

# 3

Agricultural  
Clearance

## Examining Carriers

### Monitoring Garbage

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#### Introduction

This section provides methods and instructions for controlling and disposing of regulated foreign garbage. Garbage is restricted to prevent the entry and dissemination of plant pests and animal diseases. Garbage arriving from any place outside the United States, **except** Canada, is subject to requirements and safeguards for handling once in the United States. Because garbage may contain prohibited items, controlling and disposing of garbage is an essential aspect of protecting American agriculture.

All entities that handle and dispose of foreign garbage (except handling on an ocean carrier) must be authorized under a compliance agreement in accordance with agricultural regulations except when performing these duties under the direct supervision of CBP and/or APHIS. Compliance agreements, written and signed by CBP and/or APHIS, specify the conditions which must be met in order to comply with the requirements of the APHIS garbage regulations (7CFR330.400 and 9CFR94.5). Templates for compliance agreements are developed by USDA-APHIS-PPQ-VRS (see [Completing Compliance Agreements](#) on [page B-1-1](#)).

Prior to issuing compliance agreements to handle regulated garbage, USDA-APHIS-PPQ-VRS is responsible for:

- ◆ Approving new airports (including military airports)
- ◆ Approving new processing technologies and facilities, such as incinerators, sterilizers and non-pressurized cookers
- ◆ Approving cartage routes through sparsely-settled areas



Approval must take place prior to the issuance of compliance agreements.

USDA-APHIS-PPQ is responsible for monitoring the compliance agreements of **processing facilities**, excluding caterers and processing facilities on military bases.

CBP's role in controlling garbage is as follows:

- ◆ Approving firms other than the above, through the use of compliance agreements, to handle and dispose of garbage
- ◆ Monitoring firms operating under compliance agreements to ensure that the firms abide by the conditions stated in the compliance agreement
- ◆ Monitoring of garbage handling aboard ocean vessels during boarding
- ◆ Supervising directly the off loading of garbage for movement to an approved facility for sterilization or incineration

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## All Carriers

### Disposing of Garbage by Approved Methods

The three approved disposal methods for garbage are:

- ◆ Incineration to ash

- ◆ Sterilization (cooking regulated garbage to an internal temperature of 212°F for 30 minutes) and burial in a landfill
- ◆ Grinding and discharge into an approved sewage system




Canadian-origin animal products and by-products confiscated at Canadian land border ports and seized for destruction by CBP may be disposed of in EPA approved landfills. For further information, refer to [Land Border](#) on [page 3-1-9](#)

### Handling Garbage Spills

When you detect garbage that has spilled outside the food handling areas, take the following steps:

1. Have the gross waste picked up and put into leakproof, covered containers.
2. Have the surfaces where the spillage occurred scrubbed with a good detergent solution, then flushed with clean water if appropriate.
3. Apply the appropriate disinfectant. Use [Table 3-1-1](#) to select the appropriate disinfectant.

**TABLE 3-1-1: Select Disinfectant to Use for Garbage Spills**

If the spill occurred:	Then:
Anywhere food is handled or prepared (catering kitchens, galley areas inside aircraft, or trucks used to transport food)	REQUIRE thorough cleaning and allow the use of any sanitizer <sup>1</sup> normally used in areas where food is prepared or handled   <div style="background-color: #e0f2f1; padding: 5px; margin-top: 5px;"> <p><b>Never</b> use sodium carbonate or Virkon S. They are <b>not</b> approved for use around food by <b>either</b> the Food and Drug Administration <b>or</b> the Environmental Protection Agency.</p> </div>
In a nonfood area outside loading docks, ramp areas, dumpsters, vehicles and equipment used for transporting garbage	USE sodium carbonate, sodium hypochlorite, or Virkon S (see <a href="#">Cleaning and Disinfecting</a> on <a href="#">page 6-1-6</a> in the chapter <a href="#">Preventing the Spread of Pests and Diseases</a> for detailed procedures)

1 For example, sanitizers containing chlorine, iodine, and quaternary ammonium compounds. If used inside a passenger plane, the sanitizer must be approved for use by the airline.

### Marking of Garbage

If the firm handles both regulated and domestic garbage and separates the domestic from the regulated garbage, then ensure that these steps are followed:

1. When international garbage is transported together with domestic garbage in the same vehicle, apply placards that identify galley equipment as foreign origin when it is removed from the conveyance. Take all regulated garbage directly to the processing facility for disposal and do the following:
  - ❖ Segregate regulated from domestic equipment and material until sterilized or incinerated either by tag, label or specified location per the compliance agreement
  - ❖ Allow commingling of foreign and domestic material and equipment only if all materials and equipment are treated as foreign origin
2. Identify containers used for regulated garbage and maintain separately from those containers used for domestic garbage by using signs on containers or by placing in a clearly identified location. The signs shall be printed with “Regulated Garbage” or another similar phrase in letters at least 4 inches high (except 2-inch letters may be used for in-house (inside) trash cans).
3. Post procedures for handling regulated garbage conspicuously in the work area.
4. Clean and disinfect with an APHIS approved disinfectant (**Table 3-1-1** on **page-3-1-3**) all garbage containers and areas that are used for regulated garbage before using containers and areas for domestic garbage, unless domestic garbage is handled like regulated garbage.

