

B

Agricultural
Clearance

Appendix B

Completing Compliance Agreements

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Introduction

This appendix provides detailed instructions for compliance agreements specifically attached to PPQ Form 519, Compliance Agreement. A compliance agreement is a signed, written agreement CBP has with shippers, dealers, carriers, and all other entities handling regulated garbage to indicate their understanding of methods, conditions, and procedures necessary for compliance with APHIS regulations.

PPQ Form 519 has a variety of uses in both domestic and foreign quarantine programs, and is used to formalize agreements with airline caterers, both maritime and airport garbage haulers, garbage processors, and other entities responsible for handling or processing regulated garbage. PPQ Form 519 is also used as evidence for a violation case. All compliance agreements should be reviewed by the local PPQ AQI Veterinary Medical Officer (see *Compliance Agreement Violations* on **page 8-1-9**) before signing if the compliance agreement deviates from the appropriate template.

Procedures

If an establishment or company fails to abide by the conditions of the agreement, then the CBP/PPQ Official is responsible for documenting the violations and should work with his/her supervisor to provide the appropriate information to HQ, PPQ, VRS (see **Compliance Agreement Violations** on **page 8-1-9**). Only VRS HQ, may cancel the agreement, which must be done in writing. Review compliance agreements with the company or facility management to ensure accuracy and understanding at least annually, but preferably twice a year. Amend compliance agreements as appropriate¹. Use **Table B-1-1 on page-B-1-3** to determine which standards to use for the compliance agreement. All compliance agreements should include the company telephone number(s) as well as the address of the company's main office and the address of the facility where the activities are being undertaken. Be sure to number each page of the compliance agreement and include the number of pages on the PPQ Form 519. The bottom of each page should be initialed and dated by a company representative. For a fillable pdf version of this form, go to <http://www.aphis.usda.gov/library/forms/pdf/ppq519.pdf>. For a fillable Word version of this form, go to <http://www.aphis.usda.gov/library/forms/pdf/ppq519.dot>.

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- 1 Change the compliance agreement when any of the following events take place:
- ◆ The company changes its name
 - ◆ The facility management changes
 - ◆ The facility location changes
 - ◆ The sterilizer is recalibrated/new standards for settings are developed (can be accomplished with an addendum to the compliance agreement)
 - ◆ Other procedural changes occur

TABLE B-1-1 Determine Which Standards to Use for Compliance Agreement

If the compliance agreement ¹ is with a:	And the garbage is moving through an area that is:	Then:
Caterer	—————▶	See <i>Uniform Standards for Compliance Agreements for Caterers</i> on <i>page B-1-4</i>
Garbage hauler Cartage firm	Sparsely-settled or having farms, ranches, or estates which may have farm animals, domestic or wild ruminants or swine	See <i>Uniform Standards for Compliance Agreements for Cartage Firms Moving Garbage Through Sparsely-settled, Farm, or Ranch Areas</i> on <i>page B-1-12</i>
	Characterized by cities and densely populated, with no farm animals, domestic or wild ruminants or swine (non agricultural)	See <i>Uniform Standards for Compliance Agreements for Cartage Firms OTHER THAN Those Moving Through Sparsely-settled, Farm or Ranch Areas</i> on <i>page B-1-19</i>
Processing establishment	—————▶	See <i>Uniform Standards for Compliance Agreements for Regulated Garbage Processing</i> on <i>page B-1-25</i>
Aircraft cleaning firm Fixed base operator ²	—————▶	See <i>Uniform Standards for Compliance Agreements with Aircraft Cleaning Firms</i> on <i>page B-1-33</i>
Military bases/ facilities	—————▶	Use the appropriate template for Aircraft cleaning firms, caterers, and/or regulated garbage processing
Cruise ship	—————▶	See <i>Uniform Standards for Compliance Agreements for Cruise Ships with Caribbean, Mexico, or Bermuda Itineraries</i> on <i>page B-1-38</i>

- 1 If the disposal facility is operated by the same firm as the cartage firm, then make a single agreement attaching both the criteria for the operation of incinerators or cooker and for cartage. If the disposal facility is under separate ownership or management, then execute a compliance agreement.
- 2 Depending on the services provided, you may need to modify the template to include other facets of their operation.

Uniform Standards for Compliance Agreements for Caterers

Use this example of Uniform Standards for Compliance Agreements with a Caterer (regulated garbage as defined in 7CFR 330.400 or 9CFR 94.5) as an attachment to any compliance agreement (PPQ Form 519) you complete with a caterer. Fill in appropriate information where required. Delete information **not** applicable to the specific establishment.

Example of Caterer Attachment to PPQ Form 519, Compliance Agreement

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

The establishment under this Compliance Agreement shall immediately notify the local DHS, CBP office at _____ (insert local contact phone number) of any management changes which may void this Compliance Agreement.²

By signing this agreement, the signer certifies that his/her facility has met or will meet the requirements of all applicable environmental authorities prior to handling garbage regulated by the Department of Homeland Security, Customs and Border Protection under the authority of the Animal and Plant Health Inspection Service.

The company, its employees and subcontractors, and procedures covered by this compliance agreement, are subject to unannounced inspections by CBP or APHIS personnel.

All records required by this agreement must be made available to CBP/APHIS officials upon request.

Any plastic bags used in the transportation or storage of regulated garbage must be at least four (4) mils (0.004-inch) thick.

² Management changes that would void the agreement include change in signatories, change in location, change in name of facility, or change in ownership.

1. Definitions

- A. Regulated garbage** - As defined under 7 CFR 330.400 and 9 CFR 94.5, includes all waste material derived in whole or in part from fruits, vegetables, meats, or other plant³ or animal⁴ (including poultry) material, and other refuse of any character whatsoever that has been associated with any material. For the purpose of this compliance agreement, “Regulated garbage” is garbage that was on, generated on board, or removed from any means of conveyance during international or interstate movements, and includes food scraps, table refuse, galley refuse, food wrappers or packaging materials and other waste material from stores, food preparation areas, passengers’ or crews’ quarters, dining rooms or any other areas on means of conveyance. Regulated garbage also means meals and other foods that were available for consumption by passengers or crew on an aircraft but were not consumed. Garbage that is commingled with regulated garbage becomes regulated garbage. For the purpose of this document regulated garbage will be known hereafter as garbage.
- B. Trash** - Refuse that neither contains nor is visually contaminated with food waste. Trash is **unrestricted**. For example, trash that solely contains empty beverage cans would be unrestricted. Newspapers and magazines in the passenger cabin would also be unrestricted. An empty cardboard milk carton, sandwich, or fruit found in the passenger cabin, however, would be considered as garbage as opposed to trash and would be restricted.
- C. DHS, USCBP** - Department of Homeland Security, United States Customs and Border Protection, known hereafter as CBP.
- D. USDA, APHIS, PPQ** - United States Department of Agriculture, Animal and Plant Health Inspection Service, which provides oversight for agricultural issues, known hereafter as APHIS. Veterinary Regulatory Support (VRS) is the section of PPQ charged with oversight of regulated garbage.

3 Plant material includes plants, plant parts (flowers, fruits, leaves, nuts, roots, seeds, vegetables) and other plant products and any product constituted, in whole or in part, from plant material that has not been manufactured or processed to eliminate pest risk.

4 Animal material includes animal parts, meat, organs, bones, hides, skins, eggs, milk, or other dairy products.

2. Regulated Garbage Handling Procedures

Regulated garbage removed from foreign arriving aircraft will be:
(check appropriate boxes)

Separated from domestic garbage at the same catering kitchen (if separation occurs, all the conditions of item E. must be met).

Incinerated; incinerator located at

(Name, Address, Phone number)

Steam sterilized and contracted for landfill burial without diversion; sterilizer located at

(Name, Address, Phone number)

If sterilized, location of landfill

(Name, Address, Phone number)

Transported by an approved garbage hauler for incineration or sterilization. (Records must be retained for one (1) year from the date of transportation and must contain the following information: date, flight numbers, time, number, type, and weight of the garbage/containers. Company must assure that these records can be used to validate the inventory control system at the point of destination).

(Name, Address, Phone number)

Scraped residue and runoff may be ground into an approved sewage system as defined in 7CFR 330.400 or 9CFR 94.5 or be collected and treated as regulated garbage. All materials associated or in contact with regulated garbage must be treated as regulated garbage.

