln-dried coniferous sawn wood covered by properly validated mill certificates
- ◆ Retain copies of validated mill certificates as supporting documentation for issued PPQ Form 577s
- ◆ Review validated mill certificates
- ◆ Verify that lumber grading agencies are participating in Mill Certification Programs

PPQ Regional Offices The responsibilities of the designated PPQ regional offices are as follows:

- ◆ Conduct biannual audits of each lumber grading agency for which an MOU is signed and its participating lumber mills (see also [Biannual Audit Checklist for Certification Programs](#) on [page 5-7-30](#))
 - ❖ Meet with each lumber grading agency and participating lumber mills to review documentation
 - ❖ Confirm at participating lumber mills or at points of export that the shipments of coniferous sawn wood moving under a Mill Certificate Program are meeting its conditions
 - ❖ Collect and submit to ES the results of the biannual audit by October 1 of each year (see [Figure 5-7-19](#) on [page-5-7-30](#) for an example of a Biannual Audit Checklist for the Wood Mill Certification Programs)
- ◆ Designate personnel to conduct biannual audits and randomly inspect lumber grade agencies and their lumber mills participating in a Mill Certification Program
- ◆ Maintain in the regional office those MOUs for Mill Certification Programs established in the region
- ◆ Randomly inspect for conformance to the Mill Certification Program participating lumber mills and shipments of wood at points of export
- ◆ Randomly review the files and records of participating lumber grading agencies

Audit results are used to support Mill Certification Programs when foreign countries inquire about program validity.

Debarking and Grub Hole Control of Coniferous Sawn Wood

The Mill Certification Program for debarking and grub control of coniferous sawn wood allows for certifying air-dried coniferous sawn wood or kiln-dried sawn wood of *Thuja* spp. going to Member States of the European Union. (See [Figure 5-7-9](#) on [page-5-7-18](#) and [Figure 5-7-10](#) on [page-5-7-19](#) for an example of an MOU for debarking and grub control of coniferous sawn wood.)

XX-MU
MEMORANDUM OF UNDERSTANDING
BETWEEN THE
[ASSOCIATION]
AND THE
UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
PLANT PROTECTION AND QUARANTINE (APHIS)

Relative to

**Preparation and Certification of Coniferous Sawn Wood of Thuja spp. Intended for Export
to the European Member States**

ARTICLE 1

The object of this Memorandum is to facilitate the implementation of an officially approved industry certification system to satisfy provisions of the national legislation of Member States of the European Union (EU) derived from Plant Health Directive 77/93/EEC, as amended, with respect to freedom from bark and grub holes on coniferous sawn wood originating in the United States. This program is applicable to Member States of the EU and to coniferous lumber pertaining to Thuja spp. only.

ARTICLE 2

This Memorandum is entered into by the Service by virtue of authority included in the Plant Protection Act of, Section 431 (a), Public Law 106-224, to cooperate with the States of political subdivision thereof, farmers' associations, and similar organizations, and individuals to detect, eradicate, suppress, control, or to prevent or retard the spread of plant pests and plant diseases, including the export certification of domestic plants and plant products.

ARTICLE 3

The cooperating parties agree that:

- a. The overall direction and control of this cooperative program is to be maintained by the Service. Inspectional personnel shall remain administratively responsible to the Association.
- b. The basic control requirement for coniferous sawn wood (Thuja spp. only), including spacers or other attached dunnage, is freedom from bark and grub holes larger than 3mm across associated with shipments, but the following conditions, if existing, shall not disqualify a shipment from certification:
 1. Waney edges from which external bark has otherwise been totally removed
 2. Ingrown bark, in particular, around knots
 3. Bark/pitch pockets, as described in the National Grading Rules
 4. Holes caused by Teredo worms (marine mollusks)
 - 5.

ARTICLE 4

The Association agrees:

- a. That unseasoned or air-dried coniferous sawn wood shipments, if not otherwise covered by a phytosanitary certificate, shall be inspected by an approved representative of the Association and, subject to the terms of Article 4.c, below, shall be certified as meeting the wood control requirements of the importing country. A sample of a **Mill Certificate of Debarking and Grub Hole Control** is annexed into this document.
- b. To maintain signed agreements with participating mills, and a registry of participating mills including names of representatives approved to issue certificates of debarking and grub hole control and copies of all certificates issued.

FIGURE 5-7-9: Example of MOU for Debarking and Grub Control of Coniferous Sawn Wood (front)

c. To provide mill inspector training to all participating mills. Monthly review of the individual mill certification program shall be made through regular quality control checks by the Association.

