

APHIS Regulated Garbage Compliance Agreement for Approval Template

Revised 09/2016

The purpose of the Animal and Plant Health Inspection Service (APHIS) regulated garbage regulations is to protect American agriculture and natural resources by preventing the introduction and spread of foreign plant and animal pests and diseases. All APHIS regulated garbage must be handled and disposed of in accordance with the United States Department of Agriculture, APHIS policies, which are written in support of the Code of Federal Regulations (CFR), Title 7 CFR 330.400 through 330.403 and Title 9 CFR 94.5.

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 monetary 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 \$300,000 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.

Establishments (e.g. companies, business organizations) interested in handling regulated garbage must submit a letter of request for approval to handle APHIS regulated garbage (see [example](#)) along with the information requested below, as applicable. See also the [Procedure to Request Approval to Handle Regulated Garbage](#).

Establishments must comply with other Federal, State, and local requirements. APHIS cooperates with other Federal, State, and local agencies responsible for enforcing other statutes and regulations governing APHIS-regulated garbage.

When Is Garbage Regulated?

APHIS Regulated Garbage: Garbage becomes regulated by APHIS per definition in [7 CFR 330.401](#) and [9 CFR 94.5](#) (c) when generated onboard the conveyance (ocean vessels and aircraft) only when the garbage is on or removed from the conveyance. *Commingling:* Garbage, trash or other material **not** regulated by APHIS that is or has been commingled with regulated garbage is also regulated garbage.

Notes

- ◆ APHIS regulates garbage when it is aboard or removed from a means of conveyance that has been in any port outside the United States and Canada within the previous two-year period or to any port in Hawaii or any United States territory or possession in the last one-year period.
- ◆ *Trash* is refuse that neither contains nor is visually contaminated with APHIS regulated garbage. Trash is not regulated by APHIS and is therefore unrestricted. For example, trash that solely contains empty soda cans would be unrestricted. Newspapers and magazines in the passenger cabin would also be unrestricted unless commingled with regulated garbage.
- ◆ The currently approved methods of disposal (processing) for regulated garbage are use of a sterilizer, incinerator¹, or grinder.²

NOTICE

To stay up to date with any changes in the regulated garbage program, sign up for the APHIS Stakeholder Registry.

¹ Incinerators must reduce garbage to ash (other than metal and glass).

² APHIS will advise if any alternative methods are approved.

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Core List of Requirements to Handle APHIS Regulated Garbage

Please ensure you have thoroughly reviewed the following core requirements, in addition to completing the establishment request for approval template (checklist) below.

1. Establishment Operating Procedures: A description of how the regulated garbage will be contained, handled, and transported in tightly closed/sealed, covered, leak-proof receptacles (e.g., plastic bags of at least 3 mil thickness or permanently labeled containers) and a description of the color,³ tag, or label associated with plastic bags that uniquely identifies the regulated garbage handled by your establishment. See [Guidelines for Writing Operating Procedures for Handling APHIS Regulated Garbage](#).
 - ❖ Uneaten meals on aircraft must be handled as regulated garbage, unless they are under compliance agreement for backcatering.
 - ❖ Garbage, trash or other material not regulated by APHIS that is or has been commingled with regulated garbage is also regulated garbage.
2. Equipment: Equipment (including, but not limited to receptacles such as dumpsters and compactors)⁴ used to move/store unprocessed regulated garbage **must**:
 - ❖ Be inaccessible to birds, rodents, insects, and other vermin.
 - ❖ Be closed 3 mil leak-proof plastic bags if bags are the method of containment.
 - ❖ Be uniquely identified outside the container and if words are used, marked with "REGULATED GARBAGE" or a similar acceptable phrase in English and any appropriate foreign language. If approved, the APHIS compliance agreement holder must ensure that these "Regulated Garbage" markings be displayed at all times during the use of such receptacles for Regulated Garbage activities including storing/hauling per the compliance agreement. Containers used for regulated garbage with evidence of contamination with regulated garbage **must** be cleaned and disinfected according to APHIS requirements.
 - ❖ Be cleaned and disinfected in accordance with APHIS requirements before being decommissioned, **only** if there is evidence of contamination with regulated garbage. The containers must also: (a) **Not** be used for any material **not** regulated by APHIS, unless the container's markings have been removed; (b) Have markings obliterated if used for a purpose other than storage or hauling of regulated garbage; (c) Be moved off the establishment's property to be repaired or decommissioned.
3. Compliance Agreement: Once approved, the establishment must maintain and abide by a valid APHIS approved compliance agreement (PPQ Form 519). The regulated garbage compliance agreement [Request for Approval Packet](#) consists of the PPQ Form 519 and all addenda, including the request for approval and operating procedures.

