

Implementation of Wood Packaging Material Regulation

The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) has revised its import regulation for solid wood packaging material (WPM). The revised regulation is consistent with the *International Standards for Phytosanitary Measures (ISPM): Guidelines for Regulating Wood Packaging Material in International Trade* (ISPM Publication No. 15) and restricts the importation of many types of wooden packaging materials, such as pallets, crates, boxes, and dunnage.

APHIS revised its import regulation in response to the increase of interceptions of nonnative pests associated with WPM at U.S. ports of entry. If left unchecked, pests imported with WPM could cause significant economic damage to the agricultural and forest resources of the United States.

The revised WPM regulation became effective September 16, 2005. The regulation requires WPM in use in international trade to be treated. The approved treatments are (1) heat treatment to a minimum wood core temperature of 56 °C for a minimum of 30 minutes or (2) fumigation with methyl bromide (MB).

WPM also must be marked with the International Plant Protection Convention (IPPC) logo and the two-letter International Organization for Standardization (ISO) code for the country that treated the WPM. Additionally, WPM must be marked with a unique number assigned by the exporting country's national plant protection organization to the treatment facility and either the abbreviation HT (heat treatment) or MB (methyl bromide). Paper certifications (treatment certificates) are no longer required or accepted in lieu of the IPPC logo.

Exemptions From New Requirements

WPM made entirely of manufactured wood material (e.g., particleboard, plywood, oriented strand-board), wine and whiskey barrels, and WPM with a thickness of 6 mm or less are exempt from the treatment and marking requirements. WPM of Canadian origin is also exempt from the treatment and marking requirements (7 CFR 319.40-3).

Three-Phase Enforcement Plan

Enforcement of the new WPM regulation is being handled in a three-phase approach, in coordination with not only the U.S. Department of Homeland Security's Customs and Border Protection (CBP) but also with APHIS' plant protection organization counterparts in Canada and Mexico.

Phase one of the enforcement plan began September 16, 2005, and continues through January 31, 2006. For the duration of this phase of enhanced compliance, CBP will provide importers with official documentation when the shipments are determined "not compliant" during routine port-of-entry inspections. APHIS receives information on any ISPM 15-marked shipments found to contain timber pests and follows up with the affected country's plant protection organization.

The second phase of enforcement actions begins February 1, 2006, and continues through July 4, 2006. During this phase, APHIS and CBP will require all commodity imports with WPM consisting of pallets and crates entering or transiting the United States to be compliant with the ISPM 15 treatment and marking standard. WPM that does not meet the ISPM 15 standard will not be allowed to enter into the United States and will be reexported.

Shipments containing packing material that is in violation of the rule may be allowed entry only if the CBP Port Director determines that it is possible to separate the approved material from the noncompliant portion of the shipment. Arrangements to have the noncompliant WPM exported from the United States would be required before any reworked cargo can be released to the consignee. All costs associated with this process are the responsibility of the importer.

During the second phase of the enforcement, CBP will continue to inform noncompliant importers that use intact, whole, or solid wood as dunnage of their obligation to use ISPM15-compliant wood in association with their blocked or braced cargos.

Phase three of the enforcement plan begins July 5, 2006. At that time, all WPM entering or transiting through the United States must meet the ISPM 15 standard and be free of timber pests. The North American Plant Protection Organization has trilaterally agreed to this phased-in enforcement plan to regulate the movement of WPM into or through the United States, Canada, and Mexico.

Noncompliance with the ISPM 15 standard will create considerable hardship for importers moving cargo into the United States. To avoid delays and rejection of cargo commodities entering or transiting through the United States, USDA strongly recommends that all importers utilize only ISPM 15-approved WPM or seek alternatives to regulated WPM.

Additional Information

For more information on the WPM regulation, please visit this Web site:
<www.aphis.usda.gov/ppq/wpm/import.html>.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.