A. The caterer will meet aircraft originating from a foreign location (foreign flight) on arrival for the purpose of decatering the aircraft. The caterer will immediately notify the local Customs and Border Protection (CBP) office at _____ (insert phone number) if unable to meet a flight on arrival, in which case the caterer will provide control over regulated garbage through assigned caterer airline personnel in a manner acceptable to CBP (insert contingency plan here).

- B.** Garbage removed from the aircraft will be continually maintained in enclosed receptacles with no leakage, no exposed garbage, and no holes in plastic bags until disposed of in a CBP/APHIS-approved manner. Regulated garbage must not be transported on top of catering carts. It must be bagged or placed inside a cart during transportation. The garbage must be maintained so that it is inaccessible to birds, rodents, and other vermin.
- C.** The caterer is responsible for all regulated garbage including food waste, loose trays of food, and unused meals, and will not allow its unauthorized diversion, removal, use or consumption.
- D.** The dock area and the area around garbage sterilizers, incinerators, compactors, and/or dumpsters shall be kept clean and free of loose garbage at all times. Compactor and dumpster leakage shall be contained in a manner acceptable to CBP/APHIS as indicated here:

- E.** If the caterer separates domestic from regulated garbage at the same catering kitchen, then the following conditions must be met:
 - i.** The caterer must identify foreign flight galley equipment to prevent its association with domestic flight equipment and/or garbage (either by tag, label, or designated location).
 - ii.** Tags should be at least 3 x 5 inches, printed with 1-inch high lettering that reads "REGULATED GARBAGE".
 - iii.** The caterer must use easily identifiable containers for foreign garbage. Rigid leak-proof containers shall be lettered with the words "REGULATED GARBAGE" or a similar acceptable phrase in English and any appropriate foreign language. Lettering shall be at least two (2) inches high on indoor containers and at least four (4) inches high on outdoor containers. Containers used for regulated garbage shall not be used for domestic garbage, nor shall containers used for domestic garbage be used for regulated garbage.

- iv. The caterer must keep regulated garbage segregated from domestic garbage in a segregated area marked for foreign garbage until incinerated, sterilized, or removed by an approved cartage firm unless all garbage is treated as regulated garbage.
- v. If stored outside, the garbage must be in sealed plastic bags in a rigid leak-proof container (marked per **E. iii.**) with a tight-fitting lid and maintained to prevent tampering and access by birds, rodents, and other vermin. The container must be capable of being locked. Storage of regulated garbage must not exceed 48 hours without prior approval from PPQ VRS or their designee.

F. Spills and Routine Disinfection

CBP will be notified at _____ (insert phone number) of spillage outside of the facility. Cleaning and disinfection will be accomplished immediately. APHIS-approved disinfectant must be kept at the catering facility for garbage spills and routine surface disinfections including areas around the sterilizers, dumpsters, and compactors and must be used after thorough pickup and cleaning. The caterer must provide trained personnel and equipment for immediate clean up (see *Addendum to Compliance Agreements*).

A log or record book containing information on the amounts and concentrations of disinfectants used will be provided in order to fulfill EPA reporting requirements.

Reporting requirements include:

- i. The number of disinfection treatments performed (including by designation - routine surface disinfections and cleaning of spills);
- ii. If applicable, the number of pounds of sodium carbonate used (with or without sodium silicate);
- iii. If applicable, the concentration of bleach (stated as a percentage) and the number of gallons of concentration of bleach used;
- iv. Location of spills.

The record or log book should be kept for three years. Information on the amounts and concentrations of disinfectants used during a specified reporting period must be provided to CBP/APHIS upon request.

APHIS-approved disinfectant is not to be used in enclosed food handling areas. Only EPA-approved sanitizers should be used in food handling areas. Bleach must not be used inside the aircraft. Cleanup in food handling areas and inside aircraft will be accomplished with sanitizers approved by EPA for use in food handling areas. Records of these instances will also be maintained.

- G.** The caterer must conspicuously post regulated garbage-handling procedures in the work area. The procedures must be in English and other appropriate languages.

3. Equipment

- A.** If a sterilizer or non-pressurized cooker is used, it will be as follows:

- i.** Capable of heating garbage to a minimum internal temperature of 212°F and maintaining it at that temperature for at least 30 minutes. To achieve this, the sterilizer will be calibrated for the following time/temperature setting.

Temperature setting _____ PSI _____

Minimum cooking cycle _____

A maximum load of _____ (units - bags, carts, etc.) of garbage per cooking cycle is allowed. Routine loads must not exceed this maximum load.

- ii.** A thermocouple probe will be used initially and twice each year to recalibrate the temperature recording device and to adjust the sterilization cycle to assure that the garbage is heated to a minimum internal temperature of 212°F for at least 30 minutes. The test load shall be at the maximum capacity of the sterilizer and of typical composition for the location. Tests will be monitored by an employee of CBP/APHIS. The adjusted sterilization cycle will be included in an addendum to this compliance agreement and will be followed. The facility is responsible for supplying additional calibration equipment for the recalibrations.
- iii.** The time and temperature record of each batch of foreign garbage shall be dated and initialed by the sterilizer operator and signed by the supervisor. It shall be retained at the establishment for at least one (1) year from the end of the month in which the processing occurred.

- iv. The bottom rear drain of the sterilizer unit will be cleared as needed to assure proper steam circulation and drainage. The equipment shall be properly maintained to ensure each load of regulated garbage is processed at a minimum internal temperature of 212°F for at least 30 minutes.
- v. If the sterilizer or non-pressurized cooker and associated equipment (such as the time and temperature recorder) malfunctions, then immediately report the malfunction to the local CBP office at _____ (insert phone number).

Equipment must be recalibrated after major repairs or malfunction.

- B. If an incinerator is used, it must reduce incinerated materials to an ash. Glass and metal shall be the only residue in the ash.
 - i. The equipment shall be properly maintained to ensure each load of regulated garbage is incinerated to ash as required.
 - ii. The establishment will maintain records which will include the name of the approved cartage firm (if applicable), date, time, number of units (bags, bins, containers) and quantity of garbage (weight) incinerated. The records must be retained for a minimum of one (1) year from the end of the month in which the incineration occurred. If the incinerator malfunctions, then immediately report the malfunction to the local CBP office at _____ (insert phone number).

An incineration must be observed by CBP/APHIS officials after major repairs or malfunction.

4. Backup System

In the event the primary garbage disposal system is inoperable, the local CBP office must be notified immediately at _____ (insert phone number) and be advised, in advance, as to use of the following prearranged approved backup system: *(check one)*

Sterilizer located at

(Name, Address, Phone)

Incinerator located at

(Name, Address, Phone number)

Non-pressurized water cooker located at

(Name, Address, Phone number)

Regulated garbage is to be retained aboard the aircraft.

5. Training

- A.** The establishment shall present a training program to employees before they are permitted to handle or supervise the handling of regulated garbage. This training program should be of sufficient duration to adequately provide the required information. Previously trained employees shall be provided review training annually (this training may be given in more than one session).
- B.** The training package must be approved by the local CBP Port Director or his/her designee, and may include both formal classroom training and on-the-job training, as follows:
 - i.** Definition of regulated garbage;
 - ii.** Explanation of the regulations and the purpose of the regulations;
 - iii.** Inclusion of film, slides, or other training aids on foreign animal and plant diseases and pests;
 - iv.** Specific outline—by demonstration, illustration, or picture—of proper regulated garbage-handling procedures for the facility and step-by-step procedures from stripping of aircraft to disposal. A written, step-by-step protocol for reporting and handling emergency spills, maintaining control of regulated materials, and the cleaning and disinfecting of affected areas and equipment must be available for CBP/APHIS review;
 - v.** This compliance agreement;
 - vi.** Presentation in English and other appropriate languages.
- C.** The records must be retained for a minimum of one (1) year from the end of the month in which the training occurred.

Uniform Standards for Compliance Agreements for Cartage Firms Moving Garbage Through Sparsely-settled, Farm, or Ranch Areas

Use this example of Uniform Standards for Compliance Agreements with Cartage Firms Moving Regulated Garbage Through Sparsely-settled, Farm, or Ranch Areas (as contrasted with areas that are densely populated or characterized by cities) with cartage firms that move regulated garbage through areas that are sparsely-settled or that have farms or ranches. Regulated garbage is defined in 7CFR 330.400 and 9CFR 94.5. Attach these standards to any compliance agreement (PPQ Form 519) you execute with a cartage firm. Fill in appropriate information where required. Delete information **not** applicable to the specific establishment.