APHIS/CBP officials must be allowed to observe, during regular operational hours, all regulated garbage handling activities performed by all employees and subcontractors under the approved compliance agreement holder. All records required by this agreement must be made available to APHIS/CBP officials upon request.

3 Red receptacles (including plastic bags, trash cans, carts or any containers similar in size or shape to those used for medical waste) **must not** be used for APHIS regulated garbage.

4 Vehicles used to transport the regulated garbage must be enclosed with rigid cover.

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4. Storage: Once received by the establishment, regulated garbage must not remain in the establishment's possession for more than 72 hours without prior approval in writing from the APHIS Administrator (i.e., regulated garbage must be processed or hauled within this time frame).
5. Spill Kits/Cleaning and Disinfection: The dock area and the area around grinders, sterilizers, incinerators, compactors, and/or dumpsters must be kept clean and free of loose garbage at all times. All wooden surfaces in garbage handling areas (including storage areas and inside transport vehicles) must be treated so that surfaces are impervious to water and can be cleaned and disinfected. If a spill occurs, it must be disinfected using an APHIS authorized disinfectant. Refer to [APHIS Authorized Disinfectants For Use When Handling APHIS Regulated Garbage](#). Note: For regulated garbage contamination on aircraft and in all food handling areas, cleaning and sanitation should only be done with an EPA approved sanitizer/detergent.
6. Record Keeping: (see [Guidelines for Regulated Garbage Record-Keeping](#) and examples below:
 - ❖ [APHIS Regulated Garbage Training Record](#)
 - ❖ [APHIS Regulated Garbage Collection Log](#)
 - ❖ [APHIS Regulated Garbage Spill Log⁵](#)
7. Establishment Training Program: Follow the [Guidelines for the Regulated Garbage Written Training Program](#) including the You Tube video [No Free Ride](#).
8. Notification of Changes: If an establishment makes changes or is aware of changes needed that deviate from the APHIS approved compliance agreement, the CA holder must immediately notify the local CBP or PPQ office.
9. Establishments requesting approval to process regulated garbage must use one of the following APHIS approved processors:
 - ❖ Sterilizer
 - ❖ Incinerator
 - ❖ Grinder
 - ❖ Other equipment/technology approved by APHIS for regulated garbage
10. The area surrounding the establishment must be kept in generally clean condition.
11. For updates to APHIS electronic documents, visit the [APHIS Regulated Garbage website](#).
12. If transporting regulated garbage across State lines, the establishment must produce evidence of written communication with Federal, State, and local agencies regarding requirements for interstate transport of garbage. Refer to [Procedures for Companies Requesting Approval to Transport Regulated Garbage Interstate](#).

NEXT: Proceed to the checklist below to continue your request for approval.

⁵ This log sheet is used for disinfection or disinfection/sanitation.

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Name of establishment/company (Unit #): _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Email address: _____

Name and title of establishment representative: _____

Date: _____

APHIS will approve the compliance agreement to handle and/or process APHIS regulated garbage if the establishment meets all applicable APHIS requirements in this template.

