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Airport and Maritime
Operations Manual

Maritime Operations

Clearing Passengers and Crew

Contents

Introduction	page 3-4-2
Materials Needed	page 3-4-2
Methods and Procedures	page 3-4-2
Step 1: Determining if Clearance Is Required	page 3-4-2
Step 2: Screening Baggage	page 3-4-2
Step 3: Inspecting Baggage	page 3-4-3
Accompanied Baggage	page 3-4-3
Unaccompanied Baggage	page 3-4-4
Step 4: Taking Action Based on Inspection	page 3-4-4
Other Than Footwear or a Pet Bird	page 3-4-5
Seizing and Safeguarding Contraband	page 3-4-5
Safeguarding Detained Baggage Items	page 3-4-5
Inspecting Propagative Materials In Baggage	page 3-4-6
Step 5: Documenting Action Taken	page 3-4-7
Step 6: Examining and Disposing of Contraband	page 3-4-7
Reference Section	page 3-4-8
Assessing Civil Penalties	page 3-4-8
Determining Legal Authority for Assessing a Civil Penalty	page 3-4-8
Assessing Civil Penalties to Crew Members	page 3-4-8
Assessing Civil Penalties to Passengers	page 3-4-9
Determining if Passengers Are Exempt from Civil Penalties	page 3-4-9
Determining Whether a Civil Penalty is Appropriate and Determining the Amount of the Civil Penalty	page 3-4-10
Encouraging Violators to Pay	page 3-4-11
Collecting the Spot Settlement	page 3-4-12
Mitigating the Spot Settlement	page 3-4-12
Inability to Pay the Civil Penalty	page 3-4-13
Refusal to Pay the Civil Penalty	page 3-4-13
Procedures for Collecting Delinquent Payment for Civil Penalties	page 3-4-14
Documents and Evidence	page 3-4-14
Handling Birds in Baggage	page 3-4-14
Locations of Bird Quarantine Facilities	page 3-4-15
Birds Moving in Transit (IT)	page 3-4-16
Disinfecting Footwear	page 3-4-17
Mixing Disinfectants	page 3-4-17
Handling Complaints	page 3-4-18
Courtesy of the Port	page 3-4-18

Introduction

The *Clearing Passengers and Crew* section of Maritime Operations provides the guidelines and procedures on passengers and crew clearance in maritime operations takes place on a variety of vessels—passenger cruise ships, yachts, pleasure boats, and cargo vessels.

Materials Needed

You will need the following items for inspecting passenger and crew baggage:

- ◆ Brochure *Why are you taking my. . . ?*
- ◆ Hand lens
- ◆ Hard hat
- ◆ *Plant Import: Propagative and Nonpropagative Volume of Manuals*
- ◆ *Animal Product Manual*
- ◆ MCFRs (manuals that interpret the CFRs)
- ◆ Plastic bags for storing and removing contraband
- ◆ Pocket knife
- ◆ PPQ Form 288, Ship Inspection Report
- ◆ PPQ Form 591, Notice of Alleged Violation
- ◆ Tape or twine for resealing packages
- ◆ Vials and pill boxes for insect collection and storage

Methods and Procedures

Inspection can be divided into two phases, primary and secondary. Primary inspection involves the screening of baggage by questioning the passenger, reviewing the declaration, and visually observing passenger's baggage for referral for further examination. Secondary inspection involves a more detailed questioning of the passenger and a visual examination of the baggage if deemed necessary.

Step 1: Determining if Clearance Is Required

Refer to [Clearing Vessels](#) on page 3-3-1. Follow port policy to determine if crew clearance is required.

Step 2: Screening Baggage

Screening is the process of selecting baggage for further examination. In practice, screening is a review of the written declaration, an assessment of oral responses to an officer's questions, and a visual

assessment for high-risk baggage. **Do not** support any system in which the passenger declaration (written or by channel selection), is the only factor in selection of passengers for examination. In some instances, the screening of baggage is done by Customs and Immigration inspectors.