Example of Cartage Firms Moving Regulated Garbage Through Sparsely-settled, Farms or Ranch Areas Attachment to PPQ Form 519, Compliance Agreement

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

The establishment under this Compliance Agreement shall immediately notify the local DHS, CBP office at _____ (insert local contact phone number) of any management changes which may void this Compliance Agreement.⁵

By signing this agreement, the signer certifies that his/her facility has met or will meet the requirements of all applicable environmental authorities prior to handling garbage regulated by the Department of Homeland Security, Customs and Border Protection under the authority of the Animal and Plant Health Inspection Service.

The company, its employees and subcontractors, and procedures covered by this compliance agreement are subject to unannounced inspections by CBP or APHIS personnel.

⁵ Management changes that would void the agreement include change in signatories, change in location, change in name of facility, or change in ownership.

All records required by this agreement must be made available to CBP/APHIS officials upon request.

Any plastic bags used in the transportation or storage of regulated garbage must be at least four (4) mils (0.004-inch) thick.

1. Definitions

- A. Regulated garbage** - As defined under 7 CFR 330.400 and 9 CFR 94.5, includes all waste material derived in whole or in part from fruits, vegetables, meats, or other plant⁶ or animal⁷ (including poultry) material, and other refuse of any character whatsoever that has been associated with any material. For the purpose of this compliance agreement, “Regulated garbage” is garbage that was on, generated on board, or removed from any means of conveyance during international or interstate movements, and includes food scraps, table refuse, galley refuse, food wrappers or packaging materials and other waste material from stores, food preparation areas, passengers’ or crews’ quarters, dining rooms or any other areas on means of conveyance. Regulated garbage also means meals and other foods that were available for consumption by passengers or crew on an aircraft but were not consumed. Garbage that is commingled with regulated garbage becomes regulated garbage. For the purpose of this document regulated garbage will be known hereafter as garbage.
- B. Trash** - Refuse that neither contains nor is visually contaminated with food waste. Trash is **unrestricted**. For example, trash that solely contains empty beverage cans would be unrestricted. Newspapers and magazines in the passenger cabin would also be unrestricted. An empty cardboard milk carton, sandwich, or fruit found in the passenger cabin, however, would be considered as garbage as opposed to trash and would be restricted.
- C. DHS, USCBP** - Department of Homeland Security, United States Customs and Border Protection, known hereafter as CBP.
- D. USDA, APHIS, PPQ** - United States Department of Agriculture, Animal and Plant Health Inspection Service, which provides oversight for agricultural issues, known hereafter as APHIS. Veterinary Regulatory Support (VRS) is the section of PPQ charged with oversight of regulated garbage.

6 Plant material includes plants, plant parts (flowers, fruits, leaves, nuts, roots, seeds, vegetables) and other plant products and any product constituted, in whole or in part, from plant material that has not been manufactured or processed to eliminate pest risk.

7 Animal material includes animal parts, meat, organs, bones, hides, skins, eggs, milk, or other dairy products.

2. Regulated Garbage Handling, Transportation, and Storage Procedures

- A.** The cartage firm must place its garbage into individual, small containers. The containers must be both leak-proof and securely closed. These individual containers must then be put into a shipping or handling container that is also leak-proof. The garbage must be inaccessible to birds, rodents, and other vermin.
- B.** The garbage must be clearly indicated so that it can be identified as regulated garbage. The following are considered as appropriate indicators:
 - i.** Garbage bagged in specific unique color (_____) bags
 - ii.** Shipping or handling containers permanently marked with conspicuous, 2- to 4-inch high lettering that reads “REGULATED GARBAGE”
 - iii.** Containers tagged with at least a 3 x 5 inch tag that is printed with 1-inch high lettering that reads “REGULATED GARBAGE”
 - iv.** Other _____
- C.** The handling containers must be put into an enclosed, rigid, leak-proof vehicle. A canvas top or tarp covering is unacceptable. Since the vehicle will move through rural areas, it must be secured by a seal, lock, or similar device.
- D.** The cartage firm manipulates, handles, or stores regulated garbage in a manner approved by the local CBP office and in a designated area before transporting it for disposal as outlined below:

- E.** Containers used for regulated garbage shall not be used for domestic garbage, nor shall containers used for domestic garbage be used for regulated garbage. The truck/ container to be used for a purpose other than hauling foreign garbage must have markings obliterated and be disinfected with APHIS-approved disinfectant under CBP supervision prior to such use.
- F.** All regulated garbage is to be kept completely separate from domestic garbage, unless all garbage is treated as regulated. The cartage firm must have previously arranged for immediate, priority incineration or sterilization at destination, unless otherwise approved by the local APHIS AQI VMO.

G. Garbage will be processed at (check appropriate box):

Sterilizer located at

(Name, Address, Phone number)

Incinerator located at

(Name, Address, Phone number)

Non-pressurized water cooker located at

(Name, Address, Phone number)

H. The cartage firm will be responsible for all foreign food waste and other regulated garbage in its possession and will not allow its unauthorized diversion, removal, use, or consumption.

I. The vehicle transporting the garbage should take a direct or expedient route. The closest available approved incinerator or cooker sterilizer should be used unless otherwise approved by CBP/APHIS. The allowed route is as follows: _____

Any deviation from this route must have prior approval from CBP in writing. Please contact the CBP office at: _____
(insert phone number).

J. To facilitate monitoring, the cartage firm must provide the following:

- i.** Records which will include the origin, approved carrier name, date, time, number of units (bags, bins, containers) and quantity of garbage (weight) transported and disposed of, and the name of the vehicle's driver. The records must be retained for a minimum of one (1) year from the end of the month in which the transport occurred.
- ii.** Assurance that these records can be used to validate the inventory control system at the point of origin.

- K.** In order to store regulated garbage, the following conditions must be met:
 - i.** Material to be stored must be adequately containerized and marked (per Section 2. B.). Storage of regulated garbage must not exceed 48 hours without prior approval from PPQ VRS or its designee.
 - ii.** Storage of regulated garbage in plastic bags must be inside a closed building; if outside storage, garbage must be in sealed, plastic bags in a container with a tight-fitting lid.
 - iii.** Container, room, or other confined area where the regulated material is to be stored must be leak-proof and capable of being locked. The material must be inaccessible to birds, rodents, and other vermin.
 - iv.** Regulated garbage must not be stored for longer than 48 hours unless with prior approval from PPQ VRS or its designee.
 - v.** The management of the cartage firm must maintain logs or records of regulated garbage that is stored (see J. i.). These records must be kept for a minimum of one (1) year from the end of the month that the storage began.

- L.** The dock area and the area around storage facility, compactors, and/or dumpsters shall be kept clean and free of loose garbage at all times. Compactor and dumpster leakage shall be contained in a manner acceptable to CBP/APHIS as indicated here:

- M.** The cartage firm must conspicuously post regulated, garbage-handling procedures in the work area or another area to which all employees handling regulated garbage have access. The procedures must be in English and other appropriate languages.

3. Spills and Disinfection

- A.** The cartage firm must provide personnel, equipment, and disinfectant to control the regulated materials in the event of a spill or other emergency. There must be an adequate supply of APHIS-approved disinfectant on each vehicle in order to clean up and disinfect spills. A log or record book containing information on the amounts and concentrations of disinfectants used will be provided in order to fulfill EPA reporting requirements.

Reporting requirements include:

- i.** The number of disinfection treatments performed (including by designation - routine surface disinfections and cleaning of spills);
- ii.** If applicable, the number of pounds of sodium carbonate used (with or without sodium silicate);
- iii.** If applicable, the concentration of bleach (stated as a percentage) and the number of gallons of concentration of bleach used;
- iv.** Location of spills.

The record or log book should be kept for three years. Information on the amounts and concentrations of disinfectants used during a specified reporting period must be provided to CBP/APHIS upon request.

- B.** If spillage occurs during the cartage process, CBP must be notified immediately. The firm must contact either the CBP office at point of origin _____ (insert phone number) or at destination _____ (insert phone number), whichever is most convenient.
- C.** APHIS-approved disinfectant is not to be used in enclosed food handling areas. Only EPA-approved sanitizers should be used in food handling areas. Records of these instances will also be maintained.

4. Backup System

In the event that the cartage firm is unable to pick up or transport regulated garbage, the local CBP office must be notified immediately at _____ (insert phone number).