Type of regulated garbage handling activities (check all applicable categories):

Back-caterer Cleaner Caterer
 Hauler/Carriage Firm Fixed Base Operator Storage/Transfer Station
 Vessel (including Cruise Ship Operator) Military Base Processor

A. ALL ESTABLISHMENTS/REQUESTERS	Current Status (Check One)		
1. Does the establishment have leak-proof receptacles (including plastic bags at least 3 mil thick and/or containers)?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
2. Does the establishment have an existing approved regulated garbage compliance agreement?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
3. Is this request for approval to add a regulated garbage handling activity to an existing approved compliance agreement?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
4. Have employees reviewed/viewed the required APHIS regulated garbage training/videos? Note: All employees must be trained prior to handling APHIS regulated garbage, and must review the training annually or as often as government officials require. Training records are required to be kept on file for three (3) years.	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
5. a. Will regulated garbage be stored, locked, and secured on the premises?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
b. Is there a documented pest control program for rodents, birds, and other vermin?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
c. Are tightly covered, leak-proof receptacles readily available for use to store APHIS regulated garbage?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
d. Are all containers marked as required by the compliance agreement? (including but not limited to REGULATED GARBAGE)	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A

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A. ALL ESTABLISHMENTS/REQUESTERS (continued)	Current Status (Check One)		
<p>6. Is a spill kit that meets APHIS requirements readily available to address surfaces contaminated with regulated garbage? Please provide a photograph of the spill kit and items to clean and disinfect contaminated surfaces as outlined in the document APHIS Authorized Disinfectants for Use When Handling APHIS Regulated Garbage.</p> <p>Note: A spill/disinfection/sanitation log is required to be kept on file for three (3) years, noting any spill and subsequent cleaning and disinfection/sanitation.</p> <p>Important! The compliance agreement holder must immediately notify CBP and/or APHIS officials anytime contamination occurs outside of your establishment.</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
<p>7. Do you understand and concur that any article, means of transportation for off-loaded regulated garbage from the conveyance (air/maritime) or other surfaces, including but not limited to carts, pallets, machinery, handling containers, trucks, dock or warehouse surface contaminated with regulated garbage spills, must be cleaned and disinfected?</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
<p>8. Do you agree to clean after each use all reusable tools/equipment used for handling regulated garbage spills over a drain leading to an approved sewage system or directly into a receptacle (i.e., containment tank, plastic bag) for proper disposal?</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
<p>9. Does the establishment have a written local regulated garbage operating procedure? Attach a copy to the request for approval.</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
<p>10. Has the establishment submitted record keeping logs (e.g. spill/disinfection/sanitation log, training log, garbage collection log)?</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
<p>11. Do you understand and agree that in the event the establishment is unable to conduct regulated garbage handling activities, or is ordered to suspend its regulated garbage handling activities, then you will be required to immediately notify local CBP/APHIS officials, and all your customers of your temporary or permanent inability to handle regulated garbage activities?</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
<p>12. Does your establishment understand and agree to comply with all core requirements?</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
<p>13. Will recycling materials be separated prior to offloading the conveyance and is it specified in the operating procedures? Note: Materials co-mingled with APHIS regulated garbage must be handled as regulated.</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
<p>14. NEXT: PROCEED to the request for approval questions specific to the type of regulated garbage service you are applying to provide.</p>			
<p>15. For government use only: Did the establishment meet the above requirements to handle regulated garbage? If no, ensure you also provide additional information in the Comment Section.</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	
<p>16. Did you review the core requirements with the requester?</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	
<p>17. Note: To facilitate monitoring, establishments can provide advance notification to the APHIS/CBP office at _____ (phone number) of any offloads or pickups of regulated garbage.</p>			