### Recycling Materials

The following items may be recycled under conditions as specified:

- ◆ Aluminum cans, glass and plastic containers (as long as they **never** held milk or other dairy products), if stored separately from food waste (garbage), and are **not** required to be incinerated or sterilized
  - ❖ The vessel must store the containers separate from the garbage; **neither** separation **nor** sorting is allowed **off** the vessel
  - ❖ Cans or containers commingled with or contaminated with garbage require sterilization or incineration
- ◆ Baled, clean, cardboard boxes or paper that are **not** contaminated with animal material and that are **not** meat containers, if stored separately from food waste (garbage), are **not** required to be incinerated or sterilized
  - ❖ If there is baled cardboard or paper that is ready for export to a foreign country, you may allow removal and storage, but **only** if the port where it was off-loaded from the carrier is also the port from which it will be exported

## Vessels

Shipboarding and garbage monitoring are CBP's enforcement activities to ensure garbage is maintained in a way that reduces the pest risk associated with garbage, thereby preventing the entry and dissemination of plant pests and animal diseases.

### Materials Needed

To control garbage, you will need the following items:

- ◆ **CBP Form AI-288, Ship Inspection Report** on **page A-1-45**
- ◆ **CBP Form AI-592, Notice of Violation** on **page A-1-58**
- ◆ **PPQ Form 519, Compliance Agreement** on **page A-1-101**

### Garbage Removal and Disposal

Where facilities exist and are approved by USDA<sup>1</sup> at a port, garbage may be removed from a vessel for approved disposal either by sterilization or incineration. Arrangements for disposal must be made in advance with the CBP office or under direct CBP supervision. Removal and disposal must be done by an establishment that has signed a compliance agreement with the local CBP office.

A further description of conditions that caterers and other handlers of garbage must meet pertaining to equipment used for garbage disposal is found under the section **Handlers and Processors** on **page 3-1-12**. Also, for Military vessels, see **Handling Regulated Garbage Aboard U.S. Naval and Coast Guard Vessels** on **page 3-1-8** and **All Carriers** on **page 3-1-2**.

### Handling Regulated Garbage Aboard Commercial Vessels



Important

If you witness the unsupervised landing of garbage or supervision by **other than** an authorized person, issue a civil penalty to the Captain of the vessel. Complete **CBP Form AI-592, Notice of Violation** on **page A-1-58**.

Follow these steps when supervising the landing, collection, transportation, heating (sterilization) or incineration, and disposing of regulated garbage:

1. Require advance notification of the landing of regulated garbage.
2. Allow the landing of regulated garbage only under the supervision of a CBP Agriculture Specialist or a trained employee of an establishment that is under compliance.

<sup>1</sup> New technology for disposal of regulated garbage must be approved by the APHIS Administrator. Contact PPQ VRS (LINK to Appendix for field vets)

3. Confirm that covered, regulated garbage is in tight, leakproof containers.
4. Verify that if the regulated garbage is to be moved, it is transported only by a cartage firm under compliance agreement. In addition, the heating (sterilization) or incinerating must be under a compliance agreement.
5. Require that the garbage either be incinerated to ash or heated to an internal temperature of 212°F for at least 30 minutes. Again, the facility heating or incinerating the regulated garbage must be under a compliance agreement.
6. Confirm that sterilized garbage is buried in a landfill.

### **Monitoring/Inspection of Garbage on Board a Vessel**

The condition of the garbage containers will be checked on all vessels whether by ship boarding or by monitoring. Monitoring is the periodic supervision of garbage movement and disposal operation from decatering of the carriers to the approved disposal of the garbage.

Monitor a vessel's garbage by observing (aboard or from ashore<sup>2</sup>) the maintenance of garbage aboard the vessel. While a vessel is in port, the following are violations of the garbage regulations:

- ◆ Dumping of garbage into harbor or inland waterways
- ◆ Disposing of garbage in unauthorized manner
- ◆ Keeping garbage containers outside the vessel's railing
- ◆ Leaking garbage containers
- ◆ Uncovered garbage containers
- ◆ Exposed, unrestrained garbage

Seal to prevent use while in U.S. territorial waters, if the vessel's garbage handling equipment includes either of the following:

- ◆ Garbage chutes
- ◆ Garbage containers built into the railing

If the captain or first officer indicated there is a working incinerator, inspect the incinerator for confirmation that it is functional.

### **Policy**

The policy guidelines on monitoring/surveillance include the following:

- ◆ Vessels not boarded will be monitored when feasible

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<sup>2</sup> Monitor from ashore only if all the conditions of the garbage can be observed from the shore.