5. Training

- A.** The company shall present a training program to employees before they are permitted to handle or supervise the handling of regulated garbage. This training program should be of sufficient duration to adequately provide the required information. All previously trained employees shall be provided review training annually (this training may be given in more than one session).
- B.** The training package must be approved by the local CBP Port Director or his/her designee, and may include both formal classroom training and on-the-job training, as follows:
 - i.** Definition of regulated garbage;
 - ii.** Explanation and purpose of the regulations;
 - iii.** Inclusion of film, slides, or other training aids on foreign animal and plant diseases and pests;
 - iv.** Specific outline—by demonstration, illustration, or picture—of proper regulated garbage handling procedures for the facility and step-by-step procedures from stripping of aircraft to disposal. A written, step-by-step protocol for reporting and handling emergency spills, maintaining control of regulated materials, and the cleaning and disinfecting of affected areas and equipment must be available for CBP/APHIS review;
 - v.** This compliance agreement;
 - vi.** Presentation in English and other appropriate languages.
- C.** The records must be retained for a minimum of one (1) year from the end of the month in which the training occurred.

Uniform Standards for Compliance Agreements for Cartage Firms OTHER THAN Those Moving Through Sparsely-settled, Farm or Ranch Areas

Use this example of Uniform Standards for Compliance Agreements for Cartage Firms **Other Than** Those Moving Through Sparsely-settled, Farm or Ranch Areas (regulated garbage as defined in 7CFR 330.400 or 9CFR 94.5) as an attachment to a compliance agreement (PPQ Form 519). Fill in appropriate information where required. Delete information **not** applicable to the specific establishment.

Example of Cartage Firm Attachment to PPQ Form 519, Compliance Agreement for Cartage Firms OTHER THAN Those Moving Through Sparsely-settled, Farm, or Ranch Areas

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

The establishment under this Compliance Agreement shall immediately notify the local DHS, CBP office at _____ (insert local contact phone number) of any management changes which may void this Compliance Agreement.⁸

By signing this agreement, the signer certifies that his/her facility has met or will meet the requirements of all applicable environmental authorities prior to handling garbage regulated by the Department of Homeland Security, Customs and Border Protection under the authority of the Animal and Plant Health Inspection Service.

The company, its employees and subcontractors, and procedures covered by this compliance agreement are subject to unannounced inspections by CBP or APHIS personnel.

All records required by this agreement must be made available to CBP/APHIS officials upon request.

⁸ Management changes that would void the agreement include change in signatories, change in location, change in name of facility, or change in ownership.

Any plastic bags used in the transportation or storage of regulated garbage must be at least four (4) mils (0.004-inch) thick.

1. Definitions

- A. Regulated garbage** - As defined under 7 CFR 330.400 and 9 CFR 94.5, includes all waste material derived in whole or in part from fruits, vegetables, meats, or other plant⁹ or animal¹⁰ (including poultry) material, and other refuse of any character whatsoever that has been associated with any material. For the purpose of this compliance agreement, “Regulated garbage” is garbage that was on, generated on board, or removed from any means of conveyance during international or interstate movements, and includes food scraps, table refuse, galley refuse, food wrappers or packaging materials and other waste material from stores, food preparation areas, passengers’ or crews’ quarters, dining rooms or any other areas on means of conveyance. Regulated garbage also means meals and other foods that were available for consumption by passengers or crew on an aircraft but were not consumed. Garbage that is commingled with regulated garbage becomes regulated garbage. For the purpose of this document regulated garbage will be known hereafter as garbage.
- B. Trash** - Refuse that neither contains nor is visually contaminated with food waste. Trash is **unrestricted**. For example, trash that solely contains empty beverage cans would be unrestricted. Newspapers and magazines in the passenger cabin would also be unrestricted. An empty cardboard milk carton, sandwich, or fruit found in the passenger cabin, however, would be considered as garbage as opposed to trash and would be restricted.
- C. DHS, USCBP** - Department of Homeland Security, United States Customs and Border Protection, known hereafter as CBP.
- D. USDA, APHIS, PPQ** - United States Department of Agriculture, Animal and Plant Health Inspection Service, which provides oversight for agricultural issues, known hereafter as APHIS. Veterinary Regulatory Support (VRS) is the section of PPQ charged with oversight of regulated garbage.

⁹ Plant material includes plants, plant parts (flowers, fruits, leaves, nuts, roots, seeds, vegetables) and other plant products and any product constituted, in whole or in part, from plant material that has not been manufactured or processed to eliminate pest risk.

¹⁰ Animal material includes animal parts, meat, organs, bones, hides, skins, eggs, milk, or other dairy products.

2. Regulated Garbage Handling, Transportation, and Storage Procedures

A. Check the appropriate box or boxes:

- The cartage firm transports regulated garbage directly to a central place for further compacting or sorting and then directly to an approved disposal facility; if different location from the approved disposal facility, fill in below:

(Name, Address, Phone number)

- The cartage firm manipulates, handles, or stores regulated garbage in a manner approved by the local CBP office and in a designated area before transporting it for disposal as outlined below:

- The cartage firm transports regulated garbage directly from the APHIS/CBP- approved catering establishment or carrier to the disposal facility in closed, leak-proof containers.

- B.** The garbage must be maintained so that it is inaccessible to birds, rodents, and other vermin.
- C.** The cartage firm shall use easily identifiable containers for foreign garbage. Rigid leak-proof containers shall be lettered with the words “REGULATED GARBAGE” or a similar acceptable phrase. Lettering shall be at least two (2) inches high on indoor containers and at least four (4) inches high on outdoor containers.
- D.** Containers used for regulated garbage shall not be used for domestic garbage, nor shall containers used for domestic garbage be used for regulated garbage. The truck/ container to be used for a purpose other than hauling foreign garbage must have markings obliterated and be disinfected with APHIS-approved disinfectant under CBP supervision prior to such use.
- E.** The cartage firm will be responsible for all foreign food waste and other regulated garbage in its possession and will not allow its unauthorized diversion, removal, use, or consumption.
- F.** The vehicle transporting the garbage should take a direct or expedient route. The closest available approved incinerator or cooker sterilizer should be used unless otherwise approved by CBP/APHIS. The authorized route is as follows: _____

Any deviation from this route must have prior approval from CBP in writing. Please contact the CBP office at: _____
(insert phone number).

- G.** All regulated garbage is to be kept completely separate from domestic garbage, unless all garbage is treated as regulated. The cartage firm must have previously arranged for immediate, priority incineration or sterilization at destination.
- H.** Garbage will be processed at (check appropriate box):
 - Sterilizer located at _____
(Name, Address, Phone number)
 - Incinerator located at _____
(Name, Address, Phone number)
 - Non-pressurized water cooker located at _____
(Name, Address, Phone number)
- I.** To facilitate monitoring, the cartage firm must provide the following:
 - i.** Records which will include the origin, approved carrier name, date, time, number of units (bags, bins, containers) and quantity of garbage (weight) transported and disposed of, and the name of the vehicle's driver. The records must be retained for a minimum of one (1) year from the end of the month in which the transport occurred.
 - ii.** Assurance that these records can be used to validate the inventory control system at the point of origin.
- J.** In order to store regulated garbage, the following conditions must be met:
 - i.** Material to be stored must be adequately containerized and marked (per Section 2. C.).
 - ii.** Storage of regulated garbage in plastic bags must be inside a closed building; if outside storage, garbage must be in sealed, plastic bags in a container with a tight-fitting lid.
 - iii.** The container, room, or other confined area where the regulated material is to be stored must be leak-proof and capable of being locked. The material must be inaccessible to birds, rodents and other vermin.
 - iv.** Regulated garbage must not be stored for longer than 48 hours unless with prior approval by PPQ VRS or its designee.

- v. The management of the cartage firm must maintain logs or records of regulated garbage that is stored (See I. i.). This information must be kept for one (1) year from the end of the month the storage was initiated.
- K. The dock area and the area around storage facility, compactors, and/or dumpsters shall be kept clean and free of loose garbage at all times. Compactor and dumpster leakage shall be contained in a manner acceptable to CBP/APHIS as indicated here:

- L. The cartage firm must conspicuously post regulated garbage-handling procedures in the work area or another area to which all employees handling regulated garbage have access. The procedures must be in English and other appropriate languages.

3. Spills and Disinfection

- A. CBP will be notified of any spillage outside of the facility or along the cartage route at _____ (insert phone number). Cleaning and disinfecting will be accomplished immediately. APHIS-approved disinfectant must be available on each vehicle for garbage spills and used after thorough pickup. The company must provide trained personnel and equipment for immediate clean-up (see *Addendum to Compliance Agreements*).
- B. A log or record book containing information on the amounts and concentrations of disinfectants used will be provided in order to fulfill EPA reporting requirements.

