

## Voluntary Relinquishment of a Compliance Agreement

Any establishment may voluntarily relinquish their Compliance agreement(s) for any reason. If an establishment wishes to cease regulated garbage handling activities and relinquish their compliance agreement(s), the establishment must advise the United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA-APHIS). An authorized representative of the establishment must write a letter to the APHIS Administrator indicating that the establishment is voluntarily relinquishing the compliance agreement(s) for handling regulated garbage.

The establishment must also contact the local USDA-APHIS-PPQ or CBP personnel responsible for maintaining and monitoring the current compliance agreement(s) for handling regulated garbage that the establishment holds, and notify them of the establishment's intent to relinquish their compliance agreement(s). PPQ and CBP should notify all impacted agency locations.

In addition, the establishment must notify all of their customers affected by the voluntary relinquishment of the compliance agreement(s) of the establishment's change in status.

The establishment should email the relinquishment letter and any attachments to <mailto:ppq.ops.regulated.garbage@aphis.usda.gov>. Include "Relinquishment of Compliance agreement" in the subject line of the email.

Alternatively, the establishment can send the relinquishment letter and any attachments by mail to:

Administrator  
Animal and Plant Health Inspection Service  
c/o AQI VMO Director  
USDA-APHIS-PPQ Field Operations  
2150 Centre Ave Bldg B  
Fort Collins, CO 80526

The following information should be included in the letter:

1. Establishment name.
2. Establishment address and phone number.
3. Compliance agreement number, if applicable.
4. Date on the most recent compliance agreement being relinquished.
5. Name and title of signatory (this person **must** be an authorized representative for the establishment wishing to relinquish the compliance agreement, and be vested with the authority to make decisions on behalf of the establishment).
6. A statement indicating that the signatory is an authorized representative of the establishment, and is vested with the authority to make decisions on behalf of the establishment, and that the establishment wishes to relinquish their compliance agreement to handle regulated garbage.

(6 continued): The statement should also indicate that the signatory understands that upon relinquishment of the compliance agreement, the establishment is no longer authorized to handle regulated garbage, to include collecting, transporting, or processing regulated garbage, as defined in Title 7 Code of Federal Regulations 330.400 - 330.403 and Title 9 Code of Federal Regulations 94.5.

The statement should indicate that the signatory understands that 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, a one-year prison term, or both.

Additionally, any person violating the PPA and/or the AHPA may be assessed civil penalties of up to \$300,000 per violation or twice the gross gain or gross loss for any violation that results in the person deriving pecuniary gain or causing pecuniary loss to another, whichever is greater.

The statement **must** indicate that the signatory understands that in the future, if the establishment is interested in handling regulated garbage, the establishment **must** re-apply for USDA-APHIS approval to handle regulated garbage and complete USDA APHIS's 3-Step Approval Process.

7. Authorized Representative's signature.
8. Date of signature.

A copy of the most recent compliance agreement **must** be attached to the relinquishment letter.

If the establishment is sending the relinquishment letter electronically to the Administrator, the original signed letter **must** be provided to the local PPQ or CBP office responsible for maintaining and monitoring the compliance agreement for their files.