A successful screening system should include the following:

- ◆ FIS officer trained in Agricultural Risk Assessment (ARA) to conduct a face-to-face interview and review of the written declaration
 - ❖ The interview should take place when the passengers have possession of their baggage
 - ❖ If the interview takes place before the passengers have their baggage, then PPQ personnel should screen these same passengers once they have their baggage
- ◆ Opportunity to redirect passengers cleared by other Federal agencies to secondary inspection by PPQ

Step 3: Inspecting Baggage

All persons and baggage are subject to inspection¹ at the port of arrival. Secondary inspection can consist of as little as detailed questioning or as much as a thorough inspection of the passenger's baggage. High-risk baggage should receive a thorough examination. A passenger who carries low-risk baggage and declares an agricultural item might simply be asked to produce the item for examination. For the procedures in handling foreign diplomats with A-1 or A-2 visas, see *Courtesy of the Port* on page 3-4-18.

Accompanied Baggage

When inspecting passengers with baggage, do the following:

1. Review the Customs Declaration and question the passenger about the items declared. Restate the agricultural question on the declaration and allow the passenger to respond orally. The initial declaration along with the opportunity to amend the declaration meets the first criteria for allowing you to assess a civil penalty.
2. Search passenger baggage thoroughly for agricultural items taking care **not** to search blindly with your hands due to safety hazards such as sharp objects, razor blades, broken glass, and syringes.

1 **NOTE:** All passengers and crew are responsible for lifting their baggage onto the inspection belt and opening all baggage for PPQ inspection. **Do not** lift or open baggage for passengers or crew.

3. Refer to your *Plant Import: Propagative and Nonpropagative Volume of Manuals* or *Animal Product Manual* to determine enterability and any conditions of entry. Inspect these items and seize prohibited or infested items. A careful inspection can have a positive effect on cooperating inspectors and the passenger.
4. Examine the article for soil. If you find that the article is contaminated with soil, then have the soil removed and disposed of. (Soil removal is unnecessary if the soil is from an area of Canada **other than** Newfoundland or the Land District of South Saanich Island of Vancouver, British Columbia.)
5. If you encounter a serious complaint or accusation whether it is justified or unjustified, see ***Handling Complaints*** on page 3-4-18.

Unaccompanied Baggage

Inspect unaccompanied baggage after the passengers have been cleared and when a vessel representative is available to open the baggage. If you discover agricultural contraband, remove it from the baggage for examination and disposal. If you seize contraband, place the brochure *Notice to Arriving Traveler* in the baggage.

Step 4: Taking Action Based on Inspection

The regulatory action you take is specified in the *Animal Product Manual* or the *Plant Imports: Propagative and Nonpropagative Volume of Manuals*. See **Table 3-4-2 on page 3-4-5** to determine if the information is covered in the reference section.

TABLE 3-4-1 Determine Action to Take Based on Inspection of Unaccompanied Baggage

If you found:	Which was:	And the farm or ranch is in:	Then:
Footwear	Used on a farm or ranch that has livestock or poultry	Australia, Canada, Iceland, or New Zealand	NO ACTION is required since these countries are free from diseases of concern
		Other than one of the countries listed above	GO to <i>Disinfecting Footwear</i> on page 3-4-17
	Never used where there was livestock or poultry	—————→	NO ACTION is required since there is negligible risk of animal contamination
Pet bird	—————→		GO to <i>Handling Birds in Baggage</i> on page 3-4-14
Other than footwear or a pet bird	—————→		GO to Table 3-4-2

Other Than Footwear or a Pet Bird

TABLE 3-4-2 Determine Action to Take if Other Than Footwear or Pet Bird

If the material:	And:	Then:
Is prohibited	You are holding the material for a decision from Riverdale on enterability	GO to <i>Safeguarding Detained Baggage Items</i> on page 3-4-5
	You are not holding the material	GO to <i>Seizing and Safeguarding Contraband</i> on page 3-4-5
Is enterable ¹	It is propagative plant material	GO to <i>Inspecting Propagative Materials In Baggage</i> on page 3-4-6
	It is nonpropagative plant material	INSPECT AND RELEASE ²

- 1 If material has restrictions that cannot be met such as treatment, postentry, special certification, or it is an ESA or CITES plant, then seize the material.
- 2 If it is impracticable or too great a risk to inspect the material in the passenger area, then consider having that material sent to a cargo facility for inspection.

Seizing and Safeguarding Contraband

Seize those agricultural items that this manual instructs you to refuse entry to, or have restrictions that cannot be met. Explain to the passenger the pest risks and the general reason for the seizure. Be diplomatic and polite but firm when taking contraband from passengers. Place all seized material in a container which can be tightly sealed and which is placed out of the reach of the passenger. Mark the contraband with the vessel's name, country of origin of the contraband, and the destination of the passenger.