Reporting requirements include:

- i. The number of disinfection treatments performed (including by designation - routine surface disinfections and cleaning of spills);
- ii. If applicable, the number of pounds of sodium carbonate used (with or without sodium silicate);
- iii. If applicable, the concentration of bleach (stated as a percentage) and the number of gallons of each concentration of bleach used;
- iv. Location of spills.

The record or log book should be kept for three years. Information on the amounts and concentrations of disinfectants used during a specified reporting period must be provided to CBP/APHIS upon request.

- C.** APHIS-approved disinfectant is **not** to be used in enclosed food handling areas. Only EPA-approved sanitizers should be used in food handling areas. Records of these instances will also be maintained.

4. Backup System

In the event that the cartage firm is unable to pick up or transport regulated garbage, the local CBP office must be notified immediately at _____ (insert phone number).

5. Training

- A.** The company shall present a training program to employees before they are permitted to handle or supervise the handling of regulated garbage. This training program should be of sufficient duration to adequately provide the required information. All previously trained employees shall be provided review training annually (this training may be given in more than one session).
- B.** The training package must be approved by the local CBP Port Director or his/her designee, and may include both formal classroom training and on-the-job training, as follows:
 - i.** Definition of regulated garbage;
 - ii.** Explanation and purpose of the regulations;
 - iii.** Inclusion of film, slides, or other training aids on foreign animal and plant diseases and pests;
 - iv.** Specific outline—by demonstration, illustration, or picture—of proper regulated garbage-handling procedures for the facility and step-by-step procedures from stripping of aircraft to disposal. A written, step-by-step protocol for reporting and handling emergency spills, maintaining control of regulated materials, and the cleaning and disinfecting of affected areas and equipment must be available for CBP/APHIS review;
 - v.** This compliance agreement;
 - vi.** Presentation in English and other appropriate languages.
- C.** The records must be retained for a minimum of one (1) year from the end of the month in which the training occurred.

Uniform Standards for Compliance Agreements for Regulated Garbage Processing

Use this example of Uniform Standards for Compliance Agreements for Regulated Garbage Processing (regulated garbage as defined in 7CFR 330.400 or 9CFR 94.5) only as an attachment to any compliance agreement (PPQ Form 519) you complete with a processing establishment. Fill in appropriate information where required. Delete information **not** applicable to the specific establishment.

Example of Processing Establishment Attachment to PPQ Form 519, Compliance Agreement

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

The establishment under this Compliance Agreement shall immediately notify the local APHIS/DHS, CBP office at _____ (insert local contact phone number) of any management changes which may void this Compliance Agreement.¹¹

By signing this agreement, the signer certifies that his/her facility has met or will meet the requirements of all applicable environmental authorities prior to handling garbage regulated by the Department of Homeland Security, Customs and Border Protection under the authority of the Animal and Plant Health Inspection Service.

The company, its employees and subcontractors, and procedures covered by this compliance agreement are subject to unannounced inspection by CBP or APHIS personnel.

All records required by this agreement must be made available to CBP/APHIS officials upon request. Any plastic bags used in the transportation or storage of regulated garbage must be at least four (4) mils (0.004-inch) thick.

¹¹ Management changes that would void the agreement include change in signatories, change in location, change in name of facility, or change in ownership.

1. Definitions

- A. Regulated garbage** - As defined under 7 CFR 330.400 and 9 CFR 94.5, includes all waste material derived in whole or in part from fruits, vegetables, meats, or other plant¹² or animal¹³ (including poultry) material, and other refuse of any character whatsoever that has been associated with any material. For the purpose of this compliance agreement, "Regulated garbage" is garbage that was on, generated on board, or removed from any means of conveyance during international or interstate movements, and includes food scraps, table refuse, galley refuse, food wrappers or packaging materials and other waste material from stores, food preparation areas, passengers' or crews' quarters, dining rooms or any other areas on means of conveyance. Regulated garbage also means meals and other foods that were available for consumption by passengers or crew on an aircraft but were not consumed. Garbage that is commingled with regulated garbage becomes regulated garbage. For the purpose of this document regulated garbage will be known hereafter as garbage.
- B. Trash** - Refuse that neither contains nor is visually contaminated with food waste. Trash is unrestricted. For example, trash that solely contains empty beverage cans would be unrestricted. Newspapers and magazines in the passenger cabin would also be unrestricted. An empty cardboard milk carton, sandwich, or fruit found in the passenger cabin, however, would be considered as garbage as opposed to trash and would be restricted.
- C. DHS, USCBP** - Department of Homeland Security, United States Customs and Border Protection, known hereafter as CBP.
- D. USDA, APHIS, PPQ** - United States Department of Agriculture, Animal and Plant Health Inspection Service, which provides oversight for agricultural issues, known hereafter as APHIS. Veterinary Regulatory Support (VRS) is the section of PPQ charged with oversight of regulated garbage.

¹² Plant material includes plants, plant parts (flowers, fruits, leaves, nuts, roots, seeds, vegetables) and other plant products and any product constituted, in whole or in part, from plant material that has not been manufactured or processed to eliminate pest risk.

¹³ Animal material includes animal parts, meat, organs, bones, hides, skins, eggs, milk, or other dairy products.

2. Regulated Garbage Handling Procedures

A. Regulated garbage is processed by (*check appropriate box*)

Sterilizer located at

(Name, Address, Phone number)

Non-pressurized water cooker located at

(Name, Address, Phone number)

If sterilized or cooked, location of landfill

(Name, Address, Phone number)

Incinerator located at

(Name, Address, Phone number)

B. Status of Garbage (*check one*)

Regulated garbage will be separated from domestic garbage by (circle one)

Location (clearly designated by signs)

Labeled container (marked per C. below)

All garbage in facility will be handled as regulated garbage.

C. The establishment must use rigid leak-proof containers with tightly-fitting covers if not separating garbage by location. The containers shall be lettered with the words “REGULATED GARBAGE” or a similar acceptable phrase in English and any appropriate foreign language. Lettering shall be at least two (2) inches high on indoor containers and at least four (4) inches high on outdoor containers. Containers used for regulated garbage shall **not** be used for domestic garbage, nor shall containers used for domestic garbage be used for regulated garbage.

The container to be used for a purpose **other than** hauling foreign garbage must have markings obliterated and must be disinfected with APHIS-approved disinfectant under APHIS/ CBP supervision prior to such use.

Scraped residue and runoff may be ground into an approved sewage system as defined in 7CFR 330.400 or 9CFR 94.5 or be collected and treated as regulated garbage. All materials associated or in contact with regulated garbage must be treated as regulated garbage.

- D.** The dock area and the area around garbage sterilizers, cookers, incinerators, compactors, and/or dumpsters shall be kept clean and free of loose garbage at all times. Compactor and dumpster leakage shall be contained in a manner acceptable to CBP/APHIS as indicated here:

- E.** The company is responsible for all regulated garbage including food waste, loose trays of food, and unused meals, and will **not** allow its unauthorized diversion, removal, use, or consumption.

F. Spills and Routine Disinfection

APHIS/CBP will be notified of any spillage outside of the facility at _____ (insert phone number). Cleaning and disinfecting will be accomplished immediately. APHIS-approved disinfectant must be kept at the processing facility for garbage spills and routine surface disinfections including areas around the sterilizers, incinerators dumpsters and compactors and must be used after thorough pickup and cleaning. The caterer must provide trained personnel and equipment for immediate clean up (see *Addendum to Compliance Agreements*).

A log or record book containing information on the amounts and concentrations of disinfectants used will be kept in order to fulfill EPA reporting requirements.

Reporting requirements include:

- i.** The number of disinfection treatments performed (including by designation-routine surface disinfections and cleaning of spills);
- ii.** If applicable, the number of pounds of sodium carbonate used (with or without sodium silicate);
- iii.** If applicable, the concentration of bleach (stated as a percentage) and the number of gallons of each concentration of bleach used;
- iv.** Location of spills.

The record or log book must be kept for three years. Information on the amounts and concentrations of disinfectants used during a specified reporting period must be provided to CBP/APHIS upon request.

APHIS-approved disinfectant is **not** to be used in enclosed food handling areas. Only EPA-approved sanitizers should be used in food handling areas. Records of these instances will also be maintained.

