

CBP Inspection Process for Oregon Seed Importations

ASTA Import/Export Workshop

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U.S. Customs and
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Content

- 7 CFR 7.37 and 7 CFR 361
- Efficiency of inspection process
- Placing holds on shipment
- Moving to the CES
- Extraction of the seed sample
- Inspection of seed sample
- Submit suspected pest to PIS
- Disposition of shipment
- Transition of seed inspection process back to port of arrival



7 CFR-319.37 and 7 CFR 361

7 CFR 319.37

- 319.37-8 (e) *Removal of plants for planting from port of first arrival.* No person shall remove any plants for planting from the port of first arrival unless and until notice is given to the collector of customs by the inspector that the plants for planting has satisfied all requirements under this subpart.

7 CFR 361 FEDERAL SEED ACT

- 361.4 Inspection at the port of first arrival.

(a) All agricultural seed, vegetable seed, and screenings imported into the United States shall be made available for examination by an APHIS inspector at the port of first arrival and shall remain at the port of first arrival until released by an APHIS inspector. Lots of agricultural seed, vegetable seed, or screenings may enter the United States without meeting the sampling requirements of paragraph (b) of this section.



Efficiency of CBP Inspection Process

- CBPAS perform inspections at the first port of arrival for all agriculture related commodities where adequate staffing and inspection related equipment and faculties allow for the performance of safe and effective inspections.
- Conducting inspections at the first port of arrival maximizes the availability of the CBPAS to ensure ALL compliant agriculture related cargo can be inspected and released in a timely manner.
- This process reduces the amount of time spent commuting off site out of the Port of Entry and maximizes work accomplished by CBPAS.



Placing Holds on Seed Shipments

- CBPAS will ensure document holds are placed in the CBP system on seed shipments before arrival into the port to ensure a document review is performed.
- Shipments that lack documents will remain on document hold until the required documents are submitted.
- Shipments with adequate documents that require inspection will be held in the CBP system for inspection.
 - CBPAS will review the invoice to determine the number of containers that need to be physically inspected at the Container Examination Station (CES).
- Upon presentation of the shipment to CBPAS at the CES, the inspection will take place immediately.
 - C-TPAT members are given front of the line privileges.



Inspection of Seed Shipments

- CBPAS will direct CES personnel to off-load the seed shipment upon presentation of shipment at the CES.
- Upon unloading, CBPAS will conduct an inspection to ensure no hitchhiking pests are present on both the interior and exterior of the container.
- CBPAS will then ensure the manifest and invoice matches the contents of the container.
- CBPAS will also inspect any wood packaging material (WPM) that is present to ensure compliance.
- CBPAS will draw samples from all seed lots present.
- CBPAS will observe seed labels for evidence of non-compliance.
- After all samples are obtained, CES personnel will reload the shipment back into the container and move the container to the CES yard or back to the terminal as applicable.



Inspection of Seed Sample

- CBPAS will immediately take the seed sample(s) into the on-site laboratory and using a dissecting microscope will analyze each sample for signs of pest, disease or contamination such as soil, FNWs or other organic material.
- If no suspected pests, disease, FNW seeds or contamination is detected the shipment is immediately released in the CBP system.
 - Note that presence of Non-compliant WPM would require re-exportation.
- Suspected pests, disease or FNW seeds will be submitted to the local Plant Inspection Stations for URGENT identification by a USDA identifier.
- If the level of soil contamination is above threshold limits, then the shipment will be refused entry.



Submitting Suspected Pests for ID

- The suspected pest or disease is submitted to the Plant Inspection Station (PIS) for URGENT identification.
- The suspected pest interception is documented in the CBP system and the form is sent electronically to the PIS.
- The pest is transported to the PIS that day or if interception is encountered at end of shift, then the pest is transported first thing in the morning on the next business day.
 - The PIS is located in Seatac, WA
- CBPAS have digital imaging systems on-site that will allow images to be transmitted to the PIS for identification. However, the preferred method of identification of pests is to analyze the actual pest.



Disposition of Shipment

- Upon receipt of the final identification from USDA for a suspected pest, CBPAS will take the appropriate action regarding shipment disposition.
- If pest is identified as non-actionable then the CBPAS will immediately release the shipment in the CBP system.
- If pest is identified as actionable, the CBPAS will initiate an Emergency Action Notification (EAN) to have the shipment re-exported, destroyed or treated accordingly.
- If non-compliant WPM is present, the shipment is subject to re-exportation.



Transition of Inspection Process to the Port of Arrival

- Transition will not commence until December 31, 2020 to ensure adequate time to incorporate the changes.
- Area Port of Seattle will host a seed inspection workshop with USDA pathologist and Oregon Department of Agriculture to share seed sampling and seed inspection techniques and related best practices.
- Area Port of Seattle will meet with CES operators to emphasize the importance of proper handling of seed importations to reduce damage, cross-contamination of lots and seed loss.
- In the Spring of 2019 the USDA Botanist conducted training sessions with Area Port of Seattle CBPAS for seed identification.
 - CBPAS can earn ID discard authority for certain non-actionable pests.



Transition of Inspection Process to the Port of Arrival - continued

- The Area Port of Seattle hosts quarterly trade meetings alternating location of meetings between Tacoma and Seattle.
 - These meetings bring together stakeholders, brokers, terminal operators and CBP to discuss pertinent issues.
 - Oregon Seed stakeholders are welcome to attend these meetings to voice any concerns or issues related to the importation process.
- CBP will remain available to immediately address any issues that may arise during the transition or at any time during the importation process.





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