

# Directive

9180.78

12/6/04

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## PROCEDURES FOR BULK GRAIN EXPORTED IN CONTAINERS

### 1. PURPOSE

This directive is issued by the Federal Grain Inspection Service (FGIS) to provide procedures for the sampling, inspection, weighing, and certification of bulk grain exported in containers.

### 2. BACKGROUND

The U.S. grain industry has experienced a significant increase in the demand for grain exported in containers. Grain shippers project that containerized grain exports will increase by 20% in 2005.

The United States Grain Standards Act (USGSA) mandates the official inspection and weighing of all grain sold by grade and exported from the United States by authorized agents (i.e., FGIS, delegated and designated agencies) of the Department of Agriculture. Waivers from the mandatory inspection and weighing provisions are available for grain exported by rail or truck to Canada or Mexico and for facilities that export less than 15,000 metric tons of grain per calendar year. Procedures for exemptions and waivers of the mandatory export grain services are contained in FGIS Directive 9020.1, Exemptions and Waivers of Official Inspection and Class X Weighing Requirements (<http://www.gipsa.usda.gov/Lawsandregs/directives/9020-1.pdf>).

FGIS has developed the following policies and procedures to facilitate the marketing of bulk U.S. grain exported by containers from the United States.

### 3. POLICY

Bulk grain lots exported by containers are sampled, inspected, and certificated as individual lots except when the contract contains specifications for certification based on a composite sample. In those instances, official personnel will sample and inspect containers as a combined lot based on the contract inspection requirements. Requests for this combined lot service are made at the time of the application for service.

This directive applies to bulk grain exported by container to all destinations except Mexico. Refer to FGIS Directive 9180.59, Composite Sample Analysis for Combined Land Carrier Inspections (<http://www.gipsa.usda.gov/Lawsandregs/directives/9180-59.pdf>), which was developed to comply with the United States - Mexico grain sampling protocol (NOM-028-FITO-1995).

Sacked grain procedures are contained in FGIS Directive 9180.41, Sacked Grain <http://www.gipsa.usda.gov/Lawsandregs/directives/9180-41.pdf>,

#### 4. INSPECTION AND WEIGHING PROCEDURES

Unless otherwise specified in the load order document, official inspection personnel will grade and certify containers as individual lots. Applicants may request composite sample analysis of export containers provided that the load order represents the sampling provisions included in the export sales contract.

- a. **Sampling.** Containers are sampled either directly from the container after it is loaded using a grain probe, as the grain is loaded into the container using an online sampling device (Ellis cup, pelican sampler, or diverter sampler), or prior to loading the container by sampling the grain while it is in another storage container (bin, railcar, or truck). If the sample is obtained prior to loading the container, the inspection certificate will contain a statement to indicate this.

When sampling for a composite sample analysis, check the sample representing each container for condition (odor, heating, and insects) then combine the samples which are "OK" for the condition factors. There is no time limit when combining samples to form a composite sample; however, the condition of the sample must represent the condition of the grain if samples are collected over long periods. Samples obtained from multiple carriers are combined proportionally to the size of the carrier to form the composite sample.

Individual containers that are "infested" but otherwise "OK" for condition may be combined, at the option of the shipper, with other samples to form the composite sample. However, the shipper must fumigate the "infested" containers to remove the infested designation from the inspection certificate.

FGIS fumigation procedures for land carriers are found in Chapter 3 of the Fumigation Handbook (<http://www.usda.gov/gipsa/reference-library/handbooks/fumigation/fumhb.pdf>). Inspection certificates will indicate when a container is fumigated.

- b. **Inspection.** Containers quality is based on samples obtained during the sampling process. Container quality may also be determined based on an earlier official inspection result of the carrier from which the grain is transferred to the container. That is, official personnel may transfer the quality of a domestic certificate to an export certificate if the condition has not changed since the domestic inspection. Further, the domestic lot must not have a "bottom not sampled" condition in order to use the information for export purposes.

When a composite sample is graded, the entire lot is certificated based on the one sample. If final certification is based on the mathematical average of multiple samples, the final average is based on the weighted average of those results. If final certification is based on a combination of samples and certificate information, the final average is based on the weighted average of those results.

Retain file samples for lots destined to Mexico and Canada for minimum of 30 days. For all other export destinations, retain file samples for minimum of 60 days.

- c. Weighing. A Class X weighing certificate is required to fulfill the mandatory export weighing requirements of the USGSA. The Weighing Handbook [http://www.gipsa.usda.gov/Publications/fgis/handbooks/weigh\\_inspbh.html](http://www.gipsa.usda.gov/Publications/fgis/handbooks/weigh_inspbh.html) transmits general procedures for weighing grain shipments.

Container weights are certificated either individually or as a combined weight (one weight certificate with several container identifications on the certificate). In lieu of weighing loaded containers, official personnel may transfer weights from another carrier or source to the container when the grain is officially Class X weighed. Official personnel must assure the weight of the grain source has not changed by checking carrier seals and other available information. Official personnel must observe the grain transfer then deduct any weight losses for grain not reaching the container.

- d. Certification and Additional Documentation.

- (1) Certificates. Certificate grain inspection results on an Official Export Grain Inspection Certificate. Certificate grain weight results on an Official Grain Weight Certificate. The Official Export Grain Inspection Certificate has a "Quantity" block on the certificate. Indicate the total number of containers represented by the certificate.
- (2) Special Certificate Statements.
  - (a) Carrier identification. List the identifications in the remarks section of the certificate, on the reverse side of the certificate, or on separate GIPSA letterhead if the carrier identifications do not fit in the identification block of the certificates. The certificate must reference in the identification block where to find the carrier identifications (see remarks, see reverse, or see attached letterhead). The letterhead, if used, must make reference back to the certificate by certificate number and date of certificate.
  - (b) Grain sampled prior to loading the container. Include the statement "This grain was sampled and graded prior to loading the

container(s)." if the information used for container certification was based on grain inspection results from other carriers or bins.

- (c) Fumigation statement. Inspection certificates that represent one or more fumigated containers in a lot must contain the following statement: "This grain was fumigated according to official procedures."

(3) Letterhead Statements.

- (a) GIPSA letterhead stationary is used for all export grain.
- (b) Split lot shipments. Containers represented by one inspection or weight certificate may ship overseas on more than one vessel. The applicant may need additional information and documentation to facilitate the import of containerized grain into a foreign country when this happens. An applicant may request a letterhead statement to identify container identifications involved in a split shipment. The letterhead statement must reference the certificate number and certificate date. The letterhead statement may also include a reference to the grade of the shipment (if it is a reference to the inspection certificate) or to the total weight of the lot (if it is a reference to the weight certificate). The applicant may also state the name of the vessel that carried the containers.

Statement example: "The following containers were graded as a U.S. No. 2 yellow soybean as identified by certificate number [show certificate number], dated [show date]. The applicant states that these containers were loaded onto the M/V [show vessel name]."

Following this statement, include the container identifications provided by the applicant. These container identifications must match the identifications, in part, on the referenced certificate.

The applicant may attach a copy of the referenced certificate to the letterhead statement. If another original certificate is needed by the applicant [one for each vessel], the applicant may request and receive a duplicate certificate.

**5. QUESTIONS**

Direct any questions regarding this procedure to the local field office or to the Policies and Procedures Branch at 202-720-0228.

*/s/ David Orr*

David Orr, Director  
Field Management Division