3. Equipment

Equipment for steam sterilization or non-pressurized water cooking is used. For a water cooker, the water level must reach within three (3) inches of the garbage level.

A. If a sterilizer or non-pressurized water cooker is used, it will be as follows:

- i.** Must be capable of heating regulated garbage to a minimum **internal** temperature of 212°F and maintaining it at that temperature for 30 minutes. To achieve this, the sterilizer will be calibrated for the following time/temperature setting.

Temperature setting _____ PSI _____

Minimum cooking cycle _____

A maximum load of _____ units (bags, carts, etc.) of garbage per cooking cycle is allowed. Routine loads must not exceed this maximum load.

- ii.** A thermocouple probe will be used initially and twice each year to recalibrate the temperature recording device and to adjust the sterilization cycle to assure that the garbage is heated to a minimum internal temperature of 212°F for at least 30 minutes. The test load shall be at the maximum capacity of the sterilizer and of typical composition for the location. Tests will be monitored by an employee of CBP/APHIS. The facility will supply additional calibration equipment needed to perform the re-calibrations. The adjusted sterilization cycle will be included in an addendum to this compliance agreement and will be followed.
- iii.** The time and temperature record of each batch of foreign garbage shall be dated and initialed by the sterilizer operator and signed by the supervisor. The records must be retained for a minimum of one (1) year from the end of the month in which the processing occurred.

iv. The bottom rear drain of the sterilizer unit will be cleared as needed to assure proper steam circulation and drainage.

B. Non-pressurized cooking equipment shall have a time/temperature recording device and be held to the same standards as the sterilizer with the exception of the PSI (water cooker probe must be below surface of water) in that it is capable of heating garbage to a minimum internal temperature of 212°F and maintaining it at that temperature for at least 30 minutes. To achieve this, the non-pressurized cooking equipment will be calibrated for the following time/temperature setting:

Temperature setting _____

Minimum cooking cycle _____

A maximum load of _____ units (bags, carts, containers etc.) of garbage per cooking cycle is allowed.

i. A thermocouple probe will be used initially and twice each year to recalibrate the temperature recording device and to adjust the cooking cycle to assure that the garbage is heated to a minimum internal temperature of 212°F for at least 30 minutes. The test load shall be at the maximum capacity of the cooker and of typical composition for the location. Tests will be monitored by an employee of Department of Homeland Security, CBP/APHIS personnel. The adjusted cooking cycle will be included in an addendum to this compliance agreement and will be followed.

ii. The time and temperature record of each batch of foreign garbage shall be dated and initialed by the cooker operator and signed by the supervisor. The records must be retained at the establishment for a minimum of one (1) year from the end of the month in which the processing occurred.

C. If the sterilizer, the cooker or associated equipment (such as the time and temperature recorder) malfunctions, then immediately report the malfunction to the local CBP office at _____ (insert phone number). The equipment shall be properly maintained to ensure that each load of regulated garbage is processed at an internal temperature of 212°F for a minimum of 30 minutes.

- D.** If an incinerator is used, it must reduce incinerated materials to an ash. Glass and metal shall be the only residue in the ash. The establishment will maintain records which will include the name of the approved cartage firm, date, time, number of units (bags, bins, containers) and quantity of garbage (weight) incinerated. The records must be retained for a minimum of one (1) year from the end of the month in which the incineration occurred.
- E.** The sterilizer or non-pressurized cooking equipment must be recalibrated after major repairs or malfunction. The incinerator must be observed after major repairs or malfunction to ensure that regulated garbage is properly incinerated to ash.
- F.** In order to store regulated garbage, the following conditions must be met:
 - i.** Material to be stored must be adequately containerized and marked (per Section 2.B.). Location of storage facility if not in the same building/area as the processing equipment: _____
 - ii.** Storage of regulated garbage in plastic bags must be inside a closed building; if outside storage, garbage must be in sealed, plastic bags in a rigid leak-proof container with a tight-fitting lid. The container, room, or other confined area where the regulated material is to be stored must be leak-proof and capable of being locked. The material must be inaccessible to birds, rodents, and other vermin. Storage of regulated garbage must not exceed 48 hours without prior approval from PPQ VRS or its designee.
 - iii.** The processing firm must maintain logs or records of regulated garbage that is stored. This information must be kept for one (1) year from the from the end of the month the storage was initiated.
- G.** The company must conspicuously post regulated garbage-handling procedures in the work area. The procedures must be in English and other appropriate languages.

4. Backup System

In the event the primary garbage disposal system is inoperable, the local APHIS/CBP office will be notified immediately at _____ (insert phone number) and be advised, in advance, as to use of the following prearranged approved backup system: *(check one)*

Sterilizer located at

(Name, Address, Phone number)

Incinerator located at

(Name, Address, Phone number)

Non-pressurized water cooker located at

(Name, Address, Phone number)

5. Training

- A.** The company shall present a training program to employees before they are permitted to handle or supervise the handling of regulated garbage. This training program should be of sufficient duration to adequately provide the required information. All previously trained employees shall be provided review training annually (this training may be given in more than one session).
- B.** The training package must be approved by the local APHIS/ CBP Port Director or his/her designee, and may include both formal classroom training and on-the-job training, as follows:
 - i.** Definition of regulated garbage;
 - ii.** Explanation and purpose of the regulations;
 - iii.** Inclusion of film, slides, or other training aids on foreign animal and plant diseases and pests;
 - iv.** Specific outline—by demonstration, illustration, or picture—of proper regulated garbage handling procedures for the facility and step-by-step procedures from stripping of aircraft to disposal. A written, step-by-step protocol for reporting and handling emergency spills, maintaining control of regulated materials, and the cleaning and disinfecting of affected areas and equipment must be available for CBP/APHIS review;
 - v.** This compliance agreement;
 - vi.** Presentation in English and other appropriate languages.
- C.** The records must be retained for a minimum of one (1) year from the end of the month in which the training occurred.

Uniform Standards for Compliance Agreements with Aircraft Cleaning Firms

Use this example of a Compliance Agreement with Aircraft Cleaning Firms as an attachment to any compliance agreement (PPQ Form 519) you complete with an aircraft cleaning firm. Fill in appropriate information where required. Delete information **not** applicable to the specific establishment.

Example of Aircraft Cleaning Firm Attachment to PPQ Form 519, Compliance Agreement

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

The establishment under this Compliance Agreement shall immediately notify the local DHS, CBP office at _____ (insert local contact phone number) of any management changes which may void this Compliance Agreement.¹⁴

By signing this agreement, the signer certifies that his/her facility has met or will meet the requirements of all applicable environmental authorities prior to handling garbage regulated by the Department of Homeland Security, Customs and Border Protection under the authority of the Animal and Plant Health Inspection Service.

The company, its employees and subcontractors, and procedures covered by this compliance agreement are subject to unannounced inspections by CBP or APHIS personnel.

All records required by this agreement must be made available to CBP/APHIS officials upon request.

Any plastic bags used in the transportation or storage of regulated garbage must be at least four (4) mils (0.004-inch) thick.

¹⁴ Management changes that would void the agreement include change in signatories, change in location, change in name of facility, or change in ownership.

1. Definitions

- A. Regulated garbage** - As defined under 7 CFR 330.400 and 9 CFR 94.5, includes all waste material derived in whole or in part from fruits, vegetables, meats, or other plant¹⁵ or animal¹⁶ (including poultry) material, and other refuse of any character whatsoever that has been associated with any material. For the purpose of this compliance agreement, "Regulated garbage" is garbage that was on, generated on board, or removed from any means of conveyance during international or interstate movements, and includes food scraps, table refuse, galley refuse, food wrappers or packaging materials and other waste material from stores, food preparation areas, passengers' or crews' quarters, dining rooms or any other areas on means of conveyance. Regulated garbage also means meals and other foods that were available for consumption by passengers or crew on an aircraft but were not consumed. Garbage that is commingled with regulated garbage becomes regulated garbage. For the purpose of this document regulated garbage will be known hereafter as garbage.
- B. Trash** - Refuse that neither contains nor is visually contaminated with food waste. Trash is **unrestricted**. For example, trash that solely contains empty beverage cans would be unrestricted. Newspapers and magazines in the passenger cabin would also be unrestricted. An empty cardboard milk carton, sandwich, or fruit found in the passenger cabin, however, would be considered as garbage as opposed to trash and would be restricted.
- C. DHS, USCBP** - Department of Homeland Security, United States Customs and Border Protection, known hereafter as CBP.
- D. USDA, APHIS, PPQ** - United States Department of Agriculture, Animal and Plant Health Inspection Service, which provides oversight for agricultural issues, known hereafter as APHIS. Veterinary Regulatory Support (VRS) is the section of PPQ charged with oversight of regulated garbage.