If you judge that the passenger deliberately intended to smuggle the agricultural contraband (the contraband must be prohibited entry or enterable only with treatment), then issue a civil penalty if the following criteria are met:

- ◆ Negative declaration was made (oral or written)
- ◆ Passenger had an opportunity to amend the declaration
- ◆ Officer must have the legal authority to assess a civil penalty

Go to *Assessing Civil Penalties* on page 3-4-8.

Safeguarding Detained Baggage Items

Occasionally, you may need to hold a detained item for a decision on enterability. Mark the material held with the identity of the importer and an alert to other officers that material is being held. Safeguard the material (refrigerate if necessary) until you receive a decision. Have the passenger make arrangements to pick up or forward the material if it is determined to be enterable.

**Inspecting
Propagative
Materials In
Baggage**

Due to the limited amount of time available during passenger baggage inspection and the less than ideal conditions for inspecting plant propagative materials, use the guidelines in [Table 3-4-3 on page 3-4-6](#).

TABLE 3-4-3 Determine Which Shipments of Enterable, Propagative Materials to Send to Plant Inspection Station

If the propagative units are:	And there are:	And:	Then:
Subject to: ◆ Size/age limitations ◆ ESA or CITES ◆ Written permit ¹	—————→		1. NOTE why you are sending the propagative units to the plant inspection station
◆ Amount of woody seeds ³ to large to be adequately inspected at the port	—————→		2. SEND ² to the nearest plant inspection station with all the accompanying documentation
Not subject to any of the conditions or restrictions listed in the cell above	◆ 12 or fewer propagative units ◆ Free of pests ◆ Genus known ◆ Not regulated by ESA or CITES	Adequate time is available to inspect	1. INSPECT 2. RELEASE
		Adequate time is not available to inspect	1. NOTE why you are sending it to the plant inspection station 2. SEND ² to the nearest plant inspection station with all the accompanying documentation
	◆ 13 or more propagative units ◆ Genus unknown ◆ Regulated by ESA or CITES	—————→	

- 1 Articles subject to postentry treatment: garlic bulbs, coconuts, and carnation propagules (**except** seeds).
- 2 PPQ will inspect and treat propagative units free of charge during regular working hours. The importer is responsible for making arrangements, and for the cost of forwarding the material to the plant inspection station. The importer is also responsible for making arrangements for picking up or shipping the propagative materials after they have been released.
- 3 A large amount of seed is that amount that would be impossible to inspect 100 percent and be confident that there would be no pests or contaminants.

Document all regulatory actions and inspectional activities you take on the Customs Declaration and PPQ forms. The documenting of action for Customs is a record that you have inspected and released a passenger that was specifically referred for agricultural inspection. If contraband was seized, then the quantity and type of materials seized must be recorded.

Step 5: Documenting Action Taken

If you have seized an item in passenger baggage, note the seizure on the Customs Declaration Form along with your initials. Complete PPQ Form 277 if appropriate. Document on PPQ Form 288 action taken while clearing vessel passengers/crew. See [PPQ Form 277, Baggage Information Data](#) on page A-1-24 and [PPQ Form 288, Ship Inspection Report](#) on page A-1-48 for instructions on how to complete the forms.

Step 6: Examining and Disposing of Contraband

Examine and dispose of contraband as follows:

1. Examine all fruit, vegetables, and other plant material for plant pests (insects, mites, mollusks, and diseases).
2. Recover nematode cysts from all rooted plant material and soil.
3. Dispose of pulpy or fleshy fruits and vegetables by grinding.
4. Incinerate or sterilize any fibrous, hard, or other plant material which cannot be disposed of by grinding.

The preferred method of disposition of seized animal products is by incineration or sterilization. If a sterilizer is used, then cut meat and meat products so that at least one dimension does **not** exceed 3/4 of an inch. If incineration and sterilization are unavailable, then it is acceptable to grind and discharge into an approved sewage system.

If you intercept a plant pest or disease, complete PPQ Form 309A by using the information recorded with the seizure. If allowed by local policy, and if you have discard authority for the pest or disease then note your identification results on PPQ Form 309A and discard the pest or disease. If you **do not** have authority to discard, then submit the interception to the appropriate identifier.

