



# Appendix C

## *Communication*

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### Introduction

Communication may be either internal or external. The various types of communication are described below.

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### Internal Communication

When personnel involved in the export program require assistance it is important they receive a prompt response from the appropriate person. To ensure issues are resolved in a timely fashion, it is important the person requesting assistance:

- ◆ Gather all the pertinent information, **and**
- ◆ Refer it to the proper person for assistance

For questions, concerns, and suggestions relating to the export program, follow the contact protocol in [Table C-1-1](#) on [page C-1-2](#).

**TABLE C-1-1: Contact Protocol for Assistance With Export Certification**

| If you are a:                               | Then your first contact is: | Then your second contact is: | Then your third <sup>1</sup> contact is: | Then your fourth contact is: | Then your last contact is: |
|---|-----------------------------|------------------------------|--|------------------------------|----------------------------|
| PPQ Authorized Certification Official (ACO) | Supervisor                  | ECS                          | SPHD                                     | RPM                          | ES                         |
| State or county ACO                         | Supervisor or SPRO          | ECS                          | SPHD                                     | RPM                          | ES                         |
| Exporter                                    | State, county, or PPQ ACO   | ECS                          | SPHD                                     | RPM                          | ES                         |

1 Each SPHD's office may have specific instructions on who the contact person is in that office. Follow the contact information provided by your SPHD's office.

Additional guidance for obtaining assistance is provided below. To contact:

### State and County

- ◆ Look up local listings for State agriculture officials
- ◆ In California, contact your county agricultural office
- ◆ SPRO: <http://nationalplantboard.org/member/index.html>

### Export Certification Specialist (ECS) or State Plant Health Director (SPHD)

- ◆ EXCERPT: under *Export Certification Specialists*
- ◆ PPQ Web page under ES

[http://www.aphis.usda.gov/import\\_export/plants/plant\\_exports/ecs/index.shtml](http://www.aphis.usda.gov/import_export/plants/plant_exports/ecs/index.shtml)



Each SPHD's office may have specific instructions on who the contact person is in that office. Follow the contact information provided by your SPHD's office.

### Regional Program Managers (RPM)

- ◆ Eastern Region RPM: 919-855-7314 or 919-855-7300
- ◆ Western Region RPM: 970-494-7500

## Export Services (ES)

- ◆ General number: 301-734-8537
- ◆ EXCERPT: In the Messages and Alerts section there is a listing of ES staff, their areas of responsibility, and their contact information

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## External Communication

Foreign official communication, which **must** originate from a country's National Plant Protection Organization (NPPO), provides a country's phytosanitary import requirements. It will supersede or supplement information found in EXCERPT.

Foreign official communication may be one of the following:

- ◆ Import permits
- ◆ Special authorizations
- ◆ Various types of correspondence

This section will provide guidance on using official communication. The official communication **must** originate from the NPPO of the importing country. The name and contact information for a NPPO may be found in the *Subsidiary Information* section of an export summary in EXCERPT.

### Types of Official Communication

In addition to the EXCERPT database, official communication from a country's NPPO is a primary source that may provide the phytosanitary import requirements for a country.

Official communication may be any of the following:

- ◆ Bilateral agreements
- ◆ Import permits
- ◆ Letters of authorization
- ◆ Letters of correspondence
- ◆ Specific country's regulations

When an exporter presents import requirements that differ from those in an export summary, the information **must** be in the form of official communication from the NPPO of the importing country. Generally, official communication **must** be a document; emails are **not** acceptable unless cleared by Export Services (ES). These official documents may be import permits, special authorizations, or recent correspondence issued by an NPPO. Official communication from the NPPO takes precedence over the information contained in an export summary. Import requirements provided in official documents that differ from an export summary should be brought to the attention of ES through proper channels.

Keep in mind that exporters frequently present contract stipulations (from their contacts in the foreign country) to indicate that plant quarantine regulations have been changed. Information from exporters' contracts **cannot** be considered official because changes or exceptions to plant quarantine regulations **must** come from the NPPO of the foreign country.

However, a few countries use commercial contracts to outline the import requirements for a particular shipment. Exceptions such as the acceptable use of commercial contracts are listed in the respective export summary.



A letter of credit is a financial document. It is **not** official communication from an NPPO.

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## EXCERPT

The information in EXCERPT is based on official communication ES has received.

In most cases, Authorized Certification Officials (ACOs) will be dealing with import permits presented by an exporter. Since there are **no** international standards for official communication, including import permits (IPs), ACOs need to carefully review any document presented as official communication to ensure the document is from the NPPO of the importing country.