¹⁵ Plant material includes plants, plant parts (flowers, fruits, leaves, nuts, roots, seeds, vegetables) and other plant products and any product constituted, in whole or in part, from plant material that has not been manufactured or processed to eliminate pest risk.

¹⁶ Animal material includes animal parts, meat, organs, bones, hides, skins, eggs, milk, or other dairy products.

2. Regulated Garbage Handling Procedures

- A.** The cleaners will meet aircraft originating from a foreign location (foreign flight) on arrival for the purpose of cleaning the aircraft.
- B.** The cleaning firm must transport the regulated garbage directly from the carrier in closed, leak-proof plastic bags which are easily identifiable by either tags with "REGULATED GARBAGE" or by unique color _____ (specify color) to an approved disposal facility, to a caterer or cartage firm, or directly to CBP for disposal (mark appropriate procedure).

Sterilizer located at

(Name, Address, Phone number)

Incinerator located at

(Name, Address, Phone)

Non-pressurized water cooker located at

(Name, Address, Phone number)

Caterer or Cartage firm

(Name, Address, Phone number)

Delivered to CBP

C. Backup System

The cleaner will immediately notify the local Customs and Border Protection (CBP) office at _____ (insert phone number) if unable to meet a flight on arrival, in which case the cleaner will provide control over regulated garbage through assigned caterer personnel in a manner acceptable to CBP (insert contingency plan here):

D. Spills and Disinfection

CBP will be immediately notified of any spillage outside of the aircraft at _____ (insert phone number). Cleaning and disinfecting will be accomplished immediately.

APHIS-approved disinfectant must be available for garbage spills and used after thorough pickup. Cleanup in food handling areas and inside aircraft will be accomplished with sanitizers approved by EPA for use in food handling areas. The company must provide trained personnel and equipment for immediate clean-up (see *Addendum to Compliance Agreements*).

A log or record book containing information on the amounts and concentrations of disinfectants used will be kept in order to fulfill EPA reporting requirements.

Reporting requirements include:

- i.** The number of disinfection treatments performed (including by designation - routine surface disinfections and cleaning of spills);
- ii.** If applicable, the number of pounds of sodium carbonate used (with or without sodium silicate);
- iii.** If applicable, the concentration of bleach (stated as a percentage) and the number of gallons of each concentration of bleach used;
- iv.** Location of spills.

The record or log book should be kept for three years. Information on the amounts and concentrations of disinfectants used during a specified reporting period must be provided to CBP/APHIS upon request.

APHIS-approved disinfectant is **not** to be used in enclosed food handling areas. Only EPA-approved sanitizers should be used in food handling areas. Do not use bleach inside the aircraft; use only EPA-approved sanitizers. Records of these instances will also be maintained.

- E.** While cleaning international arrival flights, the cleaning firm is responsible for all regulated garbage including food waste, loose trays of food, and unused meals and will not allow its unauthorized diversion, removal, use, or consumption.

F. The cleaning firm must use easily identifiable plastic bags (see **2. B.**) for all food waste/regulated garbage removed from the international arrival aircraft. Regulated garbage must be kept separate from trash. Any trash in contact with regulated garbage must be treated as regulated garbage. All food waste must be incinerated or sterilized. Storage of regulated garbage is not allowed without prior approval from PPQ VRS or its designee.

3. Training

- A.** The company shall present a training program to employees before they are permitted to handle or supervise the handling of regulated garbage. This training program should be of sufficient duration to adequately provide the required information. All previously trained employees shall be provided review training annually (this training may be given in more than one session).
- B.** The training package must be approved by the local CBP Port Director or his/her designee, and may include both formal classroom training and on-the-job training, as follows:
- i.** Definition of regulated garbage;
 - ii.** Explanation and purpose of the regulations;
 - iii.** Inclusion of film, slides, or other training aids on foreign animal and plant diseases and pests;
 - iv.** Specific outline—by demonstration, illustration, or picture—of proper regulated garbage-handling procedures for the facility and step-by-step procedures from stripping of aircraft to disposal. A written, step-by-step protocol for reporting and handling emergency spills, maintaining control of regulated materials, and the cleaning and disinfecting of affected areas and equipment must be available for CBP/APHIS review;
 - v.** This compliance agreement;
 - vi.** Presentation in English and other appropriate languages.
- C.** The records must be retained for a minimum of one (1) year from the end of the month in which the training occurred.

Uniform Standards for Compliance Agreements for Cruise Ships with Caribbean, Mexico, or Bermuda Itineraries

Use this Uniform Standards for Compliance Agreements for Cruise Ships for Cruise Ships with Caribbean, Mexico, or Bermuda Itineraries as an attachment to a compliance agreement (PPQ Form 519) that you complete with cruise ships having Caribbean, Mexico, or Bermuda itineraries.

On cruise ships under compliance, passengers and baggage will not be routinely inspected. Board cruise ships with itineraries from other countries according to the guidance provided in this manual. Cruise lines that do not comply with the requirements of the compliance agreement will revert back to normal passenger clearance.

Periodically monitor the clearance of passengers and baggage to evaluate the risk of prohibited agricultural articles that may be associated with passengers and baggage. Inspect, unannounced, the passengers and baggage on up to 10 percent of the cruise ships with Caribbean, Mexico, or Bermuda itineraries. If possible, use x-ray or canine teams. Clearance of vessels (garbage and stores) will continue to be done according to current ship boarding guidelines.

Example of Cruise Ships With Caribbean, Mexico, or Bermuda Itineraries Attachment to PPQ Form 519, Compliance Agreement

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

Any person who knowingly violates the Plant Protection Act (PPA) (7 U.S.C. §§ 7701 et. seq.) and/or the Animal Health Protection Act (AHPA) (7 U.S.C. §§ 8301 et. seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, a one-year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

The establishment under this Compliance Agreement shall immediately notify the local DHS, CBP office at _____ (insert local contact phone number) of any management changes which may void this Compliance Agreement.¹⁷

¹⁷ Management changes that would void the agreement include change in signatories, change in location, change in name of facility, or change in ownership.

By signing this agreement, the signer certifies that his/her facility has met or will meet the requirements of all applicable environmental authorities prior to handling garbage regulated by the Department of Homeland Security, Customs and Border Protection under the authority of the Animal and Plant Health Inspection Service.

The company, its employees and subcontractors, and procedures covered by this compliance agreement are subject to unannounced inspections by CBP or APHIS personnel.

All records required by this agreement must be made available to CBP/APHIS officials upon request.

Any plastic bags used in the transportation or storage of regulated garbage must be at least four (4) mils (0.004-inch) thick.

1. Definitions

- A. Regulated garbage** - As defined under 7 CFR 330.400 and 9 CFR 94.5, includes all waste material derived in whole or in part from fruits, vegetables, meats, or other plant¹⁸ or animal¹⁹ (including poultry) material, and other refuse of any character whatsoever that has been associated with any material. For the purpose of this compliance agreement, "Regulated garbage" is garbage that was on, generated on board, or removed from any means of conveyance during international or interstate movements, and includes food scraps, table refuse, galley refuse, food wrappers or packaging materials and other waste material from stores, food preparation areas, passengers' or crews' quarters, dining rooms or any other areas on means of conveyance. Regulated garbage also means meals and other foods that were available for consumption by passengers or crew on an aircraft but were not consumed. Garbage that is commingled with regulated garbage becomes regulated garbage. For the purpose of this document regulated garbage will be known hereafter as garbage.
- B. Trash** - Refuse that neither contains nor is visually contaminated with food waste. Trash is **unrestricted**. For example, trash that solely contains empty beverage cans would be unrestricted. Newspapers and magazines in the passenger cabin would also be unrestricted. An empty

¹⁸ Plant material includes plants, plant parts (flowers, fruits, leaves, nuts, roots, seeds, vegetables) and other plant products and any product constituted, in whole or in part, from plant material that has not been manufactured or processed to eliminate pest risk.

¹⁹ Animal material includes animal parts, meat, organs, bones, hides, skins, eggs, milk, or other dairy products.

cardboard milk carton, sandwich, or fruit found in the passenger cabin, however, would be considered as garbage as opposed to trash and would be restricted.