Reference Section

Assessing Civil Penalties

TABLE 3-4-4 Criteria That Must Be Met to Issue a Civil Penalty

If the person is:	Then the following criteria must be met to assess a civil penalty:
Illegally smuggling contraband into the United States through an unauthorized port of entry, thus eluding making a declaration	<ul style="list-style-type: none"> ◆ You must have the legal authority to assess the civil penalty
Entering through an authorized port of entry	<ul style="list-style-type: none"> ◆ The person must have made a negative declaration (oral or written) ◆ You must have given the person an opportunity to amend his or her declaration ◆ You must have the legal authority to assess the civil penalty

Determining Legal Authority for Assessing a Civil Penalty

If you have the authority to refuse entry of an article, then you have the legal authority to assess a civil penalty. Refer to the appropriate import manual (*Animal Product Manual* or *Plant Import: Propagative and Nonpropagative Volume of Manuals*), and determine the regulation that gives you the authority to refuse entry to the smuggled item. You have authority to issue a civil penalty for articles that meet any of the following conditions:

- ◆ Are outright prohibited
- ◆ Require treatment as a condition of entry
- ◆ Require postentry growing
- ◆ Require foreign certification but lack that certification
- ◆ Require a written permit but lack such a permit

You **cannot** issue a civil penalty for the following articles since legislation regulating their entry lacks provisions for civil penalties:

- ◆ Live honeybees or honeybee semen
- ◆ Plant or plant product regulated by CITES or ESA that can **not** be refused entry under Title 7CFR

Assessing Civil Penalties to Crew Members

Since crew members are aware of our regulations and have gained knowledge of Plant Protection and Quarantine through training and frequent travel, they are assessed a higher civil penalty than

passengers. Moreover, if a second violation occurs, the crew member is given **no** opportunity for a spot settlement. Use to determine the civil penalty to assess to a crew member.

TABLE 3-4-5 Determine Civil Penalties Assess to Crew Members

If this is a:	Then:
First violation	<ol style="list-style-type: none"> 1. ASSESS a \$500 spot settlement 2. FORWARD a standardized violation letter¹ to the crew member's employer
Repeat violation	<ol style="list-style-type: none"> 1. DOCUMENT the violation 2. RECOMMEND that the crew member be assessed \$2,000 for the repeat violation 3. FORWARD the case file to IES for review and evaluation

1 This letter to the employer provides the opportunity to educate employees and, if necessary, provide additional training.

Assessing Civil Penalties to Passengers

Determining if Passengers Are Exempt from Civil Penalties

Passengers are exempt from civil penalties if **either** of the following apply:

- ◆ Violator is under 18 years old and **not** accompanied by an adult
- ◆ Violator is a foreign diplomat² holding an A-1 or A-2 visa or a G-1 or G-2 visa then waive the civil penalty, but still fill out PPQ Form 591

If the foreign diplomat refuses to surrender the contraband, you will have to complete PPQ Form 591. (See [page A-1-92](#) for instructions on completing the form.) Release the diplomat; however, you may have to detain the baggage. Have your supervisor contact Quarantine Policy, Analysis and Support (QPAS), who will then contact the U.S. Department of State to inform the appropriate embassy of the violation. Go to [Courtesy of the Port](#) on [page 3-4-18](#) for further instructions.



If you **cannot** communicate with a passenger, then you **cannot** question him or her. Therefore, you would be unable to issue a civil penalty. If you encounter a passenger who cannot communicate in English, get another officer or someone from another Agency, the airlines, or Port Authority to assist with translating.

2 U.S. diplomats are subject to civil penalties.

Determining Whether a Civil Penalty is Appropriate and Determining the Amount of the Civil Penalty

TABLE 3-4-6 Determine Whether a Civil Penalty is Appropriate and the Amount of Civil Penalty to Assess