The following information pertains specifically to IPs, but can be applied to any type of official communication presented by an exporter.

While there are some exceptions, IPs are issued by the NPPO of the importing country to the importer. The name and contact information for an NPPO can be found in the *Subsidiary Section* of each *Export Summary* in EXCERPT. It is the importer's responsibility to provide a legible copy of any IP to the U.S. exporter.

EXCERPT will differentiate between required and mandatory IPs:

- ◆ **IP is required, but not mandatory:** If an IP is required as a condition of entry EXCERPT will state:

“Import permit is required.”

While the IP is required, in this instance, the IP is **not** a prerequisite to issuing an export certificate. If the exporter **does not** present an IP under these circumstances, **do not** refuse to issue an export certificate but caution the exporter that all phytosanitary requirements may **not** be met and the shipment may be rejected.

- ◆ **IP is mandatory:** If the IP is mandatory, EXCERPT will state the following, or a similar statement:

“**Do not** issue an export certificate unless an IP is presented.”

In this instance, ACOs **cannot** issue an export certificate unless an IP is presented and all conditions are met.



Once an exporter has presented an IP, the shipment **must** meet the conditions stipulated on the IP and you **cannot** use an additional declaration (AD) stating, “Import Permit **not** presented.”

## Exporter Responsibility

Exporters are responsible for providing a legible copy of an IP. ACOs should **not** try to decipher information on an IP that is **not** completely legible, as important information may be missed.

IPs may **not** be in English and can be bilingual. Bilingual information is acceptable as long as one of the languages is English. **If the IP is not in English it is the exporter's responsibility to provide a translation of the entire IP.** ACOs and ES are **not** responsible for translating foreign language documents. In order to ensure that all requirements are met and that the validity of the document can be ascertained, the entire document **must** be translated. If the exporter **does not** provide a complete translation of the IP **do not** proceed until a translation is provided. A copy of the IP with its translation (if appropriate) **must** be kept as supporting documentation with any issued certificate.

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## Verifying Documentation Validity

When verifying whether a document is an IP, or other type of official communication, look for the following:

- ◆ NPPO name should be on the document—this may be included in an official seal
- ◆ If the document specifies requirements **other than** phytosanitary requirements, such as quality, human health, or animal health requirements, the document may **not** be from the NPPO—if the document **does not** address phytosanitary issues it is probably **not** from the NPPO, e.g., if one of the requirements is that specific radiation levels **cannot** be exceeded, the document is **not** an IP
- ◆ Not all countries issue IPs in English, e.g., if an IP is presented as having been issued by the Mexican NPPO and it is in English, the document is **not** an IP; Mexico issues its IPs in Spanish
- ◆ IP serial number—other types of official communication may be numbered
- ◆ Issuance date
- ◆ Date through which IP is valid—not all IPs will have a date of expiration
- ◆ Importer name
- ◆ Commodity name and, possibly, intended use, e.g., seeds for propagation

- ◆ Unless, the commodity is a reexport, the IP should reference the origin of the commodity as the U.S., if a foreign-origin commodity was **not** safeguarded while in the U.S. the IP may have to reference the origin as the U.S. and the foreign country from which the commodity originated
- ◆ Phytosanitary requirements

If there are any questions concerning the validity of a document ask ES to verify the document. ACOs **must** follow the approved contact protocol. Refer to [Table C-1-1](#) on [page C-1-2](#).

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## Official Communication vs. EXCERPT

Generally, the phytosanitary requirements specified in official communication, will take precedence over any information in EXCERPT. Unfortunately, due to the fact that **no** standard exists for any type of official communication, including IPs, ACOs **must** use their own judgment when deciding if all of the requirements on an IP supersede the information in EXCERPT and if it lists all of the phytosanitary requirements.

Some factors to consider are:

- ◆ If the requirements mirror those listed in the Product Requirements section of EXCERPT, but are **not** exactly the same, follow the instructions in the official communication
- ◆ If the requirements are drastically different than those listed in the *Product Requirements* section of EXCERPT, contact ES through the approved contact protocol—refer to [Table C-1-1](#) on [page C-1-2](#).
- ◆ If the broad, general requirements in the *Restricted Products* section of EXCERPT are **not** addressed in the official communication, such as freedom from soil, the commodity **must** meet the requirements in the *Restricted Products* section
- ◆ If any of the above apply, contact ES through the approved contact protocol—refer to [Table C-1-1](#) on [page C-1-2](#).

