Discussion Guidance for Use of State-Specific
Compliance and Enforcement and Outreach Planning Templates

Introduction
A framework for use by State Plant Health Directors (SPHD) and State Plant Regulatory Officials (SPRO) to establish state-specific strategies for compliance and enforcement has been developed as part of a joint initiative between Plant Protection and Quarantine (PPQ) and the National Plant Board (NPB)**.** The framework includes a compliance strategies template to help identify the most effective compliance and enforcement tools, and an outreach and communication planning template for use by the SPHD and SPRO. This document is intended to facilitate the SPHD-SPRO dialog concerning the use of these tools. The objective of this initiative is to improve compliance with regulatory requirements in federal-state programs and build an understanding with one another and awareness among stakeholders of our respective roles in achieving compliance and safeguarding goals.

The Compliance Strategies Template
The template lists many different compliance and enforcement tools used by both the federal and state governments to address non-compliance issues. As you work through this template, the intent is to determine who is best equipped to address the non-compliant issue, PPQ or the State. With each incident different tools may be used. Examples of non-compliant issues that might trigger the use of this template include but are not limited to:

- A noticeable decrease in compliance in a specific program area
- Recurring non-compliance in a specific program area
- Stakeholder misconception leading to non-compliance
- Non-compliance with a new or modified quarantine
- Non-compliance discovered during a routine compliance visit (field inspection, facility inspection, etc.)
- Unknown compliance
- Non-compliance due to a lack of knowledge

As you work through this template, also consider these overarching questions:

- Is this a low, medium, or high priority?
- What is the risk to agriculture and natural resources?
- Can this be resolved at the SPHD/SPRO level?
- How long will it take to complete the chosen action? Is this an acceptable length of time?
- Who, if anyone, should be informed or engaged at a higher level?
- Does it affect another state (or other states)? If so, has the SPHD and/or SPRO of the affected state or states been engaged?
- Are there other Federal, state, or local entities or other organizations that should be engaged? What is their role?
- What is the desired outcome?

There is no right or wrong way to complete the template. The template is a tool designed to facilitate open dialogue between the SPHD and SPRO to assist in developing a state specific strategy to address a non-complaint issue.

The Outreach and Communication Planning Template
This template will help facilitate compliance-focused outreach, education, and communication with your stakeholders. When a non-compliance issue occurs and needs to be addressed by both the SPHD and SPRO, the first step is to identify the key elements. This template can be used to help identify those key elements and determine a course of action based on information specific to the non-compliant occurrence. The template will help the SPHD and SPRO identify the message (what needs to be communicated?), the audience, the method of communication, the roles of the SPHD, SPRO and others, and the expected outcome.

As with the template, there is no right or wrong way to complete the planning template. The template is a tool designed to facilitate open dialogue between the SPHD and SPRO to determine the best method to communicate important information to stakeholders.

Compliance Strategies Template

INCIDENT:

DATE:

TOOL	Who has authority to use this tool?			Is this tool appropriate?	How often has the tool been used? What was result?	How would it be used?	Who will use it?	When should it be used?
	State	PPQ	Other (specify)	*[Consider tools as part of a continuum moving from compliance to enforcement]*				*[Consider factors such as length of time, severity of issue, jurisdictional roles/issues, etc.]*
Compliance Outreach and Education				Yes No				
Compliance Assistance Visit				Yes No				
Compliance Verification				Yes No				
Letter of information				Yes No				
Issue Letter of Warning				Yes No				
Issue Rejection Notice				Yes No				
Stop sale				Yes No				
Seize, Treat, or Destroy				Yes No				
Issue Emergency Action Notification				Yes No				

Prepared by Strategic Alliance Compliance and Enforcement Working Group
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Compliance Strategies Template

INCIDENT:

DATE:

TOOL	Who has authority to use this tool?			Is this tool appropriate?	How often has the tool been used? What was result?	How would it be used?	Who will use it?	When should it be used?
	State	PPQ	Other (specify)	*[Consider tools as part of a continuum moving from compliance to enforcement]*				*[Consider factors such as length of time, severity of issue, jurisdictional roles/issues, etc.]*
Deny Application for a Permit or Compliance Agreement				Yes No				
Suspend or Revoke Compliance Agreement				Yes No				
Suspend or Revoke Permit				Yes No				
Suspend or Revoke License				Yes No				
Pursue Civil Penalties				Yes No				
Court Injunction/Cease & Desist Order				Yes No				
Criminal charges				Yes No				
Alternative Penalties*				Yes No				

* Alternative penalties are sometimes sought in lieu of or in addition to civil or criminal penalties. Examples include measures such as making facility improvements, training employees, or changing business practices to address risk.

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Outreach and Communication Planning Template

Trigger:
Date:

1 of (　)	Description of Activity	Completion Status
Key Audience		
Key Message(s)		
What Do We Want Them to Understand?		
Want Do we Want Them to Do?		
Communication Methods and Products		
Success Indicators		
SPRO Role		
SPHD Role		
Role of Other Entities/Organizations		
Date of Activity/Delivery (include responsible party)		
Date of Activity/Delivery (include responsible party)		
Date of Activity/Delivery (include responsible party)		