If the individual failed to declare and there is:	And the importation represents a:	And it is a:	Then assess Civil Penalty:
Some evidence of concealment or misrepresentation	Commercial ² activity as evidenced by the size of the shipment or an intent to distribute or sell	First violation	ASSESS a \$1,000 spot settlement ¹
		Repeat violation	1. DOCUMENT the violation 2. RECOMMEND that a fine of \$5,000 be assessed for the repeat violation 3. FORWARD the case file to IES for review and evaluation
	Noncommercial activity	First violation	ASSESS a \$250 spot settlement ¹
		Repeat violation	1. DOCUMENT the violation 2. RECOMMEND that a fine of \$1,000 be assessed for the repeat violation 3. FORWARD the case file to IES for review and evaluation
No evidence of concealment or misrepresentation	Commercial activity ² as evidenced by the size of the shipment or an intent to distribute or sell	First violation	ASSESS a \$250 spot settlement ¹
		Repeat violation	1. DOCUMENT the violation 2. RECOMMEND that a fine of \$1,000 be assessed for the repeat violation 3. FORWARD the case file to IES for review and evaluation
	Noncommercial activity	First violation	ASSESS a \$100 spot settlement ¹
		Second violation	ASSESS a \$250 spot settlement ¹
		Third violation or beyond	1. DOCUMENT the violation 2. RECOMMEND that a fine of \$1,000 be assessed for the repeat violation 3. FORWARD the case file to IES for review and evaluation

- 1 If the violator refuses to pay the spot settlement, then immediately complete PPQ Form 518 and forward all documents to your supervisor who will then forward the case to IES. Go to [Refusal to Pay the Civil Penalty](#) on page 3-4-13.
- 2 If there is a case where you can **clearly** identify a linkage to a commercial enterprise, then contact SITC as well as IES for action.



If there is a case of potential **bioterrorism**, then immediately forward the case file to IES for action.

Encouraging Violators to Pay

If violators pay civil penalties before leaving the port, administrative costs are lower. This is an advantage because the Department spends no additional time or effort in collection. Therefore, you may give the violator the opportunity to pay the civil penalty on the spot (spot settlement). However, **never** coerce the violator into paying. Explain to the violator that he or she has a right to a hearing. Further explain that, should the violator be found in violation at the hearing, the penalty is often more than what you are offering as a settlement at the port. Follow these steps:

1. Show the violator the back of the Customs Declaration that they signed.
2. Have the violator carefully read Section II of the form.
3. Tell violator that failure to pay will result in the forms being forwarded to the IES Staff in Riverdale, MD.
4. Inform the violator that the spot settlement now being assessed has no bearing on the amount assessed in the future. The future penalty could be as high as \$1,000 for a first-time violator and significantly higher for a repeat offender.

5. If the violator **does not** have U.S. currency on hand to pay the settlement, then offer the following alternative methods of payment:
 - ❖ Ask if the passenger could get the money from someone waiting outside for the passenger
 - ❖ If the passenger has only foreign currency, then allow him or her to exchange the currency for U.S. dollars
 - ❖ Pay immediately with a money order, traveler's check, or a check drawn on a U.S. bank
 - ❖ Pay immediately with a credit card; inform the violator that Customs accepts major credit cards for payment of the fine
 - ❖ Pay with a check drawn on a U.S. bank (a cashier's check or if port policy permits, a personal check) or by money order within 3 days
 - Give the violator the prepared instructions (see [Figure A-1-26 on page A-1-122](#) and [Figure A-1-27 on page A-1-123](#))
 - Give the violator a self-addressed, franked envelope so that payment may be mailed in
 - Emphasize that the envelope containing the check or money order must be posted within 3 days



Although the violator has 3 days to post the payment, allow 10 days from the date the violation was posted for the payment to arrive (due to possible mail delays). If after 10 days the payment has **not** been received, then forward the case to IES for non-collection.

Collecting the Spot Settlement

Once the violator agrees to pay the civil penalty and has signed the PPQ Form 591, do as follows:

1. Tell the violator that the penalty must be paid to the U.S. Customs cashier. In most instances, Customs will accept money orders, traveler's checks, U.S. currency, or checks drawn on U.S. banks. At some locations Customs will accept credit cards.
2. Direct the violator to the Customs cashier. If Customs at your port requires it, accompany the violator to the cashier and wait until the penalty is paid.
3. The Customs cashier will complete Section III of the PPQ Form 591. The money collected by Customs will be deposited in the U.S. Treasury.

