

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM  
**FOOD PROTECTION SERVICES**  
**510 Fox Lane**  
**Carmel, IN. 46032**

2. LOCATION  
Various locations identified in subsequent pages of this agreement.

(b)(6)

3. REGULATED ARTICLE(S)

**Cut flowers, Fruits, Vegetables, Plant products, miscellaneous commodities infested with foreign actionable pests, and conveyances requiring treatment.**

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS

**Federal Plant Pest Act, Plant Quarantine Act, Title 7 CFR**

5. I/WE AGREE TO THE FOLLOWING:

A. To engage in the business of performing fumigations required by USDA, APHIS, PPQ under the applicable Federal Regulations and the terms of this Compliance Agreement.

B. That Officers of the USDA, APHIS, PPQ are responsible for monitoring these procedures.

The establishment under this Compliance Agreement shall immediately notify the local PPQ office at 206-878-6600 of any management changes which may void this Compliance Agreement. By signing this Compliance Agreement, the signer certifies that his/her facility that is selected to perform the treatments at has met or will meet the requirements of all applicable environmental authorities prior to fumigating cargo regulated by the Animal and Plant Health Inspection Service, Plant Protection and Quarantine.

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

The company, its employees and subcontractors, and procedures covered by this Compliance Agreement are subject to unannounced inspections by APHIS personnel.

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found of a misdemeanor which can result in penalties, a one year prison term, or both. Additionally, any person violating the PPA may be assessed civil penalties of up to \$250,000 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.

(See Attachments and Approved Plans)

(b)(6)	8. DATE SIGNED 10/21/2010
	9. AGREEMENT NO. 10FPS
	10. DATE OF AGREEMENT 10/21/2010

The affixing of the signatures below will validate this agreement which shall remain in effect until cancelled, but may be revised as necessary or revoked for noncompliance.

11. PPQ/CBP OFFICIAL (NAME AND TITLE) Mary Jane-Fransen Plant Health Safeguarding Specialist	12. ADDRESS 835 S. 192nd Street, Suite 1600 Seatac, WA 98148-2394 (206) 878-6600, Fax (206) 870-8043
13. SIGNATURE	
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)	15. ADDRESS
16. SIGNATURE	

Continuation of Section 5: I/We Agree to the Following:

**A. Obligations by PPQ:**

1. A PPQ Officer will monitor/supervise all aspects of the treatment, from the start to the final release of the commodity. Any deviation from the instructions specified will result in immediate termination of the treatment, unless the deviation is approved in advance by PPQ. Any deviation from instructions specified may result in immediate termination of the treatment and possible revocation of this agreement.
2. PPQ will provide the necessary equipment as described in the PPQ Treatment Manual (page 2-4-1 & 2-4-2) to verify work conducted by the Pest Control Officer (PCO).
3. Document all information pertaining to treatments on appropriate PPQ forms. This includes readings, adding fumigant, extending or reducing exposure times, recording excessive fumigant loss, tarpaulin identification, corrective actions, and any other pertinent data.
4. All equipment supplied by the PCO's as required by the PPQ Treatment Manual (page 2-4-2 & 2-4-3) will be inspected by the PPQ Officer to determine its availability and condition before a treatment will commence. No treatment will be conducted unless all equipment is present and operational.
5. A PPQ Officer can exercise his/her authority to delay the start or terminate any fumigation at any time if any of these articles within this Compliance Agreement are not met.
6. Provide feedback to the PCO concerning any needed corrective measures or other matters that impact the overall operation before, during, or after a treatment has been performed at any treatment site.
7. Report any problems or violations to the appropriate local supervisor who will decide if the issue needs to be elevated to the Regional level to a Regional Program Manager for clarification or to the Treatment Quality Assurance Unit.
8. The PPQ officer will not be responsible for releasing cargo after treatment and aeration has been completed. The PCO will contact the broker responsible for the cargo and the release will be done through the normal established guidelines by the local Department of Homeland Security, Customs Border Protection office.
9. Fumigation locations must be approved by PPQ. Location approval will be governed by considerations, such as the enclosure's relationship to vehicular traffic, ventilation, personnel safety, staffing, water needs, power needs, weather, Treatment Manual, and ability to properly supervise and monitor the fumigation.

**B. Obligations by the PCO:**

1. Each PCO will be certified by the State and/or Local governmental entities to apply pesticides used in PPQ treatments. Their obligation to understand the conditions set forth by the EPA and OSHA regulations and any applicable State and/or local regulations before proceeding with any treatments.

[Continued]

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Attachment to PPQ FORM 519 (May 2007)

Initial/Date

(b)(6)

Continuation of Section 5: I/We Agree to the Following:

2. Each PCO will furnish proof, yearly, to the Seattle PPQ office of their current State license for using restricted fumigants or pesticides within the State of Washington.
3. PCO's will furnish all equipment and labor as described in the PPQ Treatment Manual and on the Methyl Bromide label. There will always be at least one certified applicator and a second person at the treatment site that has been trained according to all labels, local, state, and federal guidelines or mandates. A PPQ Officer will **never** be counted as the second person.
4. PCO's are obligated to adhere to all applicable regulations as well as instructions given to them by PPQ Officers throughout the treatment. It is understood that any deviation from specific instructions given to them by PPQ will result in the termination of the treatment, unless the change has been approved by PPQ in advance of the treatment. Any commodity for which treatment is terminated as a result of noncompliance will be considered untreated and be denied entry.
5. The PCO will be present for all fumiscope readings that are required to be taken according to the Treatment Manual. PCO's will conduct the fumigation as specified by PPQ Officers and as specified in the PPQ Treatment Manual. The PCO may be required to be present at other times should the need arise.
6. The PCO will contact local environmental and safety officials at least on an annual basis to remain current on all environmental and safety/health related regulations. The PCO will conduct all PPQ related fumigations in compliance with all local regulations.
7. The PCO will provide the necessary equipment and personnel to accomplish the task. Personnel and equipment are subject to approval by PPQ.
8. The PCO will provide the necessary equipment and personnel to accomplish the safeguarding of actionable pests, as indicated by the Emergency Action Notification (EAN), on the exterior or within shipping containers. Upon custody, sufficient measures shall be employed to prevent escape of any listed pest during storage and/or set-up for treatment. Internal pest containment may be safeguarded by keeping the container doors sealed during treatment, set-up procedures, or by any other sufficient method. External pests may be safeguarded by sealed tarpaulin. Exterior pests in the phylum Mollusca may be safeguarded by a continuous salt barrier. In the event of rain or threat of rain, salt barriers shall be sufficiently maintained. PPQ reserves the right to verify salt barriers at the cost to the PCO. PPQ shall notify the PCO when additional measures for salt barrier monitoring are employed and/or expected to be employed. All time constraints indicated upon the EAN will be followed whenever practicable.
9. The APHIS Work Unit Office in Seattle, Washington will be notified as soon as possible, but no later than 24 hours after an incident, when conditions exist that violate or compromise the conditions of this agreement. These conditions include, but are not limited to accidents, equipment malfunctions, etc. The APHIS contact number on Monday through Friday, 0730-1600 is (206) 878-6600.

[Continued]

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Attachment to PPQ FORM 519 (May 2007)

Initial/Date

(b)(6)

Continuation of Section 5: I/We Agree to the Following:

**C. Equipment:**

1. All required equipment supplied by Food Protection Services, shall be available for inspection by PPQ to determine its suitability and condition. No treatment shall be conducted unless all required equipment is present and in good operating condition.
2. Volatilizer -- A volatilizer must be approved by PPQ before a treatment and it must conform to the PPQ Treatment Manual. The volatilizer should have a thermometer inserted inside it so the temperature of the water can be checked during gas introduction. The water temperature in the volatilizer should never go below 150 degrees Fahrenheit during the introduction of the fumigant.
3. Gas introduction lines -- The line that runs from the MB cylinder into the volatilizer must be a 3000 PSI hydraulic high pressure hose with an interior diameter (ID) of 3/8 inch or larger. From the volatilizer, MB gas is introduced into the structure by means of a gas introduction line. The gas introduction line must be a minimum of 350 PSI with an interior diameter (ID) of 1/2 inch or larger.
4. Gas Sampling Leads -- Sampling leads will be uniformly coded to designate the lead positions, and will be of a length sufficient to allow readings to be taken from at least thirty feet from the enclosure. All sampling lines will meet in one area for ease and safety in taking gas concentration readings. However when necessary containers will be partially unloaded to allow the proper placement of leads and fans. Containers that are filled to over 80% of capacity will be refused treatment until the container meets this requirement.
5. Table -- Chairs and a stable portable table or a cart will be provided for use by the PPQ Officer to place their fumiscope and other monitoring equipment on. A sheltered well lit, clean area to take gas concentration readings shall also be provided by the Food Protection Services.
6. Tarpaulins -- Tarpaulins which can be used are polyethylene plastic, vinyl or coated nylon. The 4 mil vinyl or polyethylene plastic are only approved for one use; the 6 mil vinyl or polyethylene plastic may be used up to four times with the officer's approval prior to each use; the 10-12 mil rubber or plastic coated nylon may be approved for multiple use by the officer's prior to each use. The tarpaulin should be large enough to provide an overlap of 18 inches around all sides of the stack. The PPQ Officer will check the condition of the tarpaulin and approve its use for each treatment. For break bulk logs or loose cargo, the tarpaulin should be 2 feet above the load and one foot from the sides and ends.
7. Gas Analyzer -- A thermal conductivity gas analyzing unit suitable for measuring fumigant concentration will serve as a backup unit, should the PPQ instrument fail. The unit shall be fully operational and accurately calibrated annually by one of the companies listed in the Treatment Manual (unit is to be sent to one of the companies listed in the treatment manual to perform an annual recalibration of the instrument).
8. Cylinders -- Only compressed fumigant cylinders shall be used, when applicable.

[Continued]

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Attachment to PPQ FORM 519 (May 2007)

Initial/Date

(b)(6)

Continuation of Section 5: I/We Agree to the Following:

9. Personal Protection Equipment -- PCO must provide safety equipment for their personnel in compliance with OSHA and all Federal, State, MB pesticide label, PPQ Treatment Manual and Local regulations.

10. Colorimetric Gas Sampling Tubes -- Draeger, Matheson-Kitagawa, or Sensidyne colorimetric tubes are the only sampling tubes approved and capable of detecting concentrations of 5 ppm or less. These colorimetric tubes must be provided in numbers sufficient to meet all sampling requirements for aeration. Colorimetric tubes need to read no higher than 5 ppm instead of having a high range up to 50 ppm.

11. Drierite and Ascarite -- Separate tubes of drierite and ascarite will be provided for all treatments and will be used when necessary according to the PPQ Treatment Manual. If there are still any drierite and ascarite tubes that are separated with a septum inside each tube, these will be allowed for use only until the supply has been exhausted.

12. Weight Scales -- All scales used to weigh the MB at the introduction sites will be calibrated and certified once a year. A sticker will be affixed onto the scale showing the date the scale was calibrated and certified.

13. Any other equipment as described in the PPQ Treatment Manual, i.e. temperature recorders, sand snakes, photo ionization device.

**D. Fumigation Procedures:**

1. Site Selection -- All treatment sites shall be approved by PPQ and the site must meet all PPQ Treatment Manual requirements.