- C. DHS, USCBP** - Department of Homeland Security, United States Customs and Border Protection, known hereafter as CBP.
- D. USDA, APHIS, PPQ** - United States Department of Agriculture, Animal and Plant Health Inspection Service, which provides oversight for agricultural issues, known hereafter as APHIS. Veterinary Regulatory Support (VRS) is the section of PPQ charged with oversight of regulated garbage.

2. Passenger Clearance

- A.** Passengers and baggage on cruise ships with Caribbean, Mexico, or Bermuda itineraries will **not** be routinely inspected. CBP/APHIS will periodically monitor the clearance of passengers and baggage to evaluate the risk of prohibited agricultural articles that may be associated with passengers and baggage.
- B.** Officials of the cruise ship are responsible for educating passengers and crew members concerning the requirements for bringing agricultural articles off the ship at the U.S. Port of Entry. Information should be provided using signs at all exits from the vessel, audio and/or video presentations, and amnesty bins. Information provided to passengers and crew must be approved by CBP/APHIS prior to distribution.

3. Regulated Garbage Handling Procedures

- A.** Regulated garbage must be in covered, leak-proof containers inside the railing, according to 7CFR 330.400 and 9CFR 94.5.
- B.** The CBP office at the port of arrival must receive advance notification of the landing of regulated garbage. Removal of regulated garbage from the cruise ship must be supervised by a CBP Officer or by a trained employee of a company that is under compliance with CBP. Advance notification should be provided to the local CBP office at _____ (telephone number) or (fax number).
- C.** Regulated garbage removed from a ship can only be transported by a CBP/APHIS-approved cartage or hauling company. No foreign food waste or other regulated garbage will be allowed unauthorized diversion, removal, use, or consumption.

Storage of regulated garbage off the ship is not allowed without prior approval from PPQ VRS or its designee.

D. Spills and Disinfection

CBP will be notified immediately of any spillage outside of the ship at _____ (phone number). Cleaning and disinfection will be accomplished immediately either under direct supervision by CBP or by a trained employee of the company under compliance with CBP. APHIS-approved disinfectant must be available for garbage spills and used after thorough pickup (see *Addendum to Compliance Agreements*).

A log or record book containing information on the amounts and concentrations of APHIS-approved disinfectants used will be provided to CBP/APHIS upon request in order to fulfill EPA reporting requirements.

Reporting requirements include:

- i.** The number of disinfection treatments performed (including by designation - routine surface disinfections and cleaning of spills);
- ii.** If applicable, the number of pounds of sodium carbonate used (with or without sodium silicate);
- iii.** If applicable, the concentration of bleach (stated as a percentage) and the number of gallons of each concentration of bleach used;
- iv.** Location of spills.

The record or log book should be kept for three years. Information on the amounts and concentrations of disinfectants used during a specified reporting period must be provided to CBP/APHIS upon request.

Disinfectant is not to be used in food handling areas. Cleanup in food handling areas will be accomplished with sanitizers approved by EPA for use in food handling areas. Records of these instances must be maintained.

4. Arrival Notification

- A.** The agent, owner operator, or vessel representative must provide CBP advance notification of arrival at least 12 hours prior to vessel arrival, according to 7CFR 330.111.

Arrival notification must include the following information:

- i.** Name and registration of vessel
 - ii.** Date and estimated time of arrival at the port
 - iii.** Docking location
 - iv.** Last two foreign ports
 - v.** Next port
 - vi.** Number of passengers disembarking
- B.** Failure to comply with advance notification requirements could result in the issuance of a violation.

Addendum to Compliance Agreements

Cleaning and Disinfection

1. Articles Requiring Cleaning and Disinfection

Any article, means of conveyance, or other surface contaminated with animal origin material or spillage from USDA regulated garbage must be cleaned and disinfected with one of the USDA APHIS-approved disinfectants listed below.

Contaminated carts, pallets, machinery, handling containers, trucks or railroad cars used for transporting USDA regulated garbage and any dock or warehouse surfaces contaminated with leakage from such garbage must be cleaned and disinfected before the items are reused. Cleaning of portable items shall be accomplished over a drain leading to an approved sewage system.

2. Materials and Equipment

When a spill occurs, the following items must be immediately available to workers tasked with cleaning up the spill:

- A.** APHIS-approved disinfectant
 - i.** Virkon® S (either in bulk or pre-measured for mixing or a premixed solution for immediate use); or
 - ii.** Household bleach (sodium hypochlorite) in either full strength for mixing or premixed for immediate use
- B.** A gallon container filled with clean water
- C.** A detergent solution (facility choice)
- D.** Spray bottle to apply disinfectant
- E.** Whisk broom and dust pan or shovel
- F.** Paper towels or other absorbent material
- G.** Plastic leak-proof bags to hold collected material

It is suggested that a disinfection kit, incorporating the above required items as well as the equipment listed below, be available at the work site and if applicable on each conveyance transporting regulated garbage. This allows for immediate cleaning and disinfection of any spillage of regulated garbage.

The additional items recommended for inclusion in the disinfection kit are:

- H.** A scrub brush and scraping tool
- I.** Disposable plastic shoe covers
- J.** A box for holding the equipment which can be labeled “Disinfection Kit” (it is recommended that the disinfection procedures are affixed to the inside of the box)
- K.** Appropriate personal protective equipment such as rubber or latex gloves and safety goggles and/or other equipment as required by the facility

Disinfectant Information

- 1.** Virkon® S - Is available through many Internet sources. Follow the directions on the label. Premixed Virkon® S is effective for seven (7) days from the date of mixing. Write the date the solution was mixed on the container holding the solution.
- 2.** Household bleach (Chemical name: sodium hypochlorite). Off-the-shelf bleach is 5.25% or 6% sodium hypochlorite.

The minimum effective dilution for a garbage spill is 3% sodium hypochlorite.

Directions for use:

- ❖ With 5.25% sodium hypochlorite, mix the solution of 1.5 cups of bleach to 1 cup of water to make a 3% solution.
- ❖ When larger quantities are needed mix at a ratio of 3 parts bleach to 2 parts water, such as 3 gallons of bleach to 2 gallons of water to make a 3% solution.
- ❖ With 6% sodium hypochlorite, mix at a ratio of 1 part bleach to 1 part water, such as 1 cup of bleach with 1 cup of water or 1 gallon of bleach to 1 gallon of water to make a 3% solution.

A premixed solution of bleach and water is only effective for a 24-hour period post mixing. A date/time should be applied to the bulk container holding the solution.

Disinfectant Procedures

1. Sweep up or scrape off as much of the contaminant as possible. Apply absorbent material if needed. Place the sweeping, scrapings and absorbent material in a leak-proof plastic bag for incineration or sterilization. Free surfaces of grease or dirt when applicable.
2. Scrub the contaminated area or area where spilled occurred. Use a good detergent solution of the facility's choice.



If the area is not effectively scrubbed first, remaining debris will protect viruses embedded below the surface, where they will remain untouched by the disinfectant.

3. Flush the scrubbed surfaces with clean water. Flushing is important because the detergent may react with the disinfectant and reduce the disinfectant's activity.
4. If using a premixed solution of disinfectant, then agitate the solution thoroughly. If the temperature is below freezing, delay the application of the disinfectant until the temperature is above freezing. Apply the disinfectant generously covering the entire area.
5. Incinerate or sterilize all refuse, sweepings and scrapings that are in the plastic bag.



Do **not** use sodium carbonate, sodium silicate, or Virkon®S around food, in areas where food is handled, prepared, or transported such as inside a catering kitchen, galley areas aboard aircraft, or in trucks used to transport food and supplies to an aircraft. When disinfecting in these areas, allow the use of a sanitizer/disinfectant approved by the Environmental Protection Agency (EPA) for use around food or on food contact surfaces.



Do not use sodium hypochlorite (household bleach) or Environ in cargo areas of aircraft as they can corrode sensitive aircraft or electronic parts. Virkon®S is the disinfectant of choice for cargo areas of aircraft. Sodium hypochlorite (household bleach) and Virkon®S may damage carpets or seat covers in passenger areas; for these areas, use disinfectants approved by the Environmental Protection Agency (EPA).

Contact the local CBP Agriculture Specialist at _____
when a spill occurs inside an aircraft.

Fillable PPQ Form 519

For a fillable version of this form in pdf, go to the following site:

<http://www.aphis.usda.gov/library/forms/pdf/ppq519.pdf>.

Or go to this site for a fillable version in Word:

<http://www.aphis.usda.gov/library/forms/pdf/ppq519.dot>