
Exporter

The responsibilities of the exporter or shipper include the following:

1. Apply for the inspection, sampling, testing, and certification of commodities offered for export. Certificates can be issued at the point of origin, at a port where the shipment will transit, or at the actual port of export. PPQ Form 572, Application for Inspection and Certification of Domestic Plants and Plant Products for Export, can be requested from the nearest Authorized Certification Official (ACO) office or downloaded from the following Web site address:

<<http://www.aphis.usda.gov/ppq/pim/exports/certificates&forms.html>>

For directions on completing PPQ Form 572, refer to **Exporter Instructions to Complete PPQ Form 572** on **page K-1-13**.

2. Contact an ACO far enough in advance of the shipping or loading dates to allow the ACO to determine the phytosanitary import requirements and conduct required sampling, inspecting, testing, etc. in advance of the shipping or loading dates and specified time limits.

Exporters **must** be aware of and plan for any time limit restrictions a foreign country may specify for the period between date of inspection or date of certificate issuance and shipping date. If a time limit is **not** specified by a country, the policy on time limits for inspections is that inspections may **not** be conducted more than 30 days prior to issuance of the export certificate.

3. Provide all necessary documentation, including, import permits (IP), bills of lading, manifests, shipping invoices, foreign export certificates, and inspection certificates. It is the exporter's responsibility to provide official documents stating import requirements if they differ from those PPQ has. Official documents may be an IP, special authorization, or recent correspondence from the National Plant Protection Organization (NPPO) of the foreign country.



All documentation provided **must** be legible. Requests containing illegible documentation will **not** be considered. If sending copies of foreign-language documents, both the foreign-language document and its English translation **must** be provided. If a document is in a language, **other than** English, the entire document **must** be translated. The name of the person providing the translation and his or her affiliation **must** be included on the translated document. ES **cannot** provide translation services.

Exporters are responsible for ensuring official documents are translated into English; PPQ **does not** provide translation services. Bilingual information is acceptable as long as one of the languages is English.



Exporters frequently present letters of credit from their contacts in the foreign country to indicate that plant quarantine regulations have been changed. Letters of credit are strictly fiduciary documents. For the purposes of phytosanitary certification, letters of credit **cannot** be considered official notifications of changes or exceptions to plant quarantine regulations. Official communication **must** come from the plant protection organizations of foreign countries.

4. Make the commodity available for inspection, sampling, testing, etc. Shipments **cannot** be inspected on board aircraft or ships. Additionally, commodities loaded into maritime containers in bulk form **cannot** be inspected once the container has been loaded. It is the exporter's responsibility to ensure the shipment is sampled and/or inspected prior to loading containers.

Ensure the commodity is accessible to the ACOs to verify, sample, and inspect the shipment. In addition, other shipping documents should be marked or stamped to prevent the shipment from being loaded before the inspection is conducted.

5. Provide labor to open and close packages for inspection and provide adequate facilities to perform the inspection. Such facilities include supplies, equipment, and proper lighting required for an efficient inspection before certification.
6. Provide for any required treatments, reconditioning, or other actions to meet the import requirements of the foreign country.
7. Export **only** those commodities properly inspected and certified under an export certificate.
8. Safeguard the certified shipment from infestation between the date the shipment was sampled and the actual shipping date, and ensure the certified shipment departs within the time limits specified by the importing country.
9. Comply with U.S. export control regulations. The Federal government controls the exportation of U.S. goods to all foreign countries. The Department of Commerce is the authority for licensing most items for export. Other Federal agencies such as the Agricultural Marketing Service (AMS) and the Federal Grain Inspection Service (FGIS) handle the certification for specific commodities. For further information, exporters may contact the Office of Export Control, Bureau of International Commerce, Department of Commerce at the following Web site address:
<http://www.trade.gov/td/tic/>

Protocol for Requesting Review of Certification Eligibility

If an exporter requests that PPQ review its policy on the eligibility of a noncertifiable commodity, follow the protocol in this chapter. This includes commodities **ineligible** for an export certificate but eligible for a PPQ 578 (exporters may want to remove any risk that their shipment will be rejected due to the lack of an export certificate).

The Protocol for Requesting Review of Certification Eligibility describes the procedures that **must** be followed if an exporter requests the eligibility of a commodity for certification be reviewed. Export Services (ES) **cannot** consider any request until all of the necessary information is provided.