2. Stacking -- Non-containerized cargo shall be stacked and covered as per the PPQ Treatment Manual.

3. Containers -- A maximum of eight 40' containers will be allowed in the same stack. The introduction line(s), sampling leads, circulation and exhaust fans, etc., will be placed into, around, or under the containers as described in the PPQ Treatment Manual. The container doors are to be open throughout the fumigation. Only cargo requiring the same treatment will be in the same stack. Container numbers will be recorded sequentially before the stack is tarped.

4. Break Bulk -- The stack/cargo should be arranged in a square or rectangular shape, if possible to make it easy to cover and to calculate the volume of the stack. The height of the stack should be uniform so that dosage can be calculated accurately. For loose cargo such as logs the tarpaulin should be 2 feet above the load and one foot from the sides and ends. Unless specified in the treatment schedule, cargo should not exceed two-thirds of the volume of the area to be fumigated. The maximum size for the enclosure is 25,000 ft<sup>3</sup>. Contact the Treatment Quality Assurance Unit in Raleigh, North Carolina (919-855-7450) to get approval for any enclosures larger than 25,000 ft<sup>3</sup>.

[Continued]

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Attachment to PPQ FORM 519 (May 2007)

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Continuation of Section 5: I/We Agree to the Following:

5. Pre-fumigation inspection -- The enclosure shall be open so that pre-fumigation inspections may be conducted. Temperatures lead and fan placement, fan operation, and proper cargo spacing shall be examined and verified by the Officer. Containers that have cargo removed for fumigation for the presence of snail(s) or other insect on the outside of the container may also be inspected prior to release. The Officer shall be provided with the container number of this cargo.
6. Placarding -- All placards must meet the appropriate fumigant label and/or labeling requirements including specific warnings, information, language, and clearly visible to all that may enter into the fumigation area by accident.
7. Treatment Barriers -- All fumigation's shall be conducted in an area restricted only to persons supervising the fumigation and those employees setting up, performing the fumigation, and during aeration. This area should be separated by a physical barrier. This barrier should extend 30 feet or more from the fumigation enclosure. This barrier may not be breached unless there is a specific need that applies to that fumigation. If for any reason it is necessary to enter the 30 foot barrier surrounding the enclosure after the gas is introduced, it is mandatory to wear a Self Contained Breathing Apparatus (SCBA).
8. USDA Seals -- The fumigator must contact USDA to obtain authorization to break seals on truck doors and containers. It may be necessary on occasion for USDA to be present when authorization is given. A record of seal number(s) and time broken must be presented to the PPQ Officer.
9. Fumigant Introduction -- All precautions shall be taken per the PPQ Treatment Manual. A PPQ Officer must be present for any gas introduction and adding gas for both tarpaulin and chamber fumigations.
10. Aeration -- Aeration will be conducted according to the Aeration Guidelines as stipulated by the MB pesticide label or the PPQ Treatment Manual.
11. The PCO will provide the final colorimetric readings for all fumigations as soon as possible.
12. Aeration barrier around the exhaust stack of tarpaulin fumigation must be maintained for the first 10 minutes of aeration. No one should transit this area without SCBA on. Ground level aeration barrier of 200 feet will be marked or roped off and is measured from the end of the exhaust duct.
13. Tarpaulin Removal -- Commodities will not be untarped or released until gas levels are acceptable as per the MB pesticide label and the PPQ Treatment Manual. For a FIFRA, Section 18, Exemption fumigation tarpaulins will be removed only when directed by a PPQ Officer.
14. Other Treatments -- All other PPQ treatments such as spray solution or powder pesticide applications will be done under PPQ authorization and supervision.

[Continued]

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Initial/Date

(b)(6)

15. Electrical outlets are to be provided within a reasonable distance of each fumigation enclosure. Portable generators are not to be used except in an extreme emergency, such as power failure. One electrical outlet is to be reserved for use by PPQ personnel. Electrical power supply must be sufficient to run circulation and exhaust fans, thermal conductivity unit, and thermocouples.

16. Thermocouple lines should be long enough to be placed anywhere in the container's cargo and then run back 30 feet away from the container. All thermocouple recording devices should be hooked up to a dedicated electrical outlet and should have a battery backup in case the unit becomes unplugged. If the unit becomes unplugged at any time and unit does not record the temperatures previously then the treatment will need to be restarted.

17. Each tarpaulin will be inspected thoroughly after placement over the commodity. Minor holes or tears will be repaired. When, in the judgment, of the PPQ Officer a tarpaulin is no longer repairable or otherwise unserviceable then it should be removed from use and a new tarpaulin will need to be used.

18. Adequate sealing is essential to prevent leakage from enclosures. Sand snakes are to be a minimum of 3 inches in diameter and they shall be placed according to the PPQ Treatment Manual. Sand snakes should overlap each other by a minimum of 12 inches. Water snakes or loose sand are also acceptable. PPQ personnel will examine each enclosure prior to fumigant introduction to determine if the sealing is adequate and condition of tarp is acceptable.

19. When fumigation is conducted in accordance with label directions, the fumigator will be responsible for aeration. Tarpaulin will not be removed for release until aeration is completed; gas analyzer must be below 5 ppm. When fumigation is conducted under a quarantine exemption, Section 18, PPQ will be responsible for verifying gas analyzer readings before the commodity is released.

20. No personnel other than the commercial fumigator representatives and PPQ Officers are authorized on fumigation sites either during fumigation or aeration of commodities. Adequate supervision and labor will be provided at all times.

21. Maintaining fumigation equipment will be an on-going function. Faulty fans, torn sand snakes, inaccurate scales, etc., shall be repaired or replaced as they become defective.

22. Gas introduction lines, fan placement, gas sampling leads, and gas evacuation tubes shall be placed in accordance with established procedures.

23. Placards and 30 foot warning barriers will be in place before treatment begins and remain in place until aeration is completed.

24. The PPQ Officer's decision is final and under no circumstances will it be revoked, nor influenced by others.

[Continued]

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12/2010

**E. Chambers**

1. Chambers -- Chambers must meet the specifications of the PPQ Treatment Manual. Each chamber must have at least one permanent (impermeable) gas sampling tube ran into the chamber and out pass 30 feet to obtain fumigant concentrations during aeration or for release.

a. Chamber -- The Chamber should not be loaded to more than 80% capacity.

**F. Additional Terms of Agreement**

This agreement requires annual renewal within one (1) year from the date indicated in Box 10 on Page 1 of this Compliance Agreement and may be renewed upon request of Food Protection Services and at the discretion of the local, designated PPQ office.

This agreement may be canceled or revoked by the PPQ Officer who is supervising its enforcement, orally or in writing, whenever the Officer finds that Food Protection Services, its employees or agents have failed to comply with its conditions. If the cancellation is oral, the decision to cancel this agreement and the reason(s) for canceling shall be confirmed in writing as promptly as circumstances permit. Food Protection Services may appeal the cancellation in writing to the Administrator within ten days after receiving written notification of the cancellation. This appeal shall state all the facts and reasons upon which Food Protection Services compliance agreement was wrongfully canceled. The Administrator shall grant or deny the appeal, in writing, stating the reasons for granting or denying the appeal, as promptly as circumstances permit. If there is a conflict as to any material fact, a hearing shall be held to resolve the conflict. Rules of practice concerning the hearing shall be adopted by the Administrator.

[Continued]

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Attachment to PPQ FORM 519 (May 2007)

Initial/Date

(b)(6)

10/21/2010

**G. Location from Box 2, Page 1:**

CGI {

1. Pony Lumber Yard  
3701 Taylor Way  
Tacoma WA 98421  
(See attached diagram)
2. PCC (Pacific Coast Container)  
Parking lot  
11<sup>th</sup> Ave. SW  
Seattle, WA 98134
3. Duwamish Fumigation Site  
3629 Duwamish avenue South  
Seattle WA 98134

[Continued]

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Attachment to PPQ FORM 519 (May 2007)

Initial/Date

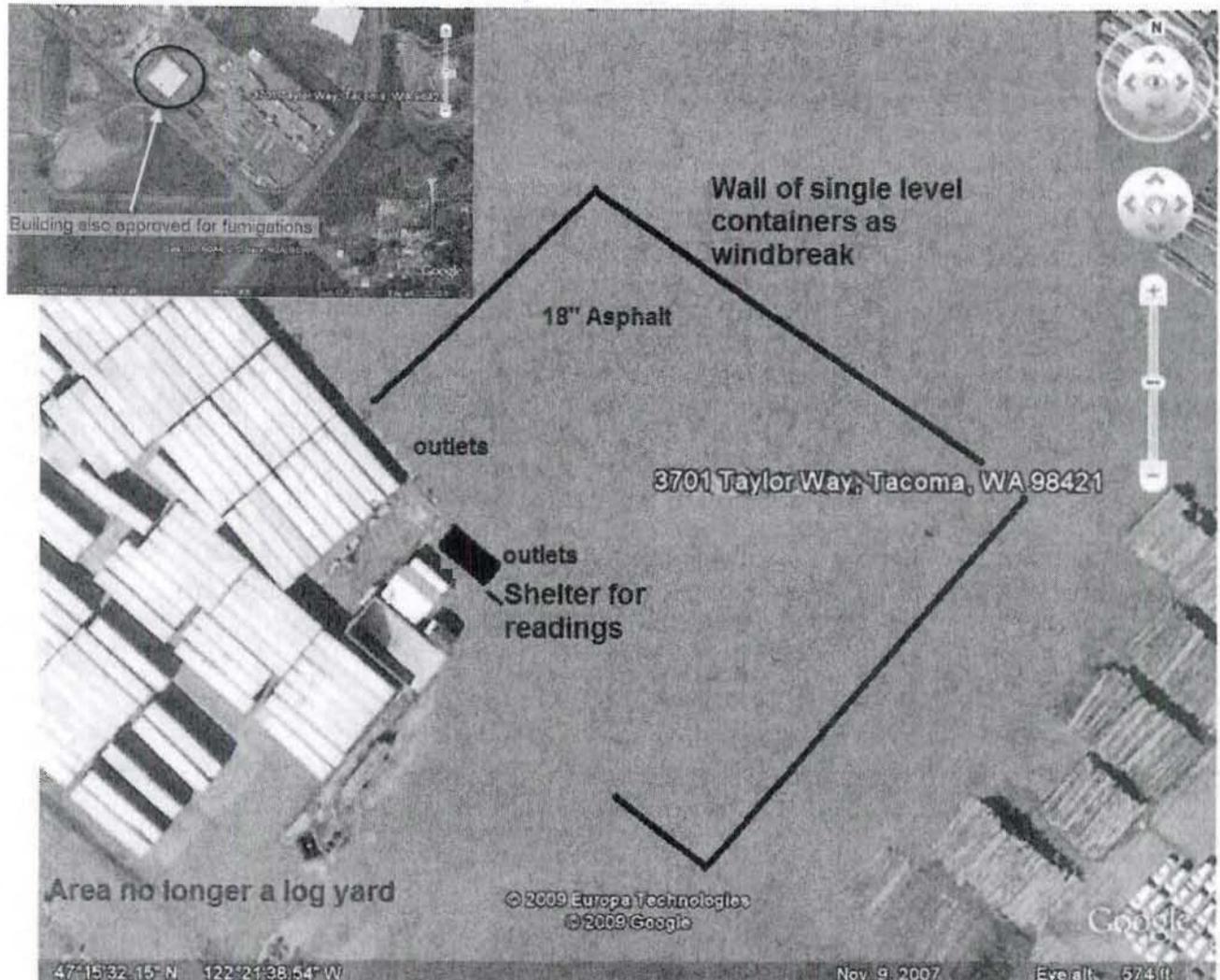
(b)(6)