- ◆ Of vessels boarded, **at least 50 percent** of the vessels boarded will be subsequently monitored while in port

All garbage is regulated on commercial and private vessels traveling between any of the following:

- ◆ Continental United States
- ◆ Foreign countries



For garbage handling aboard U.S. Naval and Coast Guard vessels, see [Handling Regulated Garbage Aboard U.S. Naval and Coast Guard Vessels](#) on page 3-1-8

When a vessel travels solely between ports within the continental United States or throughout Canada, the garbage is **not** regulated. In addition, garbage can be disposed of **without being** incinerated or sterilized if **either** of the following conditions are met:

1. Vessel has **not** been in any port outside the continental United States and Canada within the previous 2 years<sup>3</sup>
2. Vessel has disposed of all of the following items:
  - ❖ Meat and meat products regardless of origin, **except** shelf stable canned meat/poultry<sup>4</sup>
  - ❖ Fresh and condensed milk and cream from countries in which foot-and-mouth disease exists
  - ❖ Fresh eggs
  - ❖ Fresh fruits and vegetables<sup>5</sup>
  - ❖ All garbage aboard the vessel<sup>5</sup>

3 If the vessel has only traveled between Hawaii, U.S. territories or possessions, and the continental United States or Canada, then the 2-year period is reduced to 1 year.

4 Ruminant material from BSE affected countries and poultry from HPAI H5N1 countries are prohibited and must be disposed of.

5 Only fresh fruits and vegetables and all garbage need to be disposed of in these routings. No cleaning and disinfection of the stores area is required.

Following disposal, all storerooms which held the previously listed materials were cleaned and disinfected under direct supervision<sup>6</sup> by a CBP Agriculture Specialist. [Reference: [9 CFR 94.5 \(b\) \(i\) \(B\)](#)]

- ❖ Complete PPQ Form 288 to document that the garbage was disposed of in an approved manner and the carrier was cleaned and disinfected
- ❖ Alert the vessel's captain to keep a copy of the form to show subsequent ports that the garbage was removed and the carrier was cleaned and disinfected
- ❖ The ship's log must show that, since being cleaned and disinfected, the carrier has **not** been to a port outside the continental United States or Canada

### Determining if Vessel Is on Garbage Violation List

Before boarding, find out if the vessel is on the Garbage Violation List. It lists, alphabetically by vessel name, those vessels that are violators (one to two prior garbage violations) and habitual violators (three or more prior garbage violations). The Garbage Violation List (updated monthly) is available to all DHS employees through the CBPNET. USDA-APHIS-PPQ can formally request this list through Customs and Border Protection, Agriculture Programs and Trade Liaison (CBP-APTL).

CBP-APTL maintains the list of garbage violators. When submitting new violations, please include the following information: Carrier, Flag, IMO Number (for targeting), Date, Serial/Case No., CBP Location, Type (garbage or seals), Amount, Violator, Issuing Official. Submit to: [cbp.ofo-apl@dhs.gov](mailto:cbp.ofo-apl@dhs.gov), title the subject "Vessel Garbage Violation," or fax to: 202-344-1442.

You will need this information if you find a violation.

### Handling Regulated Garbage Aboard U.S. Naval and Coast Guard Vessels

Handle regulated garbage from U.S. Naval vessels, Coast Guard vessels<sup>7</sup>, and Military Sealift Command (MSC) vessels (see [List of Military Sealift Command Vessels](#) on **page H-1-1**) the same as you would handle regulated garbage from commercial vessels. If regulated foreign stores are present and **not** purged or transferred to an outbound vessel, notify subsequent ports of the restricted stores aboard.

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6 Disinfectant used must be a product approved by U.S. Public Health or EPA for use in food preparation or storage area.

7 U.S. Naval vessels are those with the designation "USS" followed by the name of the ship. MSC ships listed in [List of Military Sealift Command Vessels](#) on **page H-1-1** are handled the same as U.S. Naval vessels. Ships under contract to the military, "NOAA" ships or other nonmilitary, government ships are handled as commercial vessels.

If there are no regulated foreign stores aboard the vessel, require sterilization or incineration of all garbage aboard the vessel at docking and all garbage produced during the first 24 hours at the first U.S. port. Once the garbage is incinerated or sterilized at the first U.S. port, no further action is required at subsequent ports.



If foreign stores were present and were purged or transferred to another vessel, document this purging or transfer on CBP Form AI-288, Ship Inspection Report. Write "Purged (or Transferred), now Domestic." Advise the Captain to retain the form until the vessel departs the mainland as proof of Domestic status.

If prohibited foreign stores are present as part of the regulated foreign stores, **do not** apply the 24-hour rule. Once the foreign stores are used up or otherwise disposed of, then you may apply the 24-hour rule. Until those stores are used up or disposed of, continue regulating that vessel's garbage as you would for any other foreign vessel.

To enlist support of APHIS garbage requirements, refer Naval personnel to Naval Supplemental Publication Number 486, Volume 1, to show that Naval policy parallels APHIS requirements for foreign garbage. Refer Coast Guard personnel to their *Subsistence Manual* COMDTINST M4061.3C (Waste Disposal Requirements).



**Do not** issue a civil penalty for a violation aboard a U.S. Naval or Military Sealift Command vessel listed in [Appendix H](#).