Listed below is the information that ES **must** have to assist the exporter. Mandatory information is marked “Required.” Do **not** forward requests for assistance to ES until all information is available. Once all the required information is available, fax or send electronically all supporting documents at one time.

- ◆ Country to which the exporter wishes to export (required)
- ◆ Date the exporter wishes to ship
- ◆ Description of commodity and, if processed, a detailed description of the process. The description **must** include the following information: list of ingredients (as appropriate), origin of each ingredient, process applied to each ingredient (if appropriate) and the scientific name of each ingredient. All information will be held in strict confidence. (required) The process **must** be described in detail.

EXAMPLE

It is **not** sufficient to say that the commodity was “dried.” In this case, the exporter **must** state how the commodity was dried. If the exporter is unable to supply this information, **do not** forward the request to ES.

- ◆ How is commodity packaged (required)
- ◆ If necessary, the exporter may have to supply ES with a sample of his or her commodity.
- ◆ Intended use of commodity (required)
- ◆ Name of exporter with contact information (required)
- ◆ Official communication from the NPPO, if available (required)

Caution the exporter that it may take some time for ES to make a decision. In addition, our ability to make a decision will depend on the quality of the information the exporter provides. If appropriate, have the exporter contact ES directly. ES will make every effort to provide a decision once all necessary information has been provided.

Contact ES at the following:

Phone: 301 734-8537

FAX: 301 734-7639

E-mail (general e-mail box): PPQExportServices@aphis.usda.gov

You may also send information directly to the ES staff officer covering the country in question.

When the Importing Country Does NOT Require a Certificate

If the exporter requests an export certificate for a commodity that is:

- ◆ **Ineligible** for certification, AND,
- ◆ Certification is **not** required by the importing country, AND,
- ◆ Reason for the request is because the exporter “just wants one” (not required by the importing country):

Explain PPQ’s policy regarding the eligibility requirements for providing certificates and that because the foreign country **does not** require a certificate, PPQ **cannot** review his or her request at this time. **Do not** forward the request to ES unless the exporter requires further clarification.

When the Importing Country Requires a Certificate

Follow the guidelines in this section if an exporter requests a certificate because:

- ◆ EXCERPT or official communication from the National Plant Protection Organization (NPPO) states that a certificate is required, AND,
- ◆ Commodity is **ineligible** for certification

Options for Certification of Canadian Produced Seed

To facilitate the United States’ trade of Canadian produced seed, the following options are available for certifying Canadian produced seed being reexported from the United States.



This policy does not apply to seed reexported from Canada; the options below pertain only to seed grown in Canada.

Option 1

Option 1 will provide the greatest assurance that a commodity meets an importing country’s requirements. Therefore, exporters **must** provide the required documentation to allow certification under this option. Consignments not certified under Option 1 may be rejected and ES may not be able to assist the exporter.

1. The seed will be certified using PPQ Form 577. Canada will be listed as the country of origin.

2. The exporter **must** present the ACO with the importing country's phytosanitary requirements for Canadian produced seed. The requirements **must** be in the form of official communication from either the National Plant Protection Organization (NPPO) of the importing country or Canada.
3. The official communication presented by the exporter may be used for certification purposes for 6 months from the date of the document, unless the document states otherwise. Exporters should obtain confirmation of a country's import requirements each time they export because import requirements can change at any time.
4. If the importing country requires one of the following phytosanitary actions the seed may be certified once the requirement(s) has been met. The phytosanitary action **must** be conducted in the United States. Phytosanitary actions taken in Canada cannot be listed on PPQ Form 577 nor used as the basis for issuing PPQ Form 577.
 - A. Laboratory analysis or testing: **must** be conducted by a United States authorized laboratory.
 - B. Treatment: **must** meet policy and procedures as stated in this manual.
5. If the country requires phytosanitary actions/measures, other than those listed under point 4, the consignment cannot be certified.
6. Consignment must be inspected.
7. If an exporter presents import requirements and it is determined that the requirements cannot be met, the consignment cannot be certified under either Option 1 or Option 2.

Option 2

Option 2 can be used if the exporter cannot obtain the import requirements of the importing country. The exporter should be cautioned that the consignment may not meet the phytosanitary requirements of the importing country, may be rejected, and that ES may not be able to assist them if a shipment is held or rejected.

1. The seed will be certified using PPQ Form 579. Canada will be listed as the country of origin.
2. Additional declarations pertaining to phytosanitary actions are not permitted.
3. Additional declaration that, "The shipment met the entry requirements of the United States."
4. Consignment must be inspected.