10/21/2010

CSE

**G. Location Diagram:**

**DIAGRAM Location #1**



[Continued]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/Date

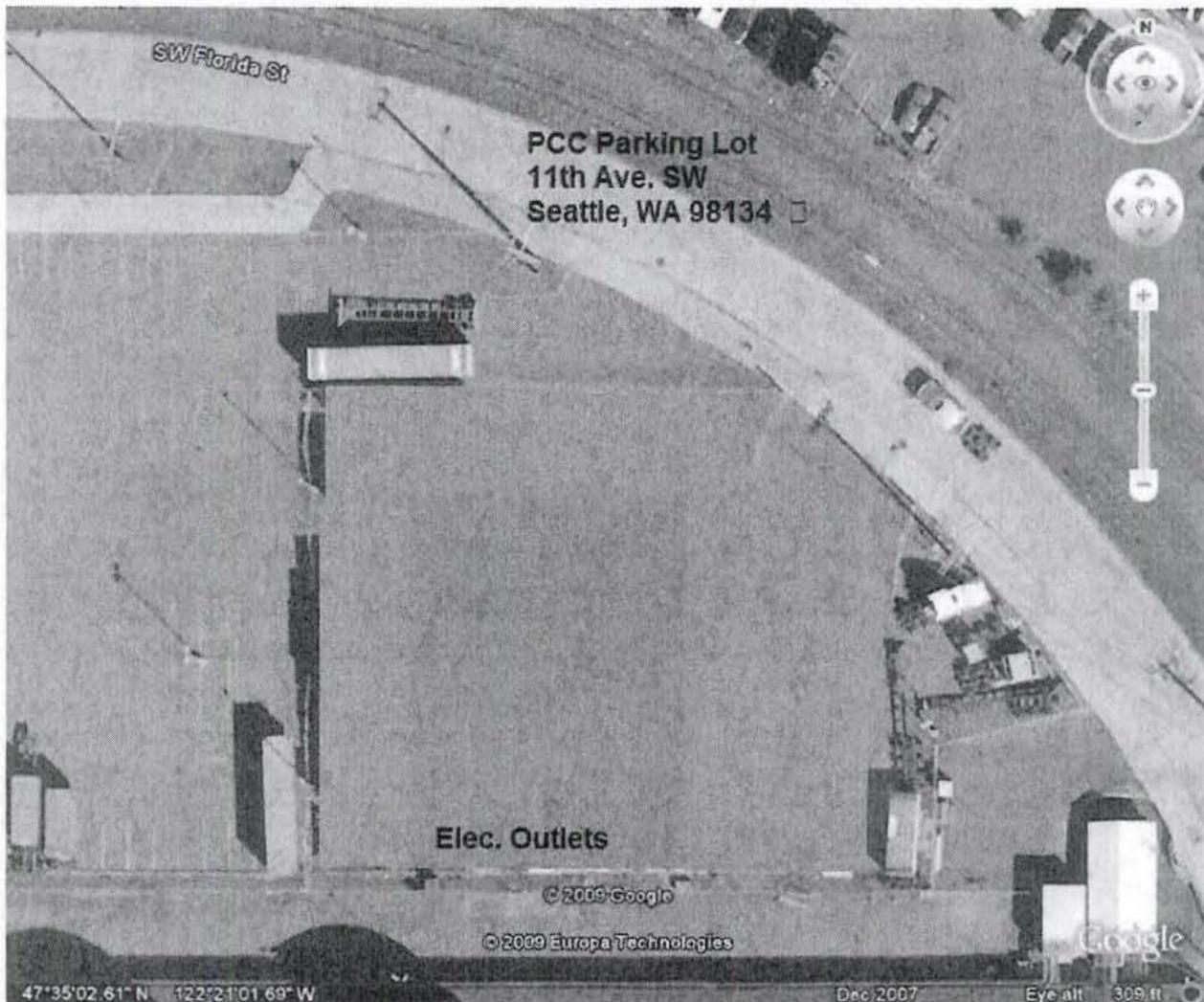
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10/21/2010

CBI

G. Location Diagram:

DIAGRAM Location #2



[Continued]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/Date (b)(6)

*CB*

**G. Location Diagram:**

**DIAGRAM Location #3**



[End]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/Date *JBM* 10/21/2010

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM  
ECKENBERG FARMS  
24064 SW ROAD "L"  
MATTAWA, WA 99349

2. LOCATION  
24064 SW ROAD "L"  
MATTAWA, WA  
  
16388 ROAD 27  
MATTAWA, WA

CBT

3/4  
3/10

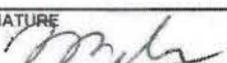
3. REGULATED ARTICLE(S)  
Baled Hay for Export to Japan

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS  
7 CFR 353, Chapter 3

5. I / WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A- "Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan."

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)		8. DATE SIGNED September 10, 2010
		9. AGREEMENT NO. 2010-I
		10. DATE OF AGREEMENT September 10, 2010
11. PPQ/CBP OFFICIAL (NAME AND TITLE) DJ Petrey, Plant Health Safeguarding Specialist	12. ADDRESS PO Box 216 Ellensburg, WA 98926	
13. SIGNATURE 		
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE) Thomas L. Wessels, Program Mgr.	15. ADDRESS State of Washington DEPARTMENT OF AGRICULTURE PLANT PROTECTION DIVISION PO BOX 42560 OLYMPIA, WA 98504-2560	
16. SIGNATURE 		

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM  
MAX INTERNATIONAL, LTD.  
26011 SE ISSAQUAH-FALL CITY RD., SUITE A  
ISSAQUAH, WA 98029

2. LOCATION  
17047 HIGHWAY 26 W  
ROYAL CITY, WA 99357

CBF {

} H  
CB

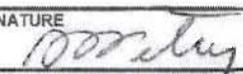
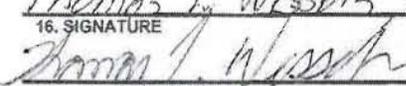
3. REGULATED ARTICLE(S)  
Baled Hay for Export to Japan

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS  
7 CFR 353, Chapter 3

5. I / WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A- "Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan."

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)		7. TITLE (b)(6)	8. DATE SIGNED September 10, 2010
The affixing of the signatures below will validate this agreement which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.			9. AGREEMENT NO. 2010-J
			10. DATE OF AGREEMENT September 10, 2010
11. PPQ/CBP OFFICIAL (NAME AND TITLE) DJ Petrey, Plant Health Safeguarding Specialist		12. ADDRESS PO Box 216 Ellensburg, WA 98926	
13. SIGNATURE 			
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE) Thomas L. Wissels, Program Manager		15. ADDRESS State of Washington DEPARTMENT OF AGRICULTURE PLANT PROTECTION DIVISION PO BOX 42560 OLYMPIA, WA 98504-2560	
16. SIGNATURE 			

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM  
Courtright Enterprises  
PO Box 1266  
Moses Lake, WA 98837

2. LOCATION  
3385 Rd M.2 NE  
Moses Lake, WA 98837  
  
8270 Tjossemrd  
Ellensburg, WA 98926

3. REGULATED ARTICLE(S)  
Baled Hay for Export to Japan

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS  
7 CFR 353, Chapter 3

5. I / WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A-"Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan."

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.



(b)(6)

8. DATE SIGNED

9/15/10

9. AGREEMENT NO.

2010-\*

10. DATE OF AGREEMENT

September 15, 2010

The affixing of the signatures below will validate this agreement which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.

11. PPQ/CBP OFFICIAL (NAME AND TITLE)  
DJ Petrey  
Plant Health Safeguarding Specialist

12. ADDRESS  
PO Box 216  
Ellensburg, WA 98926

13. SIGNATURE

*[Signature]*

14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)

*Thomas L. Wissels, Program Mgr*

16. SIGNATURE

*Thomas L. Wissels*

15. ADDRESS  
State of Washington  
DEPARTMENT OF AGRICULTURE  
PLANT PROTECTION DIVISION  
PO BOX 42560  
OLYMPIA, WA 98504-2560

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

CBT {

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM  
Whitby Ag Enterprises  
4820 N Frontage Rd  
Moses Lake, WA 99343

2. LOCATION  
4820 N Frontage Rd  
Moses Lake, WA 99343

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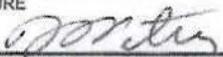
3. REGULATED ARTICLE(S)  
Baled Hay for Export to Japan

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS  
7 CFR 353, Chapter 3

5. I / WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A-"Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan."

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)		8. DATE SIGNED SEPT 15 2010
		9. AGREEMENT NO. 2010-L
		10. DATE OF AGREEMENT September 15, 2010
11. PPQ/CBP OFFICIAL (NAME AND TITLE) DJ Petrey Plant Health Safeguarding Specialist	12. ADDRESS PO Box 216 Ellensburg, WA 98926	
13. SIGNATURE 		
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE) Thomas L. Wassels Program Mgr.	15. ADDRESS State of Washington DEPARTMENT OF AGRICULTURE PLANT PROTECTION DIVISION PO BOX 42560 OLYMPIA, WA 98504-2560	
16. SIGNATURE 		

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

CBI

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM  
AGREX INC.  
3031 RD E NW  
EPHRATA, WA 98823

2. LOCATION  
3031 RD E NW  
EPHRATA, WA 98823

3031  
3030

3. REGULATED ARTICLE(S)  
Baled Hay for Export to Japan

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS  
7 CFR 353, Chapter 3

5. I/ WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A-"Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan."

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)		8. DATE SIGNED <i>Sept 21, 2010</i>
		9. AGREEMENT NO. <i>2010-M</i>
The signing of the signatures below will validate this agreement when shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.		10. DATE OF AGREEMENT <i>Sept 21, 2010</i>
11. PPQ/CBP OFFICIAL (NAME AND TITLE) DJ Petrey Plant Health Safeguarding Specialist	12. ADDRESS PO Box 216 Ellensburg, WA 98926	
13. SIGNATURE <i>[Signature]</i>		
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE) <i>Thomas L. Wisniewski, Program Manager</i>	15. ADDRESS State of Washington DEPARTMENT OF AGRICULTURE PLANT PROTECTION DIVISION PO BOX 42560 OLYMPIA, WA 98504-2560	
16. SIGNATURE <i>[Signature]</i>		

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

CBI

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM  
AG WEST INTERNATIONAL  
10190 GLADE N ROAD  
PASCO, WA 99301

2. LOCATION  
10190 GLADE N ROAD  
PASCO, WA 99301

CBI

3. REGULATED ARTICLE(S)  
Baled Hay for Export to Japan

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS  
7 CFR 353, Chapter 3

6. I / WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A-"Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan."

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)

8. DATE SIGNED  
9-28-10

9. AGREEMENT NO.  
2010-N

10. DATE OF AGREEMENT  
9-28-2010

The affixing of the signatures below will validate this agreement which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.