Report the violation to a local AQI VMO in PPQ, VRS. For information on assessing civil penalties, see [Ocean Vessel Garbage Violations](#) on [page 8-1-9](#). To determine assessments for spot settlements, refer to [Spot Settlements](#) on [page 8-1-11](#).

## Land Border

Ensure regulated garbage is removed from all land conveyances (truck, rail, POV) undergoing inspections upon entering the U. S.

Intercepted quarantine material from foreign countries **other than** Canada must be disposed of by one of the following approved methods: (1) sterilization, (2) incineration, (3) grinding into an approved sewage system, or (4) other method approved in advance by USDA-APHIS-PPQ or USDA-APHIS-VS as appropriate.

Canadian-origin animal products and by-products confiscated at Canadian land border ports and seized for destruction by CBP may be disposed of in EPA approved landfills.

## Aircraft

All foreign origin aircraft should be boarded and cleared of regulated garbage. Also, CBP ensures that caterers/cleaners report in a timely fashion.

### Materials Needed

To control garbage, you will need the following items:

- ◆ Camera that will produce instantaneous pictures
- ◆ **PPQ Form 518, Report of Violation** on **page A-1-96**
- ◆ **PPQ Form 519, Compliance Agreement** on **page A-1-101**
- ◆ **CBP Form AI-592, Notice of Violation** on **page A-1-58**
- ◆ Quarantine tags

### Determining if Garbage Can Be Unloaded

Check the list of approved commercial airports and military bases in **Appendix E** and **Appendix I** to determine if the airport or military base is approved for handling garbage. If the airport is approved, then the garbage may be unloaded. If the airport is **not** on the list, then the garbage **must remain aboard** the aircraft and proceed to a foreign destination or to a USDA approved airport within the United States.<sup>8</sup>

### Decatering of Aircraft

Decatering is the process of removing all garbage from the aircraft. Require that the garbage be removed by a firm under compliance agreement or under direct CBP supervision. The firm under compliance agreement must meet the following conditions:

1. Meet aircraft on arrival.
2. Remove garbage from aircraft in tight, enclosed (covered), nonleaking containers to an approved facility.
3. Ensure that meals and food items are not misappropriated. Other requirements are outlined by the compliance agreement with local CBP.
4. Using an approved method, dispose of any gross waste that was collected.

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<sup>8</sup> Airports are approved by the APHIS Administrator. Contact USDA-APHIS-PPQ-VRS or refer to **Appendix E**.

### Monitoring Caterers and Cleaners

Monitor caterers and cleaners to ensure that they are following the conditions listed in the compliance agreement. Minimally, conduct compliance enforcement visits at least quarterly to ensure that garbage removal and disposal are accomplished as specified by the conditions listed in the compliance agreement. Monitor from the time the garbage is removed from the aircraft until the garbage is either sterilized or incinerated. See **Monitoring the Sterilizer** on **page 3-1-13** for the specific procedure.

When you monitor, take along a copy of the signed compliance agreement, the checklist for monitoring compliance agreement holders, and PPQ Form 252-R. Review the conditions specified in the compliance agreement, and monitor the performance of the firm under agreement for the conditions specified in the compliance agreement.

If you detect a violation of the compliance agreement, then see **Compliance Agreement Violations** on **page 8-1-10**.

### Unloading Garbage at Airports Not Approved by USDA

If you discover that garbage is being unloaded from an aircraft at an airport that is not approved by USDA, notify the appropriate airline official of the violation and request immediate corrective measures. If the airline official refuses to stop off loading, **do not** physically attempt to prevent off loading of the garbage. Notify PPQ, VRS immediately if corrective action is **not** taken by the airline so that a court order may be obtained through OGC. Follow the procedures in **Garbage Violations** on **page 8-1-6**.

### Requests for Approval

Agents having jurisdiction over an airport's catering or disposal facility must request initial approval of that facility by writing a letter to the APHIS administrator care of VRS (9CFR 94.5). New technology for processing regulated garbage must be approved by the APHIS Administrator. The process of completing a compliance agreement is covered in **Completing a Compliance Agreement (PPQ Form 519)** on **page 3-1-16**.

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## Handlers and Processors

CBP is responsible for monitoring the activities of all caterers, cartage/hauling firms, cleaners, fixed based operators (will be negotiated on a local level between CBP and PPQ personnel), and military bases handling and processing regulated garbage.

APHIS-PPQ is responsible for monitoring all other entities processing regulated garbage.

Every entity handling and/or processing regulated garbage should be monitored every one to two months but at least once quarterly. CBP and APHIS-PPQ are required to conduct compliance enforcement visits to ensure the requirements outlined in the compliance agreement are being met.