ARTICLE 5

The Service agrees:

a. To conduct an orientation program for designated mill inspectors on the plant health requirements of receiving countries pertaining to coniferous wood.

b. To monitor the certification system for conformance via random biannual inspection at participating mills, points of export, and reviews of Association files and records.

ARTICLE 6

This Memorandum is to define in general terms, the basis on which the parties concerned will cooperate and, as such, does not constitute a financial obligation to serve as a basis for expenditures. No transfer of Federal funds shall be involved under this Memorandum.

ARTICLE 7

This Memorandum shall become effective upon date of final signature and shall continue in effect for 5 years. It may be amended at any time by mutual agreement between the parties in writing and may be terminated by mutual agreement of the parties or by either party upon 30 days written notice to the other party.

ASSOCIATION
[LUMBER GRADING AGENCY NAME]
[NAME AND TITLE OF AGENCY REPRESENTATIVE]

[Signature] _____ Date _____

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

[Signature] _____ Date _____
Regional Director

FIGURE 5-7-10: Example of MOU for Debarking and Grub Control of Coniferous Sawn Wood (back)

Lumber Grading Agencies

See [Figure 5-7-11](#) for a list of lumber grading agencies participating in the Mill Certification Program for debarking and grub control of coniferous sawn wood. These lumber grading agencies may certify air-dried coniferous sawn wood or kiln-dried sawn wood of *Thuja* spp.

Lumber Grading Agency	Lumber Grading Agency Contact
California Redwood Association and Redwood Inspection Service 405 Enfrente Drive, #200 Novato, California 94949	Christopher Grover Executive Vice President Phone: 415-382-0662 FAX: 415-382-8531
Pacific Lumber Inspection Bureau Inc. P.O. Box 7235 Bellevue, Washington 98008	Jeff Fantozii Secretary/Manager Phone: 206-747-6542 FAX: 206-746-5522
West Coast Lumber Inspection Bureau Box 23145 Portland, Oregon 97281-3145	Jim Neeber Executive Vice President Phone: 503-639-0651 FAX: 503-684-8928
Western Wood Products Association 522 SW Fifth Avenue Portland, Oregon 97220	Jim Matthews Assistant Director of Quality Standards Phone: 503-224-3930 FAX: 503-224-3934
Timber Products Inspection, Inc. P.O. Box 20455 Portland, Oregon 97220	Casey Dean Chief Lumber Inspector Phone: 503-254-0204 FAX: 503-252-9267

FIGURE 5-7-11: List of Lumber Grading Agencies Participating in Mill Certification Programs for Kiln Drying, Debarking, and Grub Hole Control

Certificate of Debarking and Grub Hole Control

This Mill Certification Program allows for the certification of debarking and grub hole control for coniferous sawn wood of **only** *Thuja* spp. going to Member States of the European Union. Air-dried coniferous sawn wood **must** have mill certification that the wood is free from bark and grub holes larger than 3 millimeters in diameter. The mill certificates **must** be presented to PPQ for conversion to PPQ Form 577 (see [Figure 5-7-12](#) on [page-5-7-21](#) for an example of the Certificate for Debarking and Grub Hole Control).

CERTIFICATE OF DEBARKING AND GRUB HOLE CONTROL Issued in the U.S.A.		CERTIFICATE NUMBER <hr/> BILL OF LADING NUMBER
NAME AND ADDRESS OF SUPPLYING MILL	NAME AND ADDRESS OF CONSIGNEE <i>(Optional)</i>	
DESCRIPTION OF CONSIGNMENT <small>INDICATE SPECIES, GRADE MARKS, OR OTHER IDENTIFYING MARKS. ALSO, INDICATE NUMBER OF PACKAGES AND BOARD FEET/CUBIC METERS BY LOT <i>(Lot number and volume are required)</i>.</small>		VOLUME
Description of Consignment area		Volume area
<p><i>The lumber in this shipment has been examined by a mill inspector or other authorized person and found to have been stripped of its bark and to be free of grub holes; and, to the best of his/her knowledge and belief, to be in conformance with the import requirements of the receiving country.</i></p> <p>-----</p> <p><i>This document is issued under a program officially approved by the Animal and Plant Health Inspection Service, U.S. Department of Agriculture. The products covered by this document are subject to preshipment inspection by that Agency. No liability shall be attached to the U.S. Department of Agriculture or to any officer or representative of the Department with respect to this certificate.</i></p>		
AUTHORIZED PERSON RESPONSIBLE FOR CERTIFICATION		
NAME <i>(Print)</i>	SIGNATURE	TITLE
AGENCY VALIDATION		
AUTHORIZED SIGNATURE	TITLE	DATE