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B. CLEANERS, CATERERS, FIXED BASE OPERATORS	Current Status (Check One)		
1. If providing service inside the aircraft or in food handling areas, does the establishment have an EPA approved sanitizer for use in aircraft or in food handling areas acceptable to the owner/operator of the air/maritime conveyance?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
2. If washing reusable dishware, glassware, silverware and/or trays, does the establishment use an automatic dishwasher as required?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
3. NEXT: PROCEED to your next category (if applicable) or to the signature page and validate your responses.			
4. For government use only: Did the establishment meet the above requirements to handle regulated garbage? If no, ensure you also provide additional information below.	<input type="checkbox"/> Y	<input type="checkbox"/> N	

C. HAULERS (Cartage Firms)	Current Status (Check One)		
1. Are the APHIS-approved containment areas in vehicles and/or receptacles used for transporting regulated garbage also used for material that is not regulated by APHIS (for example, domestic garbage or medical waste) and are handling requirements outlined in the operating procedures?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
2. Do vehicles used to transport regulated garbage meet APHIS requirements?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
3. If regulated garbage will be moved off of port/establishment premises, has a map or route been submitted?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
4. Is the establishment aware that they must comply with other Federal, State, and local agency requirements having jurisdiction over transporting garbage? Important: If not, advise that APHIS compliance agreement approval does not exempt the establishment from complying with other regulatory agencies.	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
5. List pickup companies/locations in the Comment Section of Checklist.			
6. NEXT: PROCEED to your next category (if applicable) or to the signature page and validate your responses.			
7. For government use only: Did the establishment meet the above requirements to handle regulated garbage? If no, ensure you also provide additional information below.	<input type="checkbox"/> Y	<input type="checkbox"/> N	

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D. AIRCRAFT BACK-CATERER ¹	Current Status (Check One)		
1. Does the establishment agree to the following: <ul style="list-style-type: none"> ❖ Aircraft will depart from the U.S. airport at which it arrived to a foreign destination within 12 hours of the time of arrival ❖ Aircraft personnel will maintain tamper-proof compartments, cabinets, storage areas and carts in which the materials authorized for back-catering will be kept ❖ Aircraft personnel will ensure that the meals are not removed from the conveyance unless they are removed by an establishment under an RG CA or by direct observation and handled as regulated garbage ❖ Aircraft personnel will maintain separation of materials authorized for back-catering to prevent cross-contamination or commingling with regulated garbage² 	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
2. NEXT: PROCEED to your next category (if applicable) or to the signature page and validate your responses.			
3. For government use only: Did the establishment meet the above requirements for back-catering? If no, ensure you also provide additional information below.	<input type="checkbox"/> Y	<input type="checkbox"/> N	

- 1 The airline, aircraft owner/operator is responsible for locking/securing/safeguarding conditions of the meals allowed for back-catering.
- 2 Materials commingled or contaminated with regulated garbage will be treated as regulated garbage and must be offloaded from the conveyance in accordance with APHIS RG handling requirements.

E. VESSELS	Current Status (Check One)		
1. Is the regulated garbage maintained in covered, leak-proof receptacles inside the rail while on-board the vessel as required?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
2. Are any regulated garbage activities of the stevedores or longshoremen outlined in the vessel's operating procedures as required? ¹	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
3. NEXT: PROCEED to your next category (if applicable) or to the signature page and validate your responses.			
4. For government use only: Did the establishment meet the above requirements to handle regulated garbage? If no, ensure you also provide additional information below.	<input type="checkbox"/> Y	<input type="checkbox"/> N	

- 1 Stevedores or longshoremen must be under the direct supervision of a trained employee or trained subcontractor under the approved compliance agreement holder of the vessel under this Compliance Agreement when handling regulated garbage for the vessel.