### Sterilization

All entities under compliance agreement and using a sterilizer must comply with the following conditions:

- ◆ Sterilizer must be capable of heating garbage to an internal temperature of 212°F and maintaining it at that temperature for a minimum of 30 minutes
- ◆ Sterilization cycle must be reevaluated and adjusted twice a year using a thermocouple to recalibrate the temperature recording device. Adjusting the sterilization cycle semiannually will assure that all garbage processed is heated to a minimum internal temperature of 212°F for at least 30 minutes, and that the temperature recording device accurately reflects the internal temperature of the sterilizer
- ◆ Operator is to date and initial time/temperature records for each batch of garbage sterilized
- ◆ Supervisor is to review and sign each time/temperature record
- ◆ Facility must retain records for one year from the end of the month the processing occurred for review by CBP/APHIS
- ◆ Drain in the bottom of the sterilizer must be cleaned between each cycle to assure proper heat circulation or otherwise maintained to ensure proper processing

## Monitoring the Sterilizer

If a sterilizer is used for garbage disposal, then do the following during your monitoring activities:

1. Review the time and temperature record for each batch of garbage to ensure that the minimum internal temperature (212°F) of the regulated garbage was reached and maintained for at least 30 minutes. Also, confirm that the operator has initialed and dated each record, and that the supervisor of the operator of the sterilizer has signed each record.



Observe all re-evaluations and adjustments. Sterilizer or cooker should be recalibrated after any major repair or malfunction.



If the sterilizer is a Rotoclave with a data logger, a thermocouple probe is not used; the facility technician must monitor and recalibrate in the presence of CBP or PPQ personnel.

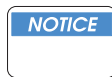
2. Twice a year, monitor the recalibration of the temperature recording device (the chart outside a sterilizer which displays the temperature of its chamber), and monitor the adjustment of the sterilization cycle. These enforcement activities are conducted to ensure the garbage is heated to a minimum internal temperature of 212°F for 30 minutes. Use a load of garbage (including the standard number of bags or carts) that is representative of the establishment's usual load. Along with the sterilizer's thermocouple probe (A), an additional thermocouple probe (B) will be needed, which is to be supplied by the caterer or cleaner.
  - A. Use the following as a guide when supervising the recalibrating of a temperature recording device:
    - i. If possible, place thermocouple probes (A)<sup>9</sup> and (B) in a container of boiling water to compare the actual temperatures recorded at the boiling point.
    - ii. If there is a difference, have the temperature recording device adjusted by a qualified technician to reflect the actual temperature.



Water at sea level boils at 212°F. The boiling point drops 1 degree for each increase of 550 feet elevation. (For example, water boils at 202°F to 203°F in Denver, Colorado.)

<sup>9</sup> This procedure is not always possible, as thermocouple (A) may not be accessible. Thermocouple (A), and (B), when necessary, may be validated by a qualified manufacturer's technician.

- B.** The steps to use as a guide when supervising the adjustment of the sterilization cycle are listed below. The sterilization cycle is the total amount of elapsed time from the time the sterilizer is turned on, until the end of the 30-minute period that the minimum internal temperature is maintained at 212°F. In addition to the thermocouple probes (A) and (B), you will need a watch. The steps are as follows:
- i.** Place thermocouple probe (A) in its holder inside the chamber of the sterilizer. This probe records the air temperature of the chamber.
  - ii.** Fill the chamber with the maximum load of garbage.
  - iii.** Place thermocouple probe (B) deeply into a potato<sup>10</sup>. Place the potato into a dense portion of the garbage—the lower portion of the front third of the load. This position normally represents the coolest section of the chamber.
  - iv.** Start the sterilizer; note the time on your watch and record the time and temperatures of both probes (A) and (B).
  - v.** Monitor the temperature of thermocouple probes (A) and (B). Record the time and temperature every 10 minutes until probe (B) reaches 190°F; then record every few minutes after that.



The air temperature of the chamber (identified by thermocouple probe (A) and on the recording device) reaches and exceeds 212°F before the internal temperature of the garbage (identified by thermocouple probe (B)) reaches 212°F.

- vi.** When thermocouple probe (B) reaches 212°F, note the time, and record the time and temperature of probe (B). After 30 minutes has elapsed, turn off and discharge the sterilizer.
- vii.** Look for fluctuations in the temperature; these may represent equipment malfunctions. The total time represents the new sterilization cycle for the sterilizer. Where applicable, note the reading of pounds per square inch (PSI) measurement.

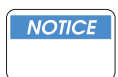


A sterilization cycle usually ranges from 90 to 120 minutes (1-1/2 to 2 hours).

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<sup>10</sup> The use of a 0.5- to 0.75-pound potato standardizes the process.

- viii. Compare the new sterilization cycle to the one previously established for the sterilizer. Note the reason for any difference and maintain the information in the file. Write and date an addendum to the original compliance agreement signed by CBP or APHIS, as applicable, and the responsible establishment employee.



A non-pressurized cooker is monitored in the same manner.