Mitigating the Spot Settlement

Never mitigate the amount of the spot settlement for repeat violators, crew members, or commercial importations accompanying passengers. **Only** mitigate the amount of the civil penalty for first time

violators who are **not** crew members. If passengers claim financial hardship in paying a spot settlement, then do the following before mitigating the settlement:

1. Complete PPQ Form 591 and write \$50 or \$100 in the appropriate space on the form.
2. If all previous opportunities to pay are exhausted, then give the passenger the opportunity to remit the spot settlement by mail. Provide directions on how to pay by mail, and provide a self-addressed, franked envelope.
3. If the violator does **not** have sufficient funds to come up with the full amount of the settlement but wishes to settle the penalty immediately and the circumstances warrant, then you may reduce a \$100 spot settlement to \$50³.



Never mitigate the amount of the civil penalty for repeat violators, crew members, or commercial importations accompanying passengers.

4. If the violator can pay the mitigated amount, cross out the original amount and write in the mitigated amount. Write the words “mitigated penalty” next to the new amount. **Never** put the mitigated amount on the form until you are sure that the violator is willing and able to pay that amount.

Inability to Pay the Civil Penalty

If the violator wants to pay, but lacks funds and cannot come up with the money within 3 days (72 hours), then **do not** have the violator sign PPQ Form 591. Note on the form in the *Remarks* section, the violator’s willingness to pay.

Refusal to Pay the Civil Penalty

When a violator refuses to pay the civil penalty, do as follows:

1. Allow the violator to write a statement.
2. Collect all supporting evidence including a copy of the Customs Declaration.
3. Write the following on the back of the Customs Declaration form:
 - ❖ Amount and kind of material seized
 - ❖ Amount assessed
 - ❖ Serial number of PPQ Form 591
4. Give the violator Copy 2 of PPQ Form 591 and dismiss the violator.

³ Mitigate as a **last resort** since payment by mail is allowed.

**Procedures for
Collecting
Delinquent
Payment for
Civil Penalties**

5. Write an Officer's Statement relating all the facts of the incident on a separate piece of paper. See [Sample of PPQ Officer's Statement](#) on page E-1-2 for directions for writing the Officer's Statement.

Keep a copy of PPQ Form 591 or PPQ Form 592 for every case sent to IES. Set up a suspense file for the cases so that you know when 10 days have passed from the date each case was sent to IES. If a late payment is made at the port after PPQ has sent PPQ Form 591 to IES for collection, then use the following list:

1. Accept the payment⁴.
2. Ask the violator to make the check payable to "Treasury of the United States" (accept checks already made out to U.S. Customs Service).
3. Notify IES by telephone or fax immediately after receiving a payment
 - ❖ Telephone: 301/734-8925
 - ❖ FAX: 301/734-4328
4. SEND the **check** and a copy of PPQ Form 591 or PPQ Form 592 to the following address:

USDA, APHIS, IES
4700 River Road, Unit 85
Riverdale, MD 20737-1234

**Documents and
Evidence**

Give your supervisor any receipts, labels, or other papers that can be used as evidence, including a copy of the Customs Declaration and PPQ Form 591 with the amount, type of seizure, and the amount being assessed written in the appropriate blocks.

Forward all documents to your supervisor as soon as the case is complete. Supervisors must forward the case to IES within 2 weeks of receipt from the officer.

See [PPQ Form 591, Notice of Alleged Violation](#) on page A-1-92 for instructions on completing the form.

Handling Birds in Baggage

All birds (except birds from Canada), as distinguished from poultry or unaccompanied birds, imported into the United States must be quarantined for 30 days at a USDA bird quarantine facility. The importer is responsible the necessary arrangements for quarantine as

4 If payment is delinquent by 10 days or fewer, then you may take the payment to U.S. Customs using standard port procedures. However, in step 4., you would send only a copy of the check to IES.

well as obtaining health certificates in the country of origin. Birds (except for budgies and cockatiels) are also subject to U.S. Department of Interior, Fish and Wildlife Service regulations.

**Locations of
Bird Quarantine
Facilities**

Quarantine facilities for birds exist at the following location:

J.F.K. International Airport, New York
Los Angeles, California
Miami, Florida⁵

TABLE 3-4-7 Handling Birds Imported into the U.S. in Passenger's and Crew's Baggage