11. PPQ/CBP OFFICIAL (NAME AND TITLE)  
DJ Petrey  
Plant Health Safeguarding Specialist

12. ADDRESS  
PO Box 216  
Ellensburg, WA 98926

13. SIGNATURE  
*[Signature]*

14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)  
Thomas L. Wessels, Program Manager

15. ADDRESS  
State of Washington  
DEPARTMENT OF AGRICULTURE  
PLANT PROTECTION DIVISION  
PO BOX 42560  
OLYMPIA, WA 98504-2560

16. SIGNATURE  
*[Signature]*

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

CBI {

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM  
ZEN-NOH HAY, INC.  
2444 E. DOCK ST.  
PASCO, WA 99301

2. LOCATION  
2444 E. DOCK ST.  
PASCO, WA 99301

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3. REGULATED ARTICLE(S)  
Baled Hay for Export to Japan

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS  
7 CFR 353, Chapter 3

6. I / WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A-"Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan."

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

6. SIGNATURE		7. TITLE	8. DATE SIGNED
(b)(6)			9-28-2010
The affixing of the signatures below will validate this agreement which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.			9. AGREEMENT NO.
			2010-0
			10. DATE OF AGREEMENT
			Sept 28, 2010
11. PPQ/CBP OFFICIAL (NAME AND TITLE)		12. ADDRESS	
DJ Petrey Plant Health Safeguarding Specialist		PO Box 216 Ellensburg, WA 98926	
13. SIGNATURE			
<i>[Signature]</i>			
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)		15. ADDRESS	
Thomas L. Wapsett's, Pres. Mgr		State of Washington DEPARTMENT OF AGRICULTURE PLANT PROTECTION DIVISION PO BOX 42560 OLYMPIA, WA 98504-2560	
16. SIGNATURE			
<i>[Signature]</i>			

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

CBI {

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM  
SAGE HILL NORTHWEST, INC.  
5230 HOLLINGSWORTH RD.  
MESA, WA 99343

2. LOCATION  
5230 HOLLINGSWORTH RD  
MESA, WA 99343

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3. REGULATED ARTICLE(S)  
Baled Hay for Export to Japan

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS  
7 CFR 353, Chapter 3

5. I / WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A-"Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan."

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)

8. DATE SIGNED

9/29/10

9. AGREEMENT NO.

2010-P

10. DATE OF AGREEMENT

Sept 29, 2010

The affixing of the signatures below will validate this agreement which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.

11. PPO/CBP OFFICIAL (NAME AND TITLE)  
DJ Petrey  
Plant Health Safeguarding Specialist

12. ADDRESS  
PO Box 216  
Ellensburg, WA 98926

13. SIGNATURE

*[Signature]*

14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)

Thomas L. Worsels Program Mgr

15. ADDRESS  
State of Washington  
DEPARTMENT OF AGRICULTURE  
PLANT PROTECTION DIVISION  
PO BOX 42560  
OLYMPIA, WA 98504-2560

16. SIGNATURE

*[Signature]*

<b>UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE</b>		<b>COMPLIANCE AGREEMENT</b>	
<b>1. NAME AND MAILING ADDRESS OF PERSON OR FIRM</b> ACX PACIFIC NW, INC. 5693 VANTAGE HWY ELLENSBURG, WA 98926		<b>2. LOCATION</b> 5693 VANTAGE HWY ELLENSBURG, WA 98926	
<b>3. REGULATED ARTICLE(S)</b> BALED HAY FOR EXPORT TO JAPAN			
<b>4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS</b> 7CFR353, Chapter 3			

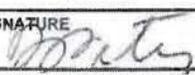
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**5. I/WE AGREE TO THE FOLLOWING:**

Abide by the stipulations in Attachment A - "Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan"

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)		<b>8. DATE SIGNED</b> 8/26/10
The affixing of the signatures below will validate this agreement which shall remain in effect until cancelled, but may be revised as necessary or revoked for noncompliance.		<b>9. AGREEMENT NO.</b> 2010-A
		<b>10. DATE OF AGREEMENT</b> 8/26/10
<b>11. PPQ/CBP OFFICIAL (NAME AND TITLE)</b> DJ PETREY, PLANT HEALTH SAFEGUARDING SPECIALIST	<b>12. ADDRESS</b> PO BOX 216 ELLENSBURG, WA 98926	
<b>13. SIGNATURE</b> 	<b>15. ADDRESS</b> State of Washington DEPARTMENT OF AGRICULTURE PLANT PROTECTION DIVISION PO BOX 42560 OLYMPIA, WA 98504-2560	
<b>14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)</b> Thomas L Wassel's Program Mgr.	<b>16. SIGNATURE</b> 	

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM

WESCO INTERNATIONAL  
691 BADGER POCKET ROAD  
ELLENSBURG, WA 98926

2. LOCATION

691 BADGER POCKET ROAD  
ELLENSBURG, WA 98926

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3. REGULATED ARTICLE(S)

BALED HAY FOR EXPORT TO JAPAN

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS

7CFR353, Chapter 3

5. I/WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A - "Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan"

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)

8. DATE SIGNED

8/26/10

9. AGREEMENT NO.

2010-B

10. DATE OF AGREEMENT

8-26-2010

The affixing of the signatures below will validate this agreement which shall remain in effect until cancelled, but may be revised as necessary or revoked for noncompliance.

11. PPQ/CBP OFFICIAL (NAME AND TITLE)

DJ PETREY, PLANT HEALTH SAFEGUARDING SPECIALIST

13. SIGNATURE

*[Signature]*

12. ADDRESS

PO BOX 216  
ELLENSBURG, WA  
98926

14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)

16. SIGNATURE

*Thomas J. Wessels, Program Mgr*  
*Thomas J. Wessels*

15. ADDRESS

State of Washington  
DEPARTMENT OF AGRICULTURE  
PLANT PROTECTION DIVISION  
PO BOX 42560  
OLYMPIA, WA 98504-2560

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM

NUMBER NINE HAY LLC  
2550 HUNGRY JUNCTION ROAD  
ELLENSBURG, WA 98926

2. LOCATION

2550 HUNGRY JUNCTION ROAD  
ELLENSBURG, WA 98926

3. REGULATED ARTICLE(S)

BALED HAY FOR EXPORT TO JAPAN

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS

7CFR353, Chapter 3

5. I/WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A - "Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan"

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)

8. DATE SIGNED

AUGUST 30, 2010

9. AGREEMENT NO.

2010-~~A~~ 00

10. DATE OF AGREEMENT

AUGUST 30, 2010

11. PPQ/CBP OFFICIAL (NAME AND TITLE)

DJ PETREY, PLANT HEALTH SAFEGUARDING SPECIALIST

13. SIGNATURE

*[Signature]*

12. ADDRESS

PO BOX 216  
ELLENSBURG, WA  
98926

14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)

Thomas L. Wessels, Program Mgr

16. SIGNATURE

*[Signature]*

15. ADDRESS

State of Washington  
DEPARTMENT OF AGRICULTURE  
PLANT PROTECTION DIVISION  
PO BOX 42560  
OLYMPIA, WA 98504 9560

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM

WARD RUGH INC.  
PO BOX 68  
ELLENSBURG, WA 98926

2. LOCATION

710 WEST 8TH  
ELLENSBURG, WA 98926

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3. REGULATED ARTICLE(S)

BALED HAY FOR EXPORT TO JAPAN

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS

7CFR353, Chapter 3

5. I/WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A - "Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan"

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)		DATE SIGNED <i>Aug 31, 2010</i>
		AGREEMENT NO. 2010-D
The affixing of the signatures below will validate this agreement which shall remain in effect until cancelled, but may be revised as necessary or revoked for noncompliance.		10. DATE OF AGREEMENT <i>Aug 31, 2010</i>
11. PPQ/CBP OFFICIAL (NAME AND TITLE) DJ PETREY, PLANT HEALTH SAFEGUARDING SPECIALIST	12. ADDRESS PO BOX 216 ELLENSBURG, WA 98926	
13. SIGNATURE <i>[Signature]</i>		
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE) <i>Thomas J. Wissel's Program Mgr.</i>	15. ADDRESS State of Washington DEPARTMENT OF AGRICULTURE PLANT PROTECTION DIVISION PO BOX 42560 OLYMPIA, WA 98504-2560	
16. SIGNATURE <i>Thomas J. Wissel</i>		

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM

ANDERSON HAY AND GRAIN INC.  
PO BOX 99  
ELLENSBURG, WA 98926

2. LOCATION

910 S. ANDERSON ROAD  
ELLENSBURG, WA 98926

3. REGULATED ARTICLE(S)

BALED HAY FOR EXPORT TO JAPAN

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS

7CFR353, Chapter 3

5. I/WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A - "Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan"

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)

8. DATE SIGNED AUGUST 30 2010

9. AGREEMENT NO.  
2010-E

10. DATE OF AGREEMENT  
Aug 30, 2010

The affixing of the signatures below will validate this agreement which shall remain in effect until cancelled, but may be revised as necessary or revoked for noncompliance.

11. PPQ/CBP OFFICIAL (NAME AND TITLE)

DJ PETREY, PLANT HEALTH SAFEGUARDING SPECIALIST

12. ADDRESS

PO BOX 216  
ELLENSBURG, WA  
98926

13. SIGNATURE

*[Signature]*

14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)

*Thomas L. Wissett Program Manager*

15. ADDRESS

State of Washington  
DEPARTMENT OF AGRICULTURE  
PLANT PROTECTION DIVISION  
PO BOX 42560  
OLYMPIA, WA 98504-2560

16. SIGNATURE

*Thomas L. Wissett*

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM

2. LOCATION

CALAWAY TRADING.  
PO BOX 1142  
ELLENSBURG, WA 98926

1900 W DOLARWAY ROAD  
ELLENSBURG, WA 98926

CBI

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3. REGULATED ARTICLE(S)

BALED HAY FOR EXPORT TO JAPAN

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS

7CFR353, Chapter 3

5. I/WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A - "Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan"

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(4)	DATE SIGNED	9-7-10
	AGREEMENT NO.	2010-F
	DATE OF AGREEMENT	Sept 7, 2010

11. PPQ/CBP OFFICIAL (NAME AND TITLE)	12. ADDRESS
DJ PETREY, PLANT HEALTH SAFEGUARDING SPECIALIST	PO BOX 216 ELLENSBURG, WA 98926
13. SIGNATURE	
<i>[Signature]</i>	
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)	15. ADDRESS
Thomas L. Wessels, Program Mgr	State of Washington DEPARTMENT OF AGRICULTURE PLANT PROTECTION DIVISION PO BOX 42560 OLYMPIA, WA 98504-2560
16. SIGNATURE	
<i>[Signature]</i>	

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM

HAY KINGDOM  
7931 REECER CREEK ROAD  
ELLENSBURG, WA 98926

CBI

2. LOCATION

7931 REECER CREEK ROAD  
ELLENSBURG, WA 98926

H  
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3. REGULATED ARTICLE(S)

BALED HAY FOR EXPORT TO JAPAN

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS

7CFR353, Chapter 3

5. I/WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A - "Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan"

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)

8. DATE SIGNED

Aug 26, 2010

9. AGREEMENT NO.

2010-G

10. DATE OF AGREEMENT

Aug 26, 2010

The affixing of the signatures below will validate this agreement which shall remain in effect until cancelled, but may be revised as necessary or revoked for noncompliance.