FIGURE 5-7-12: Example of Certificate of Debarking and Grub Hole Control

Mill Certification Program Responsibilities

When an MOU is entered into to establish a Mill Certification Program for debarking and grub hole control of *Thuja* spp. going to Member States of the European Union, the lumber grading agency, the participating lumber mills, and the PPQ offices each have stipulated responsibilities. These program responsibilities are listed below for the following:

- ◆ *Lumber Grading Agencies*
- ◆ *Lumber Mills*
- ◆ *PPQ Port Offices*
- ◆ *PPQ Regional Offices*

Lumber Grading Agencies

The responsibilities of lumber grading agencies are as follows:

- ◆ Perform a monthly check of the Mill Certification Program' quality control
- ◆ Maintain copies of issued certificates
- ◆ Maintain a list of designated personnel at each participating lumber mill who are approved to issue mill certificates
- ◆ Maintain signed agreements with participating lumber mills
- ◆ Provide training to participating lumber mills' inspectors
- ◆ Validate mill certificates issued by participating lumber mills

Lumber Mills

The responsibilities of participating lumber mills are as follows:

- ◆ Certify unseasoned or air-dried coniferous sawn wood as meeting the requirements of the foreign country using a Certificate of Debarking and Grub Hole Control
- ◆ Designate personnel to issue mill certificates
- ◆ Inspect unseasoned or air-dried coniferous sawn wood
- ◆ Send issued mill certificates to the lumber grading agency for final review and validation

PPQ Port Offices

The responsibilities of PPQ Offices are as follows:

- ◆ Issue PPQ Form 577s for those shipments of kiln-dried coniferous sawn wood covered by properly validated mill certificates
- ◆ Retain copies of validated mill certificates as supporting documentation for issued PPQ Form 577s
- ◆ Review validated mill certificates

PPQ Regional Offices

- ◆ Verify that lumber grading agencies are participating in Mill Certification Programs

The responsibilities of the designated PPQ regional offices are as follows:

- ◆ Conduct biannual audits of each lumber grading agency for which an MOU is signed and of its participating lumber mills (see also [Biannual Audit Checklist for Certification Programs](#) on [page 5-7-30](#)) as follows:
 - ❖ Meet with each lumber grade agency and participating lumber mills to review documentation
 - ❖ Confirm at participating lumber mills or at points of export that the shipments of coniferous sawn wood moving under a Mill Certificate Program are meeting its conditions
 - ❖ Collect and submit to ES the results of the biannual audit by October 1 of each year (see [Figure 5-7-19](#) on [page-5-7-30](#) for an example of a Biannual Audit Checklist for the Wood Mill Certification Programs)
- ◆ Designate personnel to conduct biannual audits and randomly inspect lumber grade agencies and their lumber mills participating in a Mill Certification Program
- ◆ Maintain in the regional office those MOUs for Mill Certification Programs established in the region
- ◆ Randomly inspect conformance to the Mill Certification Program participating lumber mills and shipments of wood at points of export for
- ◆ Randomly review the files and records of participating lumber grading agencies

Audit results are used to support Mill Certification Programs when foreign countries inquire about program validity.

Kiln-Dried Sawn Hardwood Lumber

The Mill Certification Program allows for certifying kiln-dried sawn hardwood lumber. See [Figure 5-7-13](#) on [page-5-7-24](#) through [Figure 5-7-18](#) on [page-5-7-29](#) for details.

Agreement No. 07-8100-1173-MU

MEMORANDUM OF UNDERSTANDING
BETWEEN
NATIONAL HARDWOOD LUMBER ASSOCIATION (COOPERATOR)
AND
UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)
ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)
PLANT PROTECTION AND QUARANTINE (PPQ)

ARTICLE 1 - PURPOSE

The purpose of this Memorandum of Understanding (MOU) is to facilitate the implementation of an APHIS-approved and industry-issued certification system with respect to the Certification of Kiln Drying Sawn Hardwood Lumber.

ARTICLE 2 – BACKGROUND

Many foreign countries have adopted measures requiring the kiln drying and certification of all sawn hardwood lumber originating in the United States to prevent the introduction and establishment of pests. To facilitate exports of bark-free sawn hardwood lumber shipments, APHIS initiated this MOU with the National Hardwood Lumber Association (NHLA) to develop and oversee the United States Kiln Drying Sawn Hardwood Lumber Certification Program.

