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NEW REQUIREMENTS ON THE IMPORTATION OF WOOD PACKAGING MATERIALS

ATTACHED, PLEASE FIND INFORMATION CONCERNING THE NEW REGULATIONS ISSUED BY THE U.S. DEPARTMENT OF AGRICULTURE (APHIS) FOR WOOD PACKING MATERIALS IMPORTED IN THE U.S.   THE NEW REGULATIONS BECOME EFFECTIVE 9/16/05.

IF YOUR SHIPMENTS CONTAIN SOLID WOOD PACKING MATERIALS & THEY ARE NOT IN COMPLIANCE, THE CARGO MUST BE EXPORTED. TREATMENT OR DESTRUCTION IN THE U.S. WILL NOT BE PERMITTED.

IF DUNNAGE PIECES ARE USED, EACH PIECE MUST BE MARKED IN COMPLIANCE WITH ISPM#15. THIS APPLIES TO ALL DUNNAGE PIECES. IF SMALLER PIECES ARE CUT FROM A LARGER MARKED PIECE, THE SMALLER PIECES MUST ALSO BE MARKED. IF DUNNAGE PIECES ARE NOT PROPERLY MARKED, EXPORTATION WILL BE REQUIRED.

PLEASE INSTRUCT YOUR SUPPLIERS OVERSEAS OF THE NEW REGULATIONS.

INFORMATION ON THE REGULATIONS CAN BE FOUND ON THE U.S.D.A. WEBSITE @ www.aphis.usda.gov/ppq/swp/import.html

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Wood Packing Materials

IMPORT

APHIS has published the Final Rule for new requirements concerning the importation of wood packaging material. The implementation date for regulatory enforcement shall be September 16, 2005. The delay between publication and implementation shall allow an appropriate amount of time for countries to establish programs to become compliant with ISPM 15 and the Final Rule.

APHIS has set standards for Wood Packaging Material imported into the USA through 7 CFR 319.40 - Importation of Wood Packaging Material, as published on September 16, 2004. This rule states that all regulated wood packaging material shall be appropriately treated and marked under an official program developed and overseen by the National Plant Protection Organization (NPPO) in the country of export.

Until September 16, 2005, as the designated enforcement date, APHIS will follow its current requirements for imported wood packaging material. Please note that PPQ is in the process of updating all references to SOLID WOOD PACKAGING to reflect the September 16, 2004 rule for REGULATED WOOD PACKING MATERIAL.

- Implementation of the Wood Packaging Material (WPM) Regulation

- Wood Packing Material from China

- Wood Packing Material Final Rule, Docket No. 02-032-03

- Proposed Rule Public Hearing Transcripts

- USDA Proposed Rule for Imported Wood Packing Material. Comments close July 21, 2003.

- Regulatory Impact Analysis for USDA's Proposed Rule for Imported Wood Packing Material.

Implementation Phases:

First Year of Implementation (From present – September 15, 2005)
The revised WPM regulation is effective September 16, 2005. During the 1 year implementation phase, WPM may be imported if in compliance with either current import requirements or the international standard for WPM (ISPM#15).

A. Shipments imported from **China or Hong Kong** must:
- Be accompanied by an exporter's statement in the commercial invoice, bill of lading, or other similar document (including a paper or electronic manifest) stating that the shipment contains no WPM, **or**
- Be accompanied by a certificate signed by an official of the Chinese government or an approved Hong Kong fumigator stating that the wood was heat treated to a minimum of 71.1°C for 75 minutes or treated with T404 (methyl bromide or kiln dried) or its equivalent, **or**
- Have treated and marked WPM in compliance with ISPM #15.

WPM not in compliance with the above requirements must be destroyed or reexported.

B. WPM imported from all countries **other than China or Hong Kong** must be:
1. Free of bark, **or**
2. Accompanied with documentation stating the WPM was treated with T404 (methyl bromide or kiln dried) or its equivalent, or heated to a minimum of 71.1°C for 75 minutes, **or**
3. Treated and marked in compliance with ISPM #15.

WPM not in compliance with the above requirements must be treated, destroyed or reexported.

Full Implementation–Importations after September 15, 2005
All WPM must be treated and marked in accordance with the regulation 7CFR 319.40-3(b), excluding WPM exempted by the regulation. WPM imported after September 15, 2005 without the IPPC mark must be reexported. Treatment or destruction will not be permitted. Unmarked WPM may be separated from the commodity being imported, if the inspector determines separation can be done without pest escape. A user fee will be assessed for supervising the separation of the WPM from the cargo. Treatment will be allowed if hitchhiking (non-wood) pests are intercepted with IPPC marked WPM.
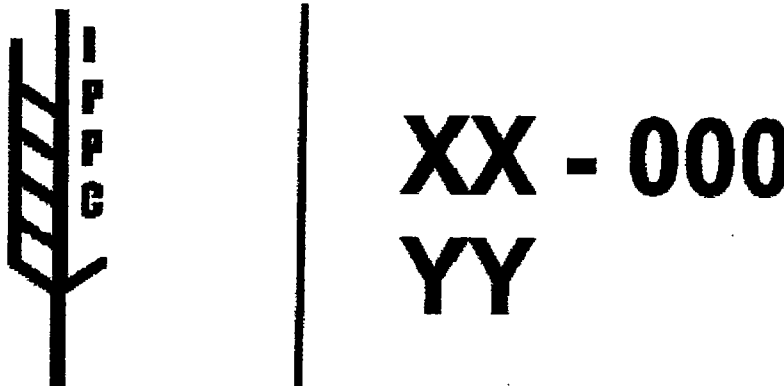
Implementation of the Wood Packaging Material (WPM) Regulation

Background:
APHIS revised the import regulations for WPM to be consistent with the International Plant Protection Convention standard ISPM #15. The regulation restricts the importation of many types of wooden packaging materials such as pallets, crates, boxes, and dunnage. The revised WPM regulation is effective **September 16, 2005**. The regulation requires WPM in use in international trade to be treated. The approved treatments are 1) heat treatment to a minimum wood core temperature of 56°C for a minimum of 30 minutes or 2) fumigation with methyl bromide. The term "solid wood packing material" used in previous USDA import regulations has been changed to "wood packaging material" to be consistent with ISPM #15.

WPM must be marked with the IPPC logo and the two letter ISO code for the country that treated the WPM. The marking must also include the unique number assigned by the national plant protection organization to the company responsible for ensuring the WPM was properly treated, and either the abbreviation HT (heat treatment) or MB (methyl bromide). Paper certification (treatment certificates) will not be required.

Example of the WPM mark:

XX represents the ISO country code.
000 represents the unique number assigned by the national plant protection organization.
YY represents either HT for heat treatment or MB for methyl bromide fumigation.

Exemptions:
WPM made entirely of manufactured wood material (e.g. particle board, plywood, oriented strand board) and wine and whiskey barrels, or WPM made entirely of thin pieces of wood, (6mm thickness or less) is exempted from the treatment and marking requirements. WPM made of Canadian origin wood is also exempted from the treatment/marking requirements (7CFR 319.40-3). Since determining wood origin will be very difficult and Canada is implementing ISPM #15 requirements, WPM arriving from Canada will be allowed to enter the U.S. without the IPPC mark. WPM from Canada will be inspected for pests.