11. PPQ/CBP OFFICIAL (NAME AND TITLE)

DJ PETREY, PLANT HEALTH SAFEGUARDING SPECIALIST

13. SIGNATURE

*[Signature]*

12. ADDRESS

PO BOX 216  
ELLENSBURG, WA  
98926

14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)

Thomas L. Wassel Program Manager

16. SIGNATURE

*[Signature]*

15. ADDRESS

State of Washington  
DEPARTMENT OF AGRICULTURE  
PLANT PROTECTION DIVISION  
PO BOX 42560  
OLYMPIA, WA 98504-2560

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM

J D WALKER TRADING  
6361 HANSON ROAD  
ELLENSBURG, WA 98926

2. LOCATION

6361 HANSON ROAD  
ELLENSBURG, WA 98926

(NOTE: HAY FUMIGATED AT VARIOUS APPROVED, CERTIFIED FUMIGATION SITES)

3. REGULATED ARTICLE(S)

BALED HAY FOR EXPORT TO JAPAN

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS

7CFR353, Chapter 3

5. I/WE AGREE TO THE FOLLOWING:

Abide by the stipulations in Attachment A - "Stipulations and Compliance Agreement for the Handling of Baled Hay for Export to Japan"

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

(b)(6)		8. DATE SIGNED	9/9/10
		9. AGREEMENT NO.	2010-H
		10. DATE OF AGREEMENT	9/9/2010
The affixing of the signatures below will validate this agreement which shall remain in effect until cancelled, but may be revised as necessary or revoked for noncompliance.			
11. PPQ/CBP OFFICIAL (NAME AND TITLE)	12. ADDRESS		
DJ PETREY, PLANT HEALTH SAFEGUARDING SPECIALIST	PO BOX 216 ELLENSBURG, WA 98926		
13. SIGNATURE			
<i>[Signature]</i>			
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)	15. ADDRESS		
Thomas L Wessels, Program Manager	State of Washington DEPARTMENT OF AGRICULTURE PLANT PROTECTION DIVISION PO BOX 42560 OLYMPIA, WA 98504-2560		
16. SIGNATURE			
<i>[Signature]</i>			

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control numbers for this information collection are 0579-0054, 0088, 0129, 0196, 0238, 0257, 0306, 0310. The time required to complete this information collection is estimated to average 1.25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

FORM APPROVED  
OMB NUMBER 0579-0054

**UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PLANT PROTECTION AND QUARANTINE**

**COMPLIANCE AGREEMENT**

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM  
**PARATEX PEST CONTROL  
P.O. Box 34560  
Seattle, WA 98124**

2. LOCATION  
Various locations identified in subsequent pages of this agreement.

(b)(6)

3. REGULATED ARTICLE(S)

**Cut flowers, Fruits, Vegetables, Plant products, miscellaneous commodities infested with foreign actionable pests, and conveyances requiring treatment.**

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS

**Federal Plant Pest Act, Plant Quarantine Act, Title 7 CFR**

5. I/WE AGREE TO THE FOLLOWING:

A. To engage in the business of performing fumigations required by USDA, APHIS, PPQ under the applicable Federal Regulations and the terms of this Compliance Agreement.

B. That Officers of the USDA, APHIS, PPQ are responsible for monitoring these procedures.

The establishment under this Compliance Agreement shall immediately notify the local PPQ office at 206-878-6600 of any management changes which may void this Compliance Agreement. By signing this Compliance Agreement, the signer certifies that his/her facility that is selected to perform the treatments at has met or will meet the requirements of all applicable environmental authorities prior to fumigating cargo regulated by the Animal and Plant Health Inspection Service, Plant Protection and Quarantine.

This Compliance Agreement may be immediately canceled or revoked for noncompliance. This Compliance Agreement is non-transferable.

The company, its employees and subcontractors, and procedures covered by this Compliance Agreement are subject to unannounced inspections by APHIS personnel.

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found of a misdemeanor which can result in penalties, a one year prison term, or both. Additionally, any person violating the PPA may be assessed civil penalties of up to \$250,000 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.

(See Attachments and Approved Plans)

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8. DATE SIGNED

10/18/10

9. AGREEMENT NO.

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lance.

10. DATE OF AGREEMENT

10/13/10

11. PPQ/CBP OFFICIAL (NAME AND TITLE)

**Ayalew Assefa PHSS**

12. ADDRESS

**835 S. 192nd Street, Suite 1600  
Seatac, WA 98148-2394  
(206) 878-6600, Fax (206) 870-8043**

13. SIGNATURE

14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)

**Thomas Wessels Program Mgr**

15. ADDRESS

**State of Washington  
DEPARTMENT OF AGRICULTURE  
PLANT PROTECTION DIVISION  
PO BOX 42560  
OLYMPIA, WA 98504-2560**

16. SIGNATURE

*Thomas Wessels*

PPQ FORM 519 (MAY 2007)

Previous editions are obsolete

**A. Obligations by PPQ:**

1. A PPQ Officer will monitor/supervise all aspects of the treatment, from the start to the final release of the commodity. Any deviation from the instructions specified will result in immediate termination of the treatment, unless the deviation is approved in advance by PPQ. Any deviation from instructions specified may result in immediate termination of the treatment and possible revocation of this agreement.
2. PPQ will provide the necessary equipment as described in the PPQ Treatment Manual (page 2-4-1 & 2-4-2) to verify work conducted by the Pest Control Officer (PCO).
3. Document all information pertaining to treatments on appropriate PPQ forms. This includes readings, adding fumigant, extending or reducing exposure times, recording excessive fumigant loss, tarpaulin identification, corrective actions, and any other pertinent data.
4. All equipment supplied by the PCO's as required by the PPQ Treatment Manual (page 2-4-2 & 2-4-3) will be inspected by the PPQ Officer to determine its availability and condition before a treatment will commence. No treatment will be conducted unless all equipment is present and operational.
5. A PPQ Officer can exercise his/her authority to delay the start or terminate any fumigation at any time if any of these articles within this Compliance Agreement are not met.
6. Provide feedback to the PCO concerning any needed corrective measures or other matters that impact the overall operation before, during, or after a treatment has been performed at any treatment site.
7. Report any problems or violations to the appropriate local supervisor who will decide if the issue needs to be elevated to the Regional level to a Regional Program Manager for clarification or to the Treatment Quality Assurance Unit.
8. The PPQ officer will not be responsible for releasing cargo after treatment and aeration has been completed. The PCO will contact the broker responsible for the cargo and the release will be done through the normal established guidelines by the local Department of Homeland Security, Customs Border Protection office.
9. Fumigation locations must be approved by PPQ. Location approval will be governed by considerations, such as the enclosure's relationship to vehicular traffic, ventilation, personnel safety, staffing, water needs, power needs, weather, Treatment Manual, and ability to properly supervise and monitor the fumigation.

**B. Obligations by the PCO:**

1. Each PCO will be certified by the State and/or Local governmental entities to apply pesticides used in PPQ treatments. Their obligation to understand the conditions set forth by the EPA and OSHA regulations and any applicable State and/or local regulations before proceeding with any treatments.

[Continued]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/Date

(b)(6)

10/8/10

Continuation of Section 5: I/We Agree to the Following:

2. Each PCO will furnish proof, yearly, to the Seattle PPQ office of their current State license for using restricted fumigants or pesticides within the State of Washington.
3. PCO's will furnish all equipment and labor as described in the PPQ Treatment Manual and on the Methyl Bromide label. There will always be at least one certified applicator and a second person at the treatment site that has been trained according to all label, local, state, and federal guidelines or mandates. A PPQ Officer will never be counted as the second person.
4. PCO's are obligated to adhere to all applicable regulations as well as instructions given to them by PPQ Officers throughout the treatment. It is understood that any deviation from specific instructions given to them by PPQ will result in the termination of the treatment, unless the change has been approved by PPQ in advance of the treatment. Any commodity for which treatment is terminated as a result of noncompliance will be considered untreated and be denied entry.
5. The PCO will be present for all fumiscope readings that are required to be taken according to the Treatment Manual. PCO's will conduct the fumigation as specified by PPQ Officers and as specified in the PPQ Treatment Manual. The PCO may be required to be present at other times should the need arise.
6. The PCO will contact local environmental and safety officials at least on an annual basis to remain current on all environmental and safety/health related regulations. The PCO will conduct all PPQ related fumigations in compliance with all local regulations.
7. The PCO will provide the necessary equipment and personnel to accomplish the task. Personnel and equipment are subject to approval by PPQ.
8. The PCO will provide the necessary equipment and personnel to accomplish the safeguarding of actionable pests, as indicated by the Emergency Action Notification (EAN), on the exterior or within shipping containers. Upon custody, sufficient measures shall be employed to prevent escape of any listed pest during storage and/or set-up for treatment. Internal pest containment may be safeguarded by keeping the container doors sealed during treatment, set-up procedures, or by any other sufficient method. External pests may be safeguarded by sealed tarpaulin. Exterior pests in the phylum Mollusca may be safeguarded by a continuous salt barrier. In the event of rain or threat of rain, salt barriers shall be sufficiently maintained. PPQ reserves the right to verify salt barriers at the cost to the PCO. PPQ shall notify the PCO when additional measures for salt barrier monitoring are employed and/or expected to be employed. All time constraints indicated upon the EAN will be followed whenever practicable.
9. The APHIS Work Unit Office in Seattle, Washington will be notified as soon as possible, but no later than 24 hours after an incident, when conditions exist that violate or compromise the conditions of this agreement. These conditions include, but are not limited to accidents, equipment malfunctions, etc. The APHIS contact number on Monday through Friday, 0730-1600 is (206) 878-6600.

[Continued]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/Date

(b)(6)

10/8/10

Continuation of Section 5: I/We Agree to the Following:

**C. Equipment:**

1. All required equipment supplied by Paratex Pest Control, shall be available for inspection by PPQ to determine its suitability and condition. No treatment shall be conducted unless all required equipment is present and in good operating condition.
2. Volatilizer -- A volatilizer must be approved by PPQ before a treatment and it must conform to the PPQ Treatment Manual. The volatilizer should have a thermometer inserted inside it so the temperature of the water can be checked during gas introduction. The water temperature in the volatilizer should never go below 150 degrees Fahrenheit during the introduction of the fumigant.
3. Gas introduction lines -- The line that runs from the MB cylinder into the volatilizer must be a 3000 PSI hydraulic high pressure hose with an interior diameter (ID) of 3/8 inch or larger. From the volatilizer, MB gas is introduced into the structure by means of a gas introduction line. The gas introduction line must be a minimum of 350 PSI with an interior diameter (ID) of 1/2 inch or larger.
4. Gas Sampling Leads -- Sampling leads will be uniformly coded to designate the lead positions, and will be of a length sufficient to allow readings to be taken from at least thirty feet from the enclosure. All sampling lines will meet in one area for ease and safety in taking gas concentration readings. However when necessary containers will be partially unloaded to allow the proper placement of leads and fans. Containers that are filled to over 80% of capacity will be refused treatment until the container meets this requirement.
5. Table -- Chairs and a stable portable table or a cart will be provided for use by the PPQ Officer to place their fumiscope and other monitoring equipment on. A sheltered well lit, clean area to take gas concentration readings shall also be provided by the Paratex Pest Control.
6. Tarpaulins -- Tarpaulins which can be used are polyethylene plastic, vinyl or coated nylon. The 4 mil vinyl or polyethylene plastic are only approved for one use; the 6 mil vinyl or polyethylene plastic may be used up to four times with the officer's approval prior to each use; the 10-12 mil rubber or plastic coated nylon may be approved for multiple use by the officer's prior to each use. The tarpaulin should be large enough to provide an overlap of 18 inches around all sides of the stack. The PPQ Officer will check the condition of the tarpaulin and approve its use for each treatment. For break bulk logs or loose cargo, the tarpaulin should be 2 feet above the load and one foot from the sides and ends.
7. Gas Analyzer -- A thermal conductivity gas analyzing unit suitable for measuring fumigant concentration will serve as a backup unit, should the PPQ instrument fail. The unit shall be fully operational and accurately calibrated annually by one of the companies listed in the Treatment Manual (unit is to be sent to one of the companies listed in the treatment manual to perform an annual recalibration of the instrument).
8. Cylinders -- Only compressed fumigant cylinders shall be used, when applicable.
9. Personal Protection Equipment -- PCO must provide safety equipment for their personnel in compliance with OSHA and all Federal, State, MB pesticide label, PPQ Treatment Manual and Local regulations.