ARTICLE 3 - AUTHORITIES

APHIS is authorized by the Plant Protection Act, Sec. 431 (a), Public Law 106-224, to cooperate with other Federal agencies, the governments of foreign countries, international organizations or associations, states and their political subdivisions, farmers' associations and similar organizations, and other persons to detect, eradicate, suppress, control, and prevent or retard the spread of plant pests and diseases.

ARTICLE 4 – MUTUAL RESPONSIBILITIES

The Cooperator and APHIS mutually agree/understand to/that:

1. The overall direction and control of this cooperative program is to be maintained by APHIS. Inspection of the sawn hardwood lumber shall be performed by industry-certified personnel and shall remain administratively responsible to the NHLA.
2. The basic control requirement for sawn hardwood lumber under this system is kiln drying to the extent that all parts of the lumber have been reduced to less than 20 percent moisture by weight.

FIGURE 5-7-13: Example of MOU for Kiln-Dried Sawn Hardwood Lumber (page 1)

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3. Employee(s) responsible for this work will be under the general program direction of APHIS and NHLA. Supervision of personnel will be provided by their employing organization and they will be subject to their employing organization's rules and regulations, except to the extent that NHLA personnel will conduct inspections following USDA regulations and standards.

ARTICLE 5 – COOPERATOR RESPONSIBILITIES

The Cooperator agrees to/that:

1. Designate Mark Barford, Executive Manager, Memphis, Tennessee, as its authorized representative who shall be responsible for collaboratively administering the activities conducted under this MOU. Mr. Barford can be contacted by telephone at 901.377.1818 Ext. 101.

2. Kiln dried sawn hardwood lumber shipments shall be inspected by an industry-certified inspector of the NHLA and subject to the terms of Item 4 below. Kiln dried sawn hardwood lumber requirements are regulated by the NHLA Board of Managers. NHLA inspectors shall ensure that kiln dried sawn hardwood lumber bundles are properly numbered and conform to the certification statement that the inspected lumber has been kiln dried resulting in all parts of the lumber having a moisture content of less than 20% at the conclusion of the kiln drying process. This certification statement appears in the body of the Kiln Drying Sawn Hardwood Lumber Certificate. Each shipment of kiln dried sawn hardwood lumber shall include a corresponding Kiln Drying Sawn Hardwood Lumber Certificate with the manifest. Refer to Attachment 1 for a sample Certificate of Kiln Drying, Sawn Hardwood Lumber.

3. Maintain signed agreements with participating facilities; a register of participating facilities, including names of representatives approved to issue Certificates of Kiln Drying; a register of employees who are authorized to authenticate the certificates; copies of all certificates issued; and a web accessible register of participating facilities and corresponding approved representatives for issuing and approving certificates.

4. Provide on-site inspections to check the capabilities of all participating facilities. The inspectors shall inspect each participating facility's equipment and the skills of the kiln operators. The inspectors shall be skilled with all four kiln types: direct heat, indirect heat, direct steam, and indirect steam. Monthly reviews of the individual Kiln Drying Certification Program shall be made through regular quality control checks by the Cooperator. Additionally:

4.1. Inspections shall be performed by industry-certified inspectors that are independent of the treatment facilities and thoroughly competent in the inspection of kilns and the species of wood being inspected.

4.2. Inspections of participating facilities and treated inventory shall be performed in each month that a shipment is scheduled. The Cooperator ensures that facilities will

FIGURE 5-7-14: Example of MOU for Kiln-Dried Sawn Hardwood Lumber (page 2)

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request inspections as necessary. The inspections shall consist of document verification, including the board feet amount of kiln dried (KD) lumber produced each month; kiln treatment records review; moisture testing and lot number verification on the bundle bands of a representative sample of the facility's production inventory at the time of inspection; review of inspection and segregation practices of treated wood; and provide written reports to the inspected facility.

4.2.1. When the first audit results in failure/reported non-compliance of a certified facility:

4.2.1.1 The inspector shall notify the non-compliant facility with a letter of non-compliance within three (3) business days of inspection.

4.2.1.2 Within 15 days of the written non-compliant notification to the inspected facility, the inspector shall submit a written analysis of the problem and proposed solutions to the non-compliant facility.

4.2.1.3 The non-compliant facility will be re-inspected 45 calendar days after the written non-compliant notification to determine if the proposed solutions have been implemented by the inspected facility and are sufficient to resolve the non-compliance issues.

4.2.2. If during the 45-day re-inspection period, a second audit results in failure/reported non-compliance, the facility shall be removed from the certification program. One year after removal from the certification program, a facility may re-apply for certification.