### Incineration

Facilities under compliance agreement using an incinerator for garbage must comply with the following conditions:

- ◆ Incinerator must be capable of reducing garbage to ash
- ◆ Incinerator must be maintained adequately to assure continued effective operation
- ◆ Incinerator must be observed after any major malfunctions or repairs to ensure appropriate incineration
- ◆ Incinerator must be observed during a compliance enforcement visit at least once annually to ensure the equipment burns garbage to an ash

### Grinding and Disposal

Grinding and discharging into an approved sewage system is allowed. An approved sewage system is a sewage system approved by the APHIS Administrator (9CFR 94.5(f)(2)). Contact the local VRS AQI VMO to determine that the system is designed and operated in such a way as to prevent the discharge of sewage effluents onto land surfaces, into lagoons or other stationary waters, and is adequate to prevent the dissemination of plant pests and livestock or poultry disease. The sewage system must be certified by an appropriate government official to ensure that it is in compliance with applicable laws for environmental protection.

### Providing Backup Disposal Facilities

It is essential that provisions exist for an alternative method of disposal in case the primary disposal facility fails. Alternative sources may include hospitals, supermarkets, city-owned facilities, and any other locations or equipment that have the capability to sterilize or incinerate garbage. All backup facilities must be approved and operate under a compliance agreement.

### Completing a Compliance Agreement (PPQ Form 519)

Compliance agreements form the basis for standard operating procedures for handling regulated garbage. They provide instruction to the facility management and staff regarding the requirements under APHIS regulations and policies. CBP is responsible for issuing and monitoring compliance agreements for cartage/hauling firms, cleaners, and fixed based operators (will be negotiated on a local level between CBP and PPQ personnel), **and** all processing facilities, including sterilizers and incinerators, operated by caterers and military bases handling and processing regulated garbage.

APHIS-PPQ is responsible for all other compliance agreements with processing facilities, including sterilizers and incinerators.

Before completing a compliance agreement, a letter requesting approval of the facility must be received. This letter may come from an airline representative, the base commander, or any agent having jurisdiction over a catering or disposal facility. Letters requesting new airport approvals, new processors, or other new facilities must be sent to the APHIS Administrator via VRS at the following address:

USDA-APHIS-PPQ-VRS  
4700 River Road, Unit 129  
Riverdale, MD, 20737-1236

Approval must be granted before a compliance agreement can be issued.

The Port Director or other responsible CBP official and/or APHIS personnel will review the application and do the following:

- ◆ Visit the handling, processing, or disposal facilities, or in cases where there are no facilities, the company's local headquarters. In the case of new airports (including military air bases, new processors and new technology) the visit must be conducted in conjunction with VRS.
- ◆ Inform the applicant of all conditions to be specified in the compliance agreement.
- ◆ If applicable, observe the operation of any equipment for adequacy in handling regulated garbage. New technology must be approved by the APHIS Administrator prior to issuance of the CA (contact VRS).
- ◆ Inform the applicant of the consequences of failing to abide by the conditions of the compliance agreement. The compliance agreement can be cancelled by either CBP or PPQ personnel.

- ◆ Require that cleaning equipment and APHIS approved disinfectants be carried on all vehicles involved in moving regulated garbage.
- ◆ Consult with local VRS AQI VMO before signing if the compliance agreement deviates from the appropriate template.
- ◆ If applicable, PPQ must certify garbage cookers/sterilizers before signing and approving the compliance agreement. PPQ verifies that the incinerator is capable of burning regulated garbage to ash.
- ◆ Confirm the garbage will be properly processed and/or handled and ensure that the agreement contains a statement that the facility meets the requirements of all applicable environmental authorities.
- ◆ Review the compliance agreement with appropriate facility personnel to ensure they understand their obligations.
- ◆ Monitor each compliance agreement four (4) times per year.<sup>11</sup> Facilities such as caterers or processors with sterilizers or non-pressurized cookers are calibrated twice a year and are monitored quarterly. Advise facility personnel that there will be unannounced enforcement visits.
- ◆ Review the proposed garbage handling training for company employees. Insure that training records will be kept.

PPQ will follow the same steps for approving facilities under their jurisdiction.

See [page A-1-102](#) for instructions on completing PPQ Form 519, and **Completing Compliance Agreements** on [page B-1-1](#). Review the Compliance Agreement step-by-step with the applicant to make sure the applicant understands the conditions for handling and disposing of garbage specified in the Compliance Agreement.

For Violations, refer to [Violations](#) on [page 8-1-1](#).

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<sup>11</sup> Includes the two semiannual calibrations and two additional monitoring visits per year or when there are changes in the facility that require revision of the compliance agreement such as a change in name or management. All changes to the compliance agreement may be made in an addendum that is signed and dated by CBP or PPQ personnel and a responsible employee of the company

## Quarterly Checklist for Monitoring Compliance Agreement Holders Handling Regulated Garbage

For a fillable version of the checklist, click [here](#).

Page 1 of 5      **QUARTERLY CHECKLIST FOR MONITORING COMPLIANCE AGREEMENT  
 HOLDERS HANDLING REGULATED GARBAGE**  
 (Final 09/08)

Name of facility: \_\_\_\_\_

Location: \_\_\_\_\_

Phone: \_\_\_\_\_

Name of person contacted: \_\_\_\_\_

Date: \_\_\_\_\_

Type of facility/entity (Circle all applicable categories):

CATERER<sup>1</sup>      CLEANER      FIXED BASE OPERATOR      MILITARY BASE      CARTAGE FIRM

CRUISE SHIP OPERATOR      INCINERATOR      STERILIZER

<sup>1</sup>Use this checklist if PPQ Form 252R Quarterly Inspection Checklist for Handling of Regulated Garbage – Airport Caterers, is not available.