If the bird is:	And:	Then:
U.S. origin and returning to U.S.	Returns 60 days or less after leaving the United States	REQUIRE all the following: <ul style="list-style-type: none"> ◆ U.S. certificate that was issued prior to departure ◆ Proper I.D. (leg band or tattoo) ◆ VS inspection
	Returns more than 60 days after leaving the United States	REQUIRE all the following: <ul style="list-style-type: none"> ◆ U.S. certificate that was issued prior to departure ◆ Proper I.D. (leg band or tattoo) ◆ VS inspection ◆ Birds to be quarantined at owner's residence for 30 days as arranged by VS
Canadian origin arriving directly from Canada	In owner's possession 90 days or more	REQUIRE all the following: <ul style="list-style-type: none"> ◆ COMPLETE VS Form 17-8 ◆ REQUIRE a VS inspection of bird at time of entry
	In owner's possession 89 days or less	GO to Table 3-4-8 on page 3-4-16
Other than listed in the two cells above		

⁵ For birds entered at land border ports: if air transport is available, then shipment to Miami is preferred. Contact local VS.

TABLE 3-4-8 Procedures for Handlings Birds¹ Which Are Required to Be Quarantined

If the bird has:	And has:	Then:
VS quarantine reservations (VS Form 17-23) at a quarantine facility	<ul style="list-style-type: none"> ◆ Health certificate from a National government ◆ Veterinarian present 	ALLOW the bird to move in filtered containers to the quarantine facility under Customs bond and at the owner's expense
	<ul style="list-style-type: none"> ◆ No health certificate is present or ◆ Not as described in the above cell 	<ul style="list-style-type: none"> ◆ PLACE bird in filter container ◆ CONTACT VS
No reservations at a quarantine facility	<ul style="list-style-type: none"> ◆ Health certificate from a National government ◆ Veterinarian is present 	GIVE the importer one of the following options: <ul style="list-style-type: none"> ◆ Have bird returned to origin ◆ Abandon the bird ◆ Have bird destroyed under the supervision of APHIS ◆ Place bird in quarantine²
	<ul style="list-style-type: none"> ◆ No health certificate is present or ◆ Not as described in the cell above 	GIVE importer the option to do one of the following: <ul style="list-style-type: none"> ◆ Return the bird to origin ◆ Abandon the bird ◆ Have bird destroyed under the supervision of APHIS ◆ Place bird in quarantine if VS Deputy Administrator concurs

1 See [Handling Birds in Baggage](#) on page 3-4-14.

2 A list of brokers who handle bird movement is available from the local VS port veterinarian.

Birds Moving in Transit (IT)

Use [Table 3-4-9 on page 3-4-17](#) to determine when birds can transit the United States.

TABLE 3-4-9 Determine When Birds Can Transit the U.S.

If the bird is:	And is:	And are:	Then:
Accompanied by its owner and is in transit directly to Canada	—————→		<ul style="list-style-type: none"> ◆ ALLOW the bird to transit ◆ COMPLETE VS Form 17-8 ◆ WRITE "Bird(s) in transit" in Section A of VS Form 17-8 ◆ NOTIFY Agriculture Canada
Not accompanied by its owner, or if accompanied by its owner, is in transit to a country other than Canada	Accompanied by an in-transit permit issued by VS	—————→	ALLOW the bird(s) to transit as specified on the permit
	Lacks an in-transit permit issued by VS	Off-loaded	<ul style="list-style-type: none"> ◆ SEIZE the bird(s) ◆ CONTACT local port VMO ◆ INITIATE violation procedures
		Not off-loaded	<ul style="list-style-type: none"> ◆ DO NOT DISTURB the bird(s) ◆ MAKE SURE the bird(s) stay aboard the vessel and exit the country

Disinfecting Footwear

Follow these directions to disinfect footwear:

1. Before applying disinfectant, clean the excess dirt and manure from boots or shoes using a stiff brush, screwdriver, or other blunt object. Be sure to scrape dirt from crevices in shoes and boots. You may have the passenger clean the footwear.
2. Disinfect the shoes or boots using chlorine bleach (sodium hypochlorite) or Virkon® S disinfectant.



Removing organic material (dirt, mud, soil, manure) contaminating footwear is critical for the disinfectant to work properly. You must remove all organic material from boots or shoes before using the disinfectant to ensure destruction of disease causing agents.

Mixing Disinfectants

To mix the appropriate disinfectant, see [Table 3-4-10](#) to mix a sodium hypochlorite (chlorine bleach) solution; see [Table 3-4-11](#) to mix a Virkon® S solution.



Warn passengers that the chlorine bleach (sodium hypochlorite) solution may discolor footwear.