[Continued]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/Date

(b)(6)

*[Handwritten Signature]*

Continuation of Section 5: I/We Agree to the Following:

- 10. Colorimetric Gas Sampling Tubes -- Draeger, Matheson-Kitagawa, or Sensidyne colorimetric tubes are the only sampling tubes approved and capable of detecting concentrations of 5 ppm or less. These colorimetric tubes must be provided in numbers sufficient to meet all sampling requirements for aeration. Colorimetric tubes need to read no higher than 5 ppm instead of having a high range up to 50 ppm.
- 11. Drierite and Ascarite -- Separate tubes of drierite and ascarite will be provided for all treatments and will be used when necessary according to the PPQ Treatment Manual. If there are still any drierite and ascarite tubes that are separated with a septum inside each tube, these will be allowed for use only until the supply has been exhausted.
- 12. Weight Scales -- All scales used to weigh the MB at the introduction sites will be calibrated and certified once a year. A sticker will be affixed onto the scale showing the date the scale was calibrated and certified.
- 13 Any other equipment as described in the PPQ Treatment Manual, i.e. temperature recorders, sand snakes, photo ionization device.

**D. Fumigation Procedures:**

- 1. Site Selection -- All treatment sites shall be approved by PPQ and the site must meet all PPQ Treatment Manual requirements.
- 2. Stacking -- Non-containerized cargo shall be stacked and covered as per the PPQ Treatment Manual.
- 3. Containers -- A maximum of eight 40ft containers will be allowed in the same stack. The introduction line(s), sampling leads, circulation and exhaust fans, etc., will be placed into, around, or under the containers as described in the PPQ Treatment Manual. The container doors are to be open during the fumigation. Only cargo requiring the same treatment will be in the same stack. Container numbers will be recorded sequentially before the stack is tarped.
- 4. Break Bulk -- The stack/cargo should be arranged in a square or rectangular shape, if possible to make it easy to cover and to calculate the volume of the stack. The height of the stack should be uniform so that dosage can be calculated accurately. For loose cargo such as logs the tarpaulin should be 2 feet above the load and one foot from the sides and ends. Unless specified in the treatment schedule, cargo should not exceed two-thirds of the volume of the area to be fumigated. The maximum size for the enclosure is 25,000 ft<sup>3</sup>. Contact the Treatment Quality Assurance Unit in Raleigh, North Carolina (919-855-7450) to get approval for any enclosures larger than 25, 000 ft<sup>3</sup>.
- 5. Pre-fumigation inspection -- The enclosure shall be open so that pre-fumigation inspections may be conducted. Temperatures, lead and fan placement, fan operation, and proper cargo spacing shall be examined and verified by the Officer. Containers that have cargo removed for fumigation for the presence of snail(s) or other insects on the outside of the container may also be inspected prior to release. The Officer shall be provided with the container number of this cargo.

[Continued]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

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Continuation of Section 5: I/We Agree to the Following:

6. Placarding -- All placards must meet the appropriate fumigant label and/or labeling requirements including specific warnings, information, language, and clearly visible to all that may enter into the fumigation area by accident.
7. Treatment Barriers -- All fumigation's shall be conducted in an area restricted to persons supervising the fumigation and those employees setting up, or performing the fumigation and during aeration. This area should be separated by a physical barrier. This barrier should extend 30 feet or more from the fumigation enclosure. This barrier may not be breached unless there is a specific need that applies to that fumigation. If for any reason it is necessary to enter the 30 foot barrier surrounding the enclosure after the gas is introduced, it is mandatory to wear a Self Contained Breathing Apparatus (SCBA).
8. USDA Seals -- The fumigator must contact USDA to obtain authorization to break seals on truck doors and containers. It may be necessary on occasion for USDA to be present when authorization is given. A record of seal number(s) and time broken must be presented to the PPQ Officer.
9. Fumigant Introduction -- All precautions shall be taken per the PPQ Treatment Manual. A PPQ Officer must be present for any gas introduction and adding gas for both tarpaulin and chamber fumigations.
10. Aeration -- Aeration will be conducted according to the Aeration Guidelines as stipulated by the MB pesticide label or the PPQ Treatment Manual.
11. The PCO will provide the final colorimetric readings for all fumigations as soon as possible.
12. An Aeration barrier around the exhaust stack of tarpaulin fumigation must be maintained for the first 10 minutes of aeration. No one should transit this area without SCBA on. A ground level aeration barrier of 200 feet will be marked or roped off and is measured from the end of the exhaust duct.
13. Tarpaulin Removal -- Commodities will not be untarped or released until gas levels are acceptable as per the MB pesticide label and the PPQ Treatment Manual. For a FIFRA, Section 18, Exemption fumigation tarpaulins will be removed only when directed by a PPQ Officer.
14. Other Treatments -- All other PPQ treatments such as spray solution or powder pesticide applications will be done under PPQ authorization and supervision.

**D. Fumigation Procedures:**

1. Site Selection -- All treatment sites shall be approved by PPQ and the site must meet all PPQ Treatment Manual requirements.
2. Stacking -- Non-containerized cargo shall be stacked and covered as per the PPQ Treatment Manual.

[Continued]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/Date

(b)(6)

Continuation of Section 5: I/We Agree to the Following:

- 3 Containers -- A maximum of eight 40' containers will be allowed in the same stack. The introduction line(s), sampling leads, circulation and exhaust fans, etc., will be placed into, around, or under the containers as described in the PPQ Treatment Manual. The container doors are to be open throughout the fumigation. Only cargo requiring the same treatment will be in the same stack. Container numbers will be recorded sequentially before the stack is tarped.
- 4 Break Bulk -- The stack/cargo should be arranged in a square or rectangular shape, if possible to make it easy to cover and to calculate the volume of the stack. The height of the stack should be uniform so that dosage can be calculated accurately. For loose cargo such as logs the tarpaulin should be 2 feet above the load and one foot from the sides and ends. Unless specified in the treatment schedule, cargo should not exceed two-thirds of the volume of the area to be fumigated. The maximum size for the enclosure is 25,000 ft<sup>3</sup>. Contact the Treatment Quality Assurance Unit in Raleigh, North Carolina (919-855-7450) to get approval for any enclosures larger than 25,000 ft<sup>3</sup>.
- 5 Pre-fumigation inspection -- The enclosure shall be open so that pre-fumigation inspections may be conducted. Temperatures, lead and fan placement, fan operation, and proper cargo spacing shall be examined and verified by the Officer. Containers that have cargo removed for fumigation for the presence of snail(s) or other insect on the outside of the container may also be inspected prior to release. The Officer shall be provided with the container number of this cargo.
- 6 Placarding -- All placards must meet the appropriate fumigant label and/or labeling requirements including specific warnings, information, language, and clearly visible to all that may enter into the fumigation area by accident.
- 7 Treatment Barriers -- All fumigation's shall be conducted in an area restricted only to persons supervising the fumigation and those employees setting up, performing the fumigation, and during aeration. This area should be separated by a physical barrier. This barrier should extend 30 feet or more from the fumigation enclosure. This barrier may not be breached unless there is a specific need that applies to that fumigation. If for any reason it is necessary to enter the 30 foot barrier surrounding the enclosure after the gas is introduced, it is mandatory to wear a Self Contained Breathing Apparatus (SCBA).
- 8 USDA Seals -- The fumigator must contact USDA to obtain authorization to break seals on truck doors and containers. It may be necessary on occasion for USDA to be present when authorization is given. A record of seal number(s) and time broken must be presented to the PPQ Officer.
- 9 Fumigant Introduction -- All precautions shall be taken per the PPQ Treatment Manual. A PPQ Officer must be present for any gas introduction and adding gas for both tarpaulin and chamber fumigations.
- 10 Aeration -- Aeration will be conducted according to the Aeration Guidelines as stipulated by the MB pesticide label or the PPQ Treatment Manual.
- 11 The PCO will provide the final colorimetric readings for all fumigations as soon as possible.

[Continued]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/Date

(b)(6)

Continuation of Section 5: I/We Agree to the Following:

12 Aeration barrier around the exhaust stack of tarpaulin fumigation must be maintained for the first 10 minutes of aeration. No one should transit this area without SCBA on. Ground level aeration barrier of 200 feet will be marked or roped off and is measured from the end of the exhaust duct.

13 Tarpaulin Removal -- Commodities will not be untarped or released until gas levels are acceptable as per the MB pesticide label and the PPQ Treatment Manual. For a FIFRA, Section 18, Exemption fumigation tarpaulins will be removed only when directed by a PPQ Officer.

14 Other Treatments -- All other PPQ treatments such as spray solution or powder pesticide applications will be done under PPQ authorization and supervision.

15 Electrical outlets are to be provided within a reasonable distance of each fumigation enclosure. Portable generators are not to be used except in an extreme emergency, such as power failure. One electrical outlet is to be reserved for use by PPQ personnel. Electrical power supply must be sufficient to run circulation and exhaust fans, thermal conductivity unit, and thermocouples.

16 Thermocouple lines should be long enough to be placed anywhere in the container's cargo and then run back 30 feet away from the container. All thermocouple recording devices should be hooked up to a dedicated electrical outlet and should have a battery back up in case the unit becomes unplugged. If the unit becomes unplugged at any time and unit does not record the temperatures previously then the treatment will need to be restarted.

17 Each tarpaulin will be inspected thoroughly after placement over the commodity. Minor holes or tears will be repaired. When, in the judgment, of the PPQ Officer a tarpaulin is no longer repairable or otherwise unserviceable then it should be removed from use and a new tarpaulin will need to be used.

18 Adequate sealing is essential to prevent leakage from enclosures. Sand snakes are to be a minimum of 3 inches in diameter and they shall be placed according to the PPQ Treatment Manual. Sand snakes should overlap each other by a minimum of 12 inches. Water snakes or loose sand are also acceptable. PPQ personnel will examine each enclosure prior to fumigant introduction to determine if the sealing is adequate and condition of tarp is acceptable.

19 When a fumigation is conducted in accordance with label directions, the fumigator will be responsible for aeration. Tarpaulin will not be removed for release until aeration is completed; gas analyzer must be below 5 ppm. When a fumigation is conducted under a quarantine exemption, Section 18, PPQ will be responsible for verifying gas analyzer readings before the commodity is released.