<b>A.    <u>ALL FACILITIES/ENTITIES</u></b>	<b>Current Status</b>			<b>Action Required?</b>	
	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Yes</b>	<b>No</b>
<b>1. Is the company operating under a <u>current</u> compliance agreement?</b>  Note: If company has changed location, name, management, contacts, procedures, then, update the CA.  Note: If there is no compliance agreement in place, issue a violation.	Y	N	N/A	Y	N
<b>2. Were training materials reviewed during the inspection?</b>	Y	N	N/A	Y	N
<b>3. Were training records reviewed during the inspection?</b>	Y	N	N/A	Y	N
<b>4. Has training been conduct annually?</b>	Y	N	N/A	Y	N
<b>5. Have new employees been trained?</b>  Note: If no, new employees should be prohibited from handling regulated garbage until training is accomplished.	Y	N	N/A	Y	N
<b>6. Is there a written company SOP for handling regulated garbage?</b>	Y	N	N/A	Y	N
<b>7. Are APHIS-approved disinfectants (Virkon® S or Sodium hypochlorite, or Sodium carbonate) available and used for cleaning spills outside of food handling areas?</b>	Y	N	N/A	Y	N
<b>8. Do all vehicles/personnel servicing the conveyance carry sufficient APHIS-approved disinfectant and cleaning equipment to clean up spills?</b>	Y	N	N/A	Y	N
<b>9. Have there been any spills outside of the company’s premises since the last visit?</b>	Y	N	N/A	Y	N

**FIGURE 3-1-1: Quarterly Checklist for Monitoring Compliance Agreement Holders Handling Regulated Garbage (page 1)**

**QUARTERLY CHECKLIST FOR MONITORING COMPLIANCE AGREEMENT  
HOLDERS HANDLING REGULATED GARBAGE**  
(Final 09/08)

<b>A. <u>ALL FACILITIES/ENTITIES (continued)</u></b>	<b>Current Status</b>			<b>Action Required?</b>	
	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>Yes</u>	<u>No</u>
<b>10. Is CBP/PPQ notified of spills outside of the company's premises?</b>  Note: CBP/PPQ inspects area of the spill for compliance with spill management requirements.	Y	N	N/A	Y	N
<b>11. Was the spill cleaned up according to the Addendum to Compliance Agreements?</b>  Note: If spills are not being handling according to the compliance agreement, review the compliance agreement with the responsible facility personnel and document for the files. Ensure spills that are witnessed by you during the enforcement visit are cleaned up in an approved manner.	Y	N	N/A	Y	N
<b>12. Were spill cleaning and disinfection documented and kept on file for 3 years?</b>	Y	N	N/A	Y	N
<b>13. Is regulated garbage stored on the premises?</b>	Y	N	N/A	Y	N
<b>14. Is it stored in covered leak-proof, vermin-proof containers?</b>  Note: Four MIL thick plastic bags are allowed to be used inside vermin-proof areas; rigid containers are required for outside storage.	Y	N	N/A	Y	N
<b>15. Is it stored longer than the compliance agreement allows</b>  Note: If no, then issue a violation.	Y	N	N/A	Y	N
<b>16. Is all regulated garbage removed from the conveyance or pickup location in tight leak-proof covered containers (caterers are allowed to use catering carts) or in 4 Mil thick plastic bags?</b>	Y	N	N/A	Y	N
<b>17. Are all outside areas around loading docks and garbage containers kept free of debris?</b>  Note: It is difficult to distinguish regulated garbage from non-regulated garbage; assume all unidentified garbage is regulated.	Y	N	N/A	Y	N
<b>18. Are regulated garbage and associated equipment kept separate from non-regulated garbage or clean equipment?</b>	Y	N	N/A	Y	N
<b>19. Are employees aware of the handling requirements?</b>	Y	N	N/A	Y	N
<b>20. Are aircraft cleaners disposing of regulated garbage appropriately?</b>  Note: Describe procedures in Comment Section of the Checklist.	Y	N	N/A	Y	N
<b>21. Are the records of loads (including origin, weight, dated, etc.) handled being accurately kept by the company and available for review as required by the compliance agreement?</b>	Y	N	N/A	Y	N

**FIGURE 3-1-2: Quarterly Checklist for Monitoring Compliance Agreement Holders Handling Regulated Garbage (page 2)**

Page 3 of 5      **QUARTERLY CHECKLIST FOR MONITORING COMPLIANCE AGREEMENT  
 HOLDERS HANDLING REGULATED GARBAGE**  
 (Final 09/08)