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F. PROCESSORS (Grinders/Sterilizers/Incinerators)	Current Status (Check One)		
<p>1. For grinders:</p> <p>a. Is the grinder directly connected to an EPA-approved sewage system?¹</p> <p>b. Are there other disposal methods in place for materials that cannot be processed by grinding? If yes, explain in the Comment Section of the Checklist how the regulated materials not processed by grinding are handled/processed.</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
<p>2. For sterilizers:</p> <p>a. Has the establishment obtained from an authorized technician/manufacturer the certificate of equipment calibration testing?</p> <p>Important: If yes, present a copy of the certificate.</p> <p>Note: The internal garbage temperature (not the chamber temperature) must be at least 212 °F for at least 30 minutes.</p> <p>b. Has the autoclave or non-pressurized cooker been calibrated by CBP or PPQ?²</p> <p>c. Is a working thermocouple or other necessary calibration equipment available for determination of required temperature?</p> <p>Important: Records for time and temperature on each batch must be verified that they have met minimum requirements. If minimum requirements are met, the records are initialed and dated by the operator, then signed by the supervisor. If minimum requirements are not met, the batch must be immediately reprocessed.</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
<p>3. For incinerators:</p> <p>a. Is all garbage reduced to ash (other than metal and glass)?</p> <p>b. In the comment section, describe the procedure for identifying and re-burning regulated garbage not burned to ash during the initial processing.</p> <p>Note: Ensure that the Guidelines for Regulated Garbage Record Keeping are being followed.</p>	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
4. Is the area surrounding the processing equipment kept in generally clean condition?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
5. NEXT: PROCEED to your next category (if applicable) or to the signature page and validate your responses.			
6. For government use only: Did the establishment meet the above requirements to handle regulated garbage? If no, ensure you also provide additional information below.	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A

1 The sewage system **cannot** be a septic tank or storage lagoon.

2 Sterilizers **must** be calibrated at least every 6 months and after repairs or significant malfunctions.

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G. STORAGE ESTABLISHMENTS	Current Status (Check One)		
1. Is/are the storage facility(ies) properly marked, including receptacles, buildings, sheds, or any exterior structure hosting smaller receptacles, and that each containment device will be clearly marked with "REGULATED GARBAGE"?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> N/A
2. NEXT: PROCEED to your next category (if applicable) or to the signature page and validate your responses.			
3. For government use only: Did the establishment meet the above requirements to handle regulated garbage? If no, ensure you also provide additional information below.	<input type="checkbox"/> Y	<input type="checkbox"/> N	

Comment Section

ALL ESTABLISHMENTS

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

Operating Procedures (see [Guidelines for Writing Operating Procedures for Handling APHIS Regulated Garbage](#) and attach separate pages as necessary):

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Request for Approval Packet

In addition to this request for approval packet, please also attach the following information to the establishment letter of request to handle APHIS Regulated Garbage (insert number of pages for each item below):

1. Establishment Operating Procedures, including back-up system (____ pages)
2. Establishment Training Program (____ pages)
3. Establishment Record-Keeping Documents (APHIS Regulated Garbage (a) Training Record; (b) Collection Log; and (c) Spill/Disinfection/Sanitation Log) (____ pages)
4. (If applicable) Calibration Information (____ pages)
5. (If applicable) Cartage route/map (____ pages)
6. (If applicable) Any other addenda locally specific to the establishment or port (____ pages)

Deficiencies/violations noted (attach separate pages as necessary):

Time allowed to correct deficiencies not immediately resolved: _____

How to request an amendment to an approved compliance agreement (CA): If you are approved to handle regulated garbage under an APHIS Compliance Agreement and wish to make changes to the administrative/operational information in the originally approved CA, you must submit a letter of request for an amendment to APHIS, using this template to reflect the applicable changes.

Printed Name and Signature of Establishment Authorized Employee

Date

Deficiencies resolved at the time of inspection:

Y

N

Printed Name of Establishment Authorized Employee

Establishment Employee Signature and Title

Date

Printed Name of Agency (CBP/APHIS) Official

CBP/APHIS Official Signature and Title

Date

A copy should be provided to the establishment employee.

Check applicable box below:

Copy Provided at Visit

Copy Will Be Provided After Visit

By E-mail

By FAX

By Mail