20 No personnel other than the commercial fumigator representatives and PPQ Officers are authorized on fumigation sites either during fumigation or aeration of commodities. Adequate supervision and labor will be provided at all times.

21 Maintaining fumigation equipment will be an on-going function. Faulty fans, torn sand snakes, inaccurate scales, etc., shall be repaired or replaced as they become defective.

[Continued]

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Attachment to PPQ FORM 519 (May 2007)

Initial/Date

(b)(6)

10/18/10

Continuation of Section 5: I/We Agree to the Following:

- 22 Gas introduction lines, fan placement, gas sampling leads, and gas evacuation tubes shall be placed in accordance with established procedures.
- 23 Placards and 30 foot warning barriers will be in place before treatment begins and remain in place until aeration is completed.
- 24 The PPQ Officer's decision is final and under no circumstances will it be revoked, nor influenced by others.

**E. Chambers**

9. Chambers -- Chambers must meet the specifications of the PPQ Treatment Manual. Each chamber must have at least one permanent (impermeable) gas sampling tube run into the chamber and out pass 30 feet to obtain fumigant concentrations during aeration or for release.

B. Chamber -- The Chamber should not be loaded to more than 80% capacity.

**F. Additional Terms of Agreement**

This agreement requires annual renewal within one (1) year from the date indicated in Box 10 on Page 1 of this Compliance Agreement and may be renewed upon request of Paratex Pest Control and at the discretion of the local, designated PPQ office.

This agreement may be canceled or revoked by the PPQ Officer who is supervising its enforcement, orally or in writing, whenever the Officer finds that Paratex Pest Control, its employees or agents have failed to comply with its conditions. If the cancellation is oral, the decision to cancel this agreement and the reason(s) for canceling shall be confirmed in writing as promptly as circumstances permit. Paratex Pest Control may appeal the cancellation in writing to the Administrator within ten days after receiving written notification of the cancellation. This appeal shall state all the facts and reasons upon which Paratex Pest Control compliance agreement was wrongfully canceled. The Administrator shall grant or deny the appeal, in writing, stating the reasons for granting or denying the appeal, as promptly as circumstances permit. If there is a conflict as to any material fact, a hearing shall be held to resolve the conflict. Rules of practice concerning the hearing shall be adopted by the Administrator.

[Continued]

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Attachment to PPQ FORM 519 (May 2007)

Initial/Date

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10/28/10

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Continuation of Section 5: I/We Agree to the Following:

**F. Location from Box 2, Page 1: (continued)**

- CSH
1. Pony Lumber Yard  
3701 Taylor Way  
Tacoma WA 98421  
(see attached diagram)
  2. PCC (Pacific Coast Container)  
Parking lot  
11<sup>th</sup> Ave. SW  
Seattle, WA 98134
  3. Paratex Pest Control  
423 S. Horton St.,  
PO Box 34560  
Seattle, WA 98124
  4. Duwamish Fumigation Site  
3629 Duwamish avenue South  
Seattle WA 98134

[Continued]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

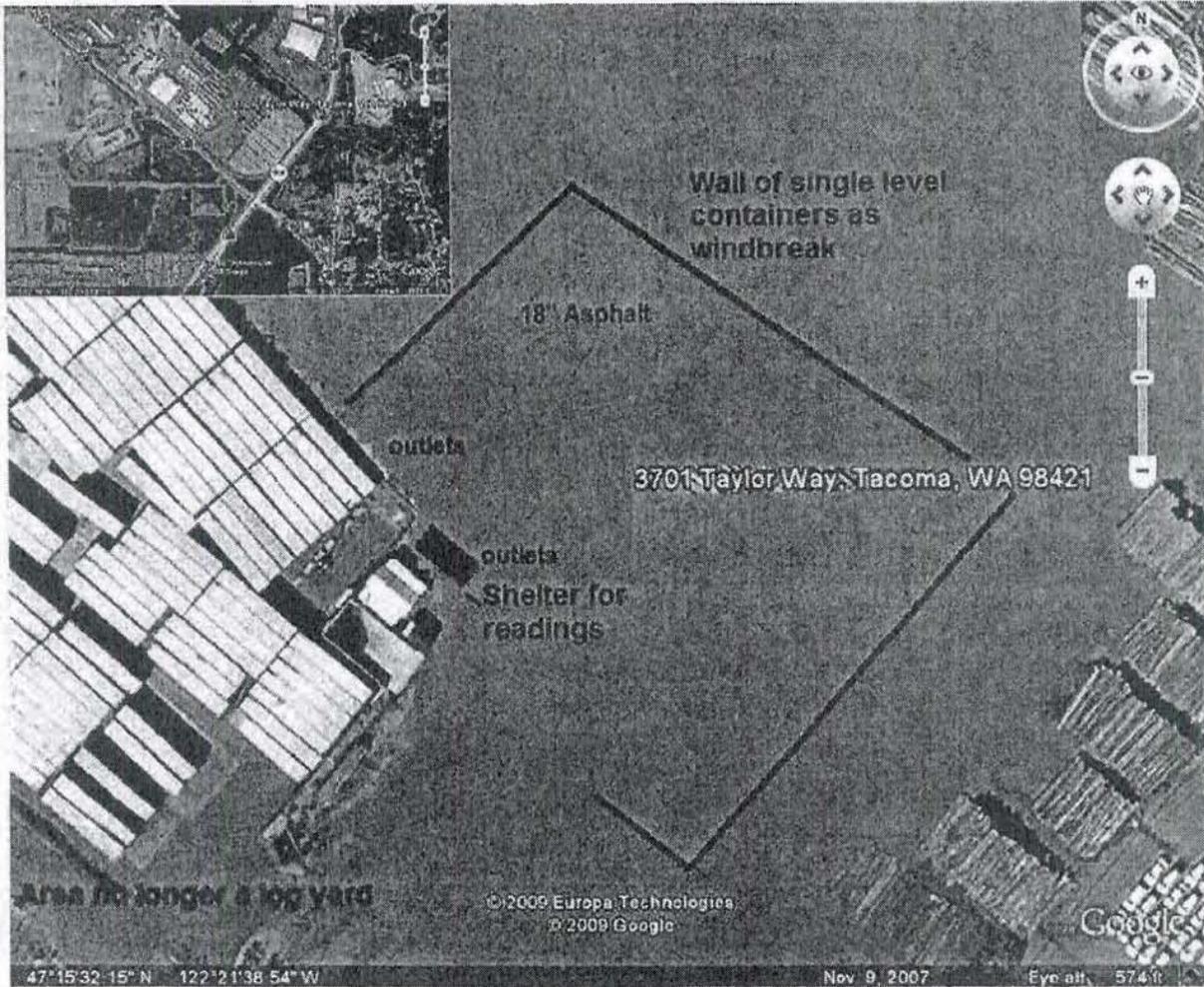
Initial/Date

(b)(6)

G. Location Diagram:

DIAGRAM Location #1

*CBZ*



[Continued]

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 penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/

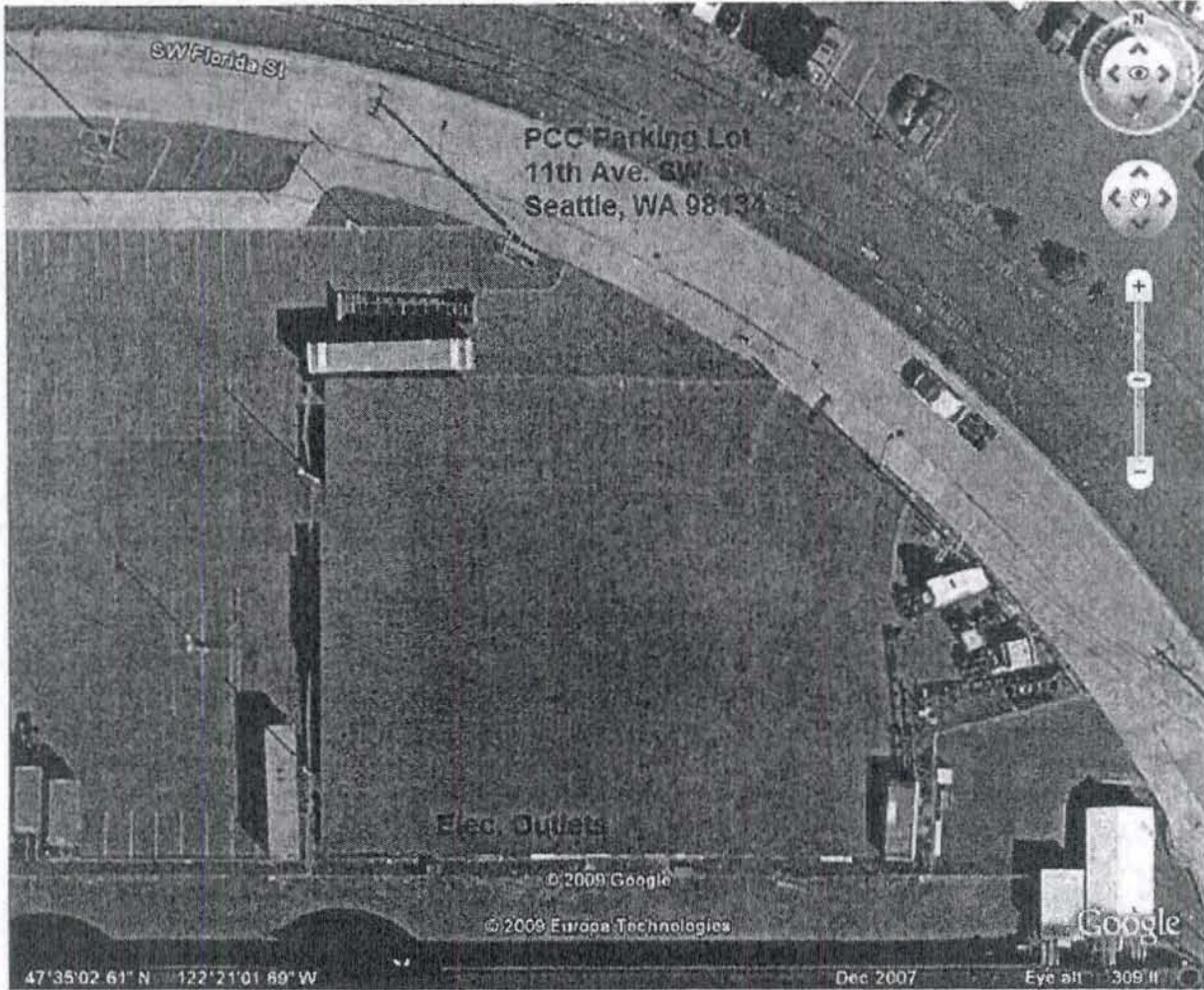
(b)(6)