<b>A.    <u>ALL FACILITIES/ENTITIES (continued)</u></b>	<b>Current Status</b>			<b>Action Required?</b>	
	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>Yes</u>	<u>No</u>
<b>22. Do the records of loads handled and/or stored match the records of the originating company as required by the compliance agreement?</b>  Note: For example, if the hauler removes two loads per week from a maritime port, does the processing company have matching records of those loads being dropped off for sterilization or incineration?  Note: If no, there may be a violation if the records indicate garbage is not handled according to the compliance agreement.	Y	N	N/A	Y	N
<b>23. Have there been any changes in the backup system identified in the Compliance Agreement?</b>	Y	N	N/A	Y	N
<b>24. Has the backup system used since last enforcement visit?</b>	Y	N	N/A	Y	N
<b>25. If the backup system was used, was CBP/PPQ notified as required by the compliance agreement?</b>	Y	N	N/A	Y	N
<b>B.    <u>CARTAGE FIRM/AULERS</u></b>	<b>Current Status</b>			<b>Action Required?</b>	
	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>Yes</u>	<u>No</u>
<b>1. Are garbage trucks or containers hauling regulated garbage used for non-regulated garbage?</b>	Y	N	N/A	Y	N
<b>2. If yes to B.1. above, are trucks or containers being cleaned and disinfected under CBP supervision prior to hauling non-regulated garbage?</b>  Note: If no to B.2., there may be a violation if the unregulated garbage is not being treated as regulated.	Y	N	N/A	Y	N
<b>3. If transloading garbage, is garbage spillage controlled in accordance with the Addendum to Compliance Agreements?</b>	Y	N	N/A	Y	N
<b>4. Are trucks and containers monitored/observed for leakage while hauling or storing regulated garbage? Explain how in the Comments Section of the Checklist.</b>	Y	N	N/A	Y	N
<b>5. As required by the compliance agreement to specify travel routes, is this requirement being monitored? Explain how routes are monitored in the Comments Section of Checklist.</b>	Y	N	N/A	Y	N
<b>6. List pickup companies/locations in the Comments Section of Checklist.</b>					

**FIGURE 3-1-3: Quarterly Checklist for Monitoring Compliance Agreement Holders Handling Regulated Garbage (page 3)**

**QUARTERLY CHECKLIST FOR MONITORING COMPLIANCE AGREEMENT  
HOLDERS HANDLING REGULATED GARBAGE**  
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C.	<b><u>PROCESSING (STERILIZATION/INCINERATION)</u></b>	Current Status			Action Required?	
		Yes	No	N/A	Yes	No
1.	If equipment is an autoclave or non-pressurized cooker, has it been calibrated by CBP/PPQ within the last 6 months? [The internal garbage temperature (not the chamber temperature) must be at least 212°F for at least 30 minutes]	Y	N	N/A	Y	N
	Is a thermocoupler or other necessary calibration equipment available for determination of adequate temperature?	Y	N	N/A	Y	N
1.	If equipment is an incinerator, is all garbage burned (except metal and glass) to ash?	Y	N	N/A	Y	N
2.	As required by the compliance agreement, are individual records maintained (including time/temperature in the case of sterilization)?	Y	N	N/A	Y	N
4.	Do time/temperature charts indicate any deviation below the required sterilization cycle (time or temperature) established CBP/PPQ?	Y	N	N/A	Y	N
5	a. Have there been any equipment malfunctions lasting more than 24 hours since the last visit?	Y	N	N/A	Y	N
	b. If yes, was CBP/PPQ notified? If not, there may be a violation.	Y	N	N/A	Y	N
7.	a. Have there been any major equipment repairs or renovations since the last visit?	Y	N	N/A	Y	N
	b. If yes, was a request made for recertification for sterilizing equipment or the incinerator?	Y	N	N/A	Y	N
8.	Is there processing equipment in use that has not been certified or calibrated by CBP/PPQ?	Y	N	N/A	Y	N
9.	Is sterilized/cooked garbage going to a landfill? If no, list where in the Comments Section of the Checklist. (If no, consult local AQI VMO)	Y	N	N/A	Y	N

**COMMENT SECTION**

**ALL FACILITIES/ENTITIES**

Comments from the checklist requiring further description, to include items that require action:

**FIGURE 3-1-4: Quarterly Checklist for Monitoring Compliance Agreement Holders Handling Regulated Garbage (page 4)**

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**QUARTERLY CHECKLIST FOR MONITORING COMPLIANCE AGREEMENT  
HOLDERS HANDLING REGULATED GARBAGE**  
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**COMMENT SECTION (continued)**

**ALL FACILITIES/ENTITIES**

Other deficiencies/violations noted:

Deficiencies resolved at the time of inspection:

Time allowed to correct deficiencies not immediately resolved: \_\_\_\_\_

\_\_\_\_\_  
Facility Employee Name and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
CBP/PPQ Official Name and Title

\_\_\_\_\_  
Date

A copy should be provided to the facility employee.

**FIGURE 3-1-5: Quarterly Checklist for Monitoring Compliance Agreement Holders Handling Regulated Garbage (page 5)**