TABLE 3-4-10 Instructions for Mixing a 0.1% Solution of Sodium Hypochlorite (Chlorine Bleach)

If the available chlorine concentration ¹ is:	Then:
5.25% concentration	ADD 5 tablespoons (2.5 ounces or 75 ml) of bleach to each gallon of water (or 1 gallon of bleach to 50 gallons of water) and MIX thoroughly
6% concentration	ADD 4 tablespoons and 1 teaspoon (2.33 ounces or 65 ml) of bleach to each gallon of water (or 13 cups of bleach to 50 gallons of water) and MIX thoroughly

- 1 Sodium hypochlorite (chlorine bleach) is available in two concentrations: 5.25 percent or 6 percent of available chlorine. Check the container's label to determine the percent of available chlorine.



Mixed solutions of Virkon®S are stable for 7 days or until the yellow colors fades, whichever comes first.

TABLE 3-4-11 Instructions for Mixing a 1.0% Solution of Virkon®S

If the solution quantity you need is:	Then:
1 gallon solution	ADD 8 teaspoons (1.3 ounces or 37 grams) of Virkon®S to 1 gallon of water and MIX thoroughly
1 quart solution	ADD 2 teaspoons (0.3 ounces or 8.5 grams) of Virkon®S to 1 quart of water and MIX thoroughly
1 pint solution	ADD 1 teaspoon (0.15 ounces or 4.3 grams) of Virkon®S to 1 pint of water and MIX thoroughly

Handling Complaints

From time to time complaints, whether justified or unjustified, will occur. When a passenger makes a serious complaint or accusation, be sure to document the facts relevant to the complaint. Keep the documents, including the Officer's Statement, in the port files.

In the event that a foreign diplomat or foreign government official complains about treatment by PPQ, be sure to document the incident and all the facts. Call Quarantine Policy, Analysis and Support (QPAS) to inform them of the complaint. Follow up the call with a written report of the incident and mail the report to QPAS.

Courtesy of the Port

Give courtesy of the port privileges to all persons possessing a diplomatic passport with an A-1 or A-2 visa, or G-1 or G-2 visas (issued by the UN).

Always be courteous and tactful when clearing diplomats because a misunderstanding may result in embarrassment to the U.S. Government. At the same time, keep in mind that a pest does **not** respect the status or rank of the person with whom it travels.

Tactfully ask the diplomats if they have any material of an agricultural nature. In the absence of evidence that would suggest otherwise, accept a negative declaration.



Always perform inspections in the presence of the diplomats or the diplomats' representatives. **Never** detain or search diplomats; however, you may hold the baggage or shipment if you have a "serious reason to believe"¹ they contain regulated items.

¹ The term "serious reason to believe" is used here because it is used in the Vienna Convention on Diplomatic and Consular Relations.

Follow these directions if the diplomat declares agricultural items or you have a serious reason to believe¹ the diplomat is carrying regulated items:

1. If the diplomats tell you they are carrying items of an agricultural nature, ask the diplomats to allow you to examine the agricultural items. If the diplomats agree to allow you to examine the articles, examine them. Release all enterable items. If you find prohibited items, explain the pest risk to the United States that could be caused by the item. Then ask the diplomats to surrender the items to you. If the diplomats refuse to allow you to inspect the agricultural articles or refuse to surrender any prohibited articles, then continue to the next step.
2. Try to tactfully get the diplomats to open their baggage for inspection or to surrender any prohibited articles. Explain the pest risk to the United States that could be caused by the item. Inform the diplomats that such action is in violation of Articles 36 and 37 of the Vienna Convention on Diplomatic Relations, and/or Article 50 of the Vienna Convention for Consular Relations Officers. These articles state that inspections and seizures are allowed for quarantine purposes regardless of privileged person status.
3. If the diplomats comply with your request, then proceed as in **Step 1: Determining if Clearance Is Required** on page 3-4-2. If the diplomats still refuse to cooperate, record all the details of the incident on a PPQ Form 591. Although you cannot assess a civil penalty to diplomats carrying a valid A-1, A-2, G-1, or G-2 visa, you will use this form to document the incident.
4. Inform the diplomats that a full report will be forwarded to the Department of State so that the incident can be handled immediately by the appropriate Embassy. Notify your

■ supervisor/Port Director who will then telephone QPAS as soon as possible with a description of the incident and follow up with a copy of the written report filled out on PPQ Form 591.