5. Ensure that inspected facilities make files and records, including inspection reports, relating to APHIS certification responsibilities as outlined in Article 6 available for review by APHIS.

6. Retain inspection records for three years after the close of the Federal fiscal year in which the inspection occurred.

ARTICLE 6 – APHIS RESPONSIBILITIES

APHIS agrees to/that:

1. Designate John Tyrone Jones, II, Export Specialist, as its authorized representative who shall be responsible for collaboratively administering the activities conducted under this MOU. Mr. Jones can be reached at 301.734.8860.

2. Complete an audit of the NHLA Program annually. A written report of audit findings will be submitted to the NHLA within 21 business days after completion of the audit.

FIGURE 5-7-15: Example of MOU for Kiln-Dried Sawn Hardwood Lumber (page 3)

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3. As part of the bi-annual inspections, APHIS will ensure that agencies independent of the mills (product) have been approved by the NHLA Board of Managers as lumber grading agencies and that their inspectors are industry-certified. Each lumber grading agency must have met the resource and checks and balance requirements of the NHLA Board of Managers in order to qualify as a lumber grading agency. Additionally, the APHIS inspector will review the files and records of the industry-certified inspectors and that the industry-certified inspectors have been fully trained and certified by the NHLA. Training for industry-certified inspectors includes the proper calibration of the kiln; placement and number of probes; use of moisture meters; proper recording and filing of product and inspection information; positioning of product within the kiln; storage of the product; review of shipment documentation; verification of training documentation and competence; and identifying suspect (fraudulent) shipment documentation.

4. Monitor the certification system for conformance by conducting bi-annual inspections (minimum) at participating facilities as well as corresponding points of export. Local PPQ officers will be responsible for scheduling the bi-annual inspections. Regional and headquarters staff will verify completion of the bi-annual inspections and maintain the inspection schedule records.

5. Generate and distribute inspection reports to the inspected facility; the respective PPQ regional office; and to the Phytosanitary Issues Management Office at headquarters in Riverdale, MD. Facilities failing inspection shall receive a written preliminary inspection report within seven (7) days of the inspection. The inspection report shall include recommendations to achieve compliant status. Final and complete reports shall be distributed to the aforementioned parties within 21 business days after completion of the audit.

ARTICLE 7 – STATEMENT OF NO FINANCIAL OBLIGATION

Signature of this MOU does not constitute a financial obligation on the part of APHIS. 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 8 – 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 cooperating parties.

FIGURE 5-7-16: Example of MOU for Kiln-Dried Sawn Hardwood Lumber (page 4)

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ARTICLE 9 – 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 there from.

ARTICLE 10 – AMENDMENTS

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

ARTICLE 11 – TERMINATION

This MOU may be terminated by either party upon thirty (30) days written notice to the other party.

ARTICLE 12 - EFFECTIVE DATE AND DURATION

This MOU will become effective upon date of final signature and will continue for a period of five years.

NATIONAL HARDWOOD LUMBER ASSOCIATION

Mark Barford
Executive Manager

Date

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

Paul R. Eggert
Associate Deputy Administrator

Date

FIGURE 5-7-17: Example of MOU for Kiln-Dried Sawn Hardwood Lumber (page 5)

Biannual Audit Checklist for Certification Programs

See [Figure 5-7-19](#) below for an example of a Biannual Audit Checklist for Mill Certification Programs.

BIANNUAL AUDIT CHECKLIST FOR THE WOOD MILL CERTIFICATION PROGRAMS

DATE OF AUDIT: _____

AGENCY or MILL AUDITED/address:

CONTACT PERSON/ phone number:

MOU(s) Audited	(check)
Coniferous Sawn Wood for Heat Treatment Moving to European Union (EU)	<input type="checkbox"/>
Kiln Drying MOU	<input type="checkbox"/>
Debarking, and Grub Hole Control of Thuja sp to European Union (EU)	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

AUDIT RESULTS:	Yes	No	N/A
Agency maintains the signed agreements (MOU's) with the participating mills:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agency maintains a list of participating mills and their representatives that are approved to issue mill certificates:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maintains copies of all certificates issued:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training provided to mill inspectors:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agency maintains a list of Lumber Grading Agency employees eligible to validate mill certificates:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agency completes monthly review of the Certification Programs:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Milled products shipped meet conditions of the programs:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COMMENTS: _____

AUDITOR'S SIGNATURE: _____ DATE: _____

PRINT NAME: _____ OFFICE: _____

FIGURE 5-7-19: Example of Biannual Audit Checklist for Mill Certification Programs