*8/10*

G. Location Diagram: (continued)

DIAGRAM Location #2

*CBF*



[Continued]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/D

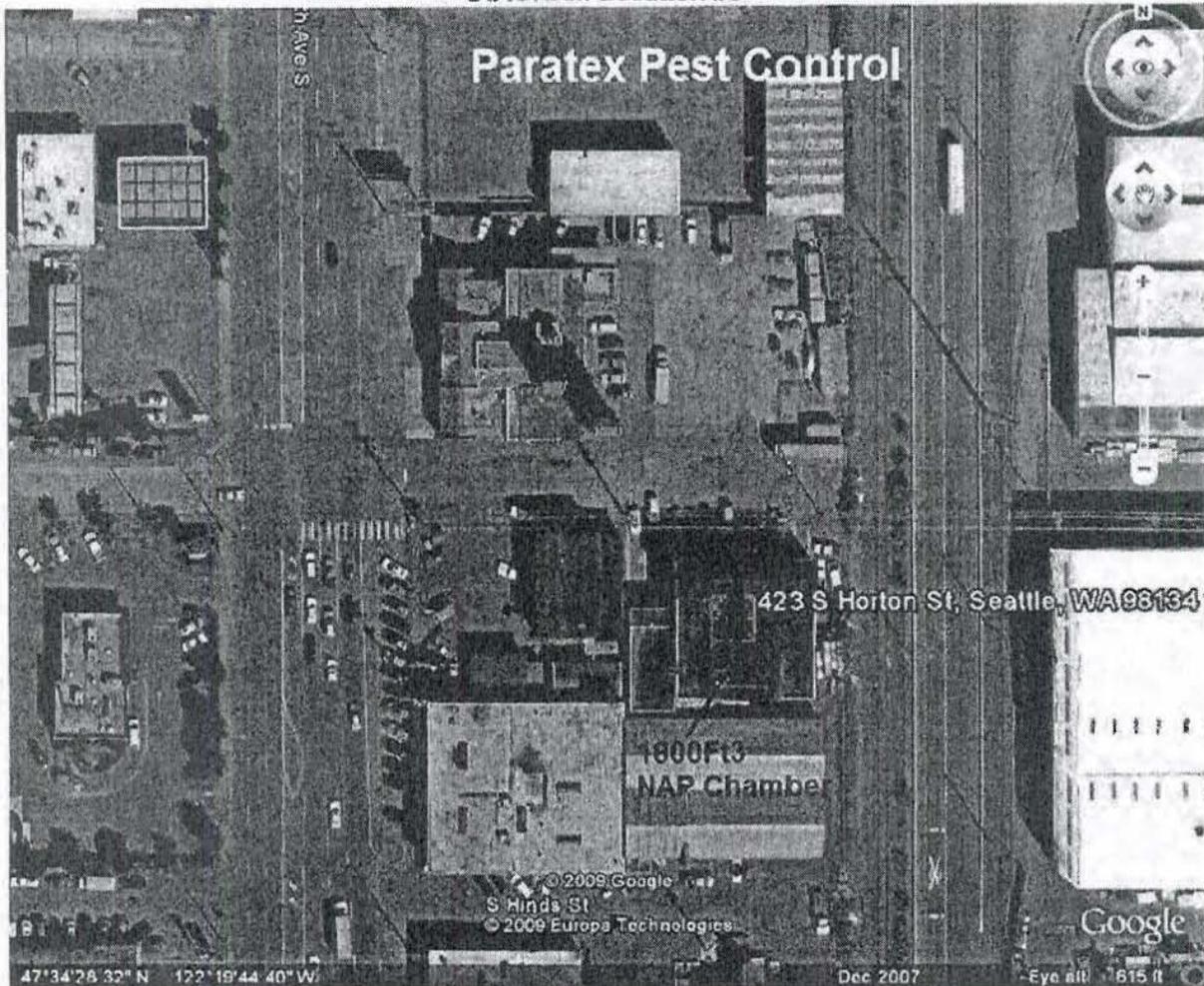
(b)(6)

*[Handwritten signature]*

G. Location Diagram: (continued)

*CBF*

DIAGRAM Location #3



Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/Date

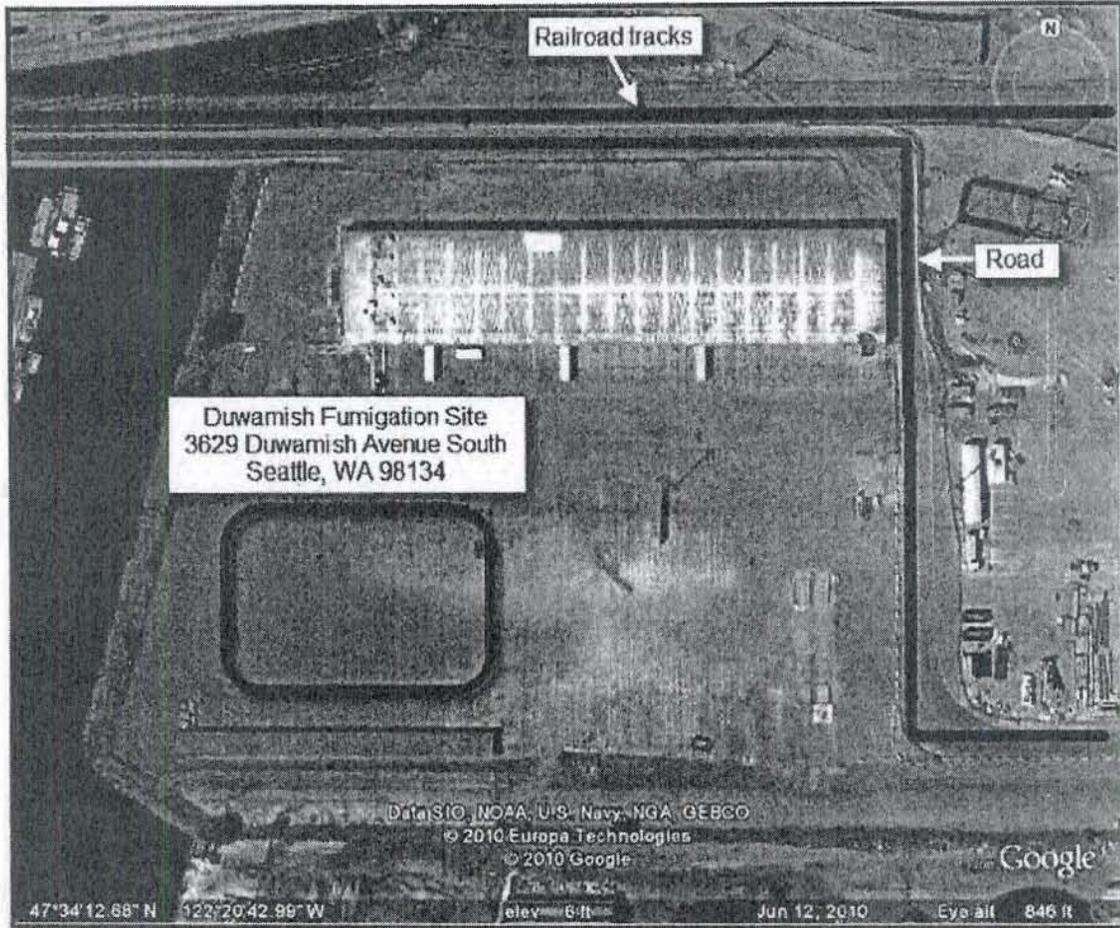
(b)(6)

*1/8/10*

H. Location Diagram: (continued)

DIAGRAM Location #4

*CBI*



[End]

Any person who knowingly violates the Plant Protection Act (PPA) (7U.S.C. §§ 7701 et. Seq.) and/or the Animal Health Protection Act (AHPA) (7U.S.C. §§ 8301 et. Seq.) may be criminally prosecuted and found guilty of a misdemeanor which can result in penalties, and one year prison term, or both. Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$250,000 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.

Attachment to PPQ FORM 519 (May 2007)

Initial/

(b)(6)

*1/8/10*

USDA, APHIS, PPQ  
HAY EXPORT TO JAPAN COMPLIANCE AGREEMENT

**Attachment A – Stipulations for Handling Baled Hay for Export to Japan**

Follow protocol as outlined in FUMIGATION PROCEDURES for hay export to Japan (document version edited February 2006) with special emphasis on the following criteria:

1. The exporter will make all efforts to ship hay that is free of plant, rodent, animal contamination and any soil.
2. USDA, APHIS, PPQ Inspectors or state cooperators will have access to areas where baled hay is fumigated and stored.
3. Fumigations will be conducted by applicators certified by Washington State Department of Agriculture- Pesticide Compliance Division, under a program approved by the US Environmental Protection Agency, for use of "Restricted Pesticides."
4. Fumigation sites must be approved by USDA, APHIS, PPQ. Approved sites will be maintained in a clean, weed free condition, subject to inspection.
5. At least 2% of the hay exported will be inspected by USDA, APHIS, PPQ or state cooperators to confirm that no injurious quarantine plant or animal material nor any soil is present.
6. The exporter will inspect the shipping containers for fitness for fumigation, and ensure that vents, holes, etc. are sealed with material to make the container "gas tight" prior to fumigation.
7. The exporter will affix an approved copper plate, approved by the Japanese Ministry of Agriculture, Forestry & Fisheries, as proof of fumigation. Copper Plates must be affixed to the inside right door of each hay container fumigated for export. Accurate records for each copper plate used for fumigation export must be maintained.
8. The exporter will load bales of hay which have an internal temperature of 10 degrees C (50 degrees F) or higher for standard bales and 20 degrees C (68 degrees F) or higher for double compressed and big bales will be met prior to introducing the fumigant. A minimum of two bales must be checked within each container when temperature confirmation is required.
9. Fumigation dosage: Required dosage is 60 grams of aluminum phosphide per 1000 cubic feet of shipping container space for standard and double compressed bales, and 61.13 grams per 1000 cubic feet of shipping container space for big bales.
10. A minimum exposure period of 7 days (168 hours) is required commencing from the time the pellets or tablets are placed into the loaded shipping container.

USDA, APHIS, PPQ  
HAY EXPORT TO JAPAN COMPLIANCE AGREEMENT

**Attachment A – Stipulations for Handling Baled hay for Export to Japan  
(continued)**

11. Warning placards must be placed on the door end of each container while undergoing fumigation and aeration.
12. At the completion of fumigation treatment, the exporter will check the copper plates to verify that an acceptable reaction has occurred during fumigation.
13. The successful fumigated shipping container will then be aerated for a minimum of 24 hours, after which time the warning placards will be removed. Aeration will be done with both doors completely open. Aeration will be done with any sealants removed, including from ventilation openings, and with both shipping container doors open. Low temperatures will be factored in when determining aeration time. Forced air (fans) will be used as necessary. Post aeration PH3 readings, especially during cold ambient temperature periods, will be done as necessary to ensure any residual PH3 is at or below 0.3 ppm before shipping container. All fumigant application devices (i.e. strips, bags, socks, etc.) will be removed from the container before moving it from the fumigation site. Shipping containers will remain stationary during aeration.
14. The exporter will affix a USDA, APHIS, PPQ Tyden seal to each export shipping container prior to shipment. Exporter will apply green/white "USDA Certified Export Hay for Japan" label to outside of shipping container left door prior to shipment.
15. The exporter will keep accurate complete records pertaining to the hay exports, records include:
  - Containers shipped
  - Copper plates used
  - Vessel name and dates shipped
  - USDA, APHIS, PPQ seal numbers used
  - USDA, APHIS, Phytosanitary certificate numbers and dates of issuance
  - Fumigants used and records maintained in accordance with label specifications
  - Dates and times of fumigation and aerations
  - Fumigator's record and statement(keep and/or provide as part of phytosanitary certificate Per hay Exports to Japan Fumigation Procedures)All these records will be made available to USDA, APHIS, PPQ Inspectors or state cooperators upon request.

8/28/07dwb (revised 8/13/10 djp)