



Animal and Plant  
Health Inspection  
Service

Plant Protection and  
Quarantine

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February 13, 2017

Mr. Joe Collins  
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Subject: Resolution No. 2 – Imported Raw Wood Products Concern

Dear Mr. Collins:

Thank you for sharing the National Plant Board's resolution about your concerns regarding the import of wood products infested with wood boring insects and other pests. PPQ shares your concerns and we are making efforts to develop and implement effective solutions. To address this issue, we conducted a thorough review of Title 7 *Code of Federal Regulations* (CFR) §319.40 Subpart—Logs, Lumber, and Other Wood Articles and determined that the existing regulatory language and requirements are sufficient. However, PPQ's Miscellaneous and Processed Product Manual, which contains APHIS guidance for inspection personnel in the ports of entry, requires considerable revision to clarify, streamline, and simplify this guidance for use by Customs and Border Protection (CBP) and PPQ field personnel, industry, and the general public. Our goal is to develop comprehensive, sustainable solutions and to implement those solutions in a manner that facilitates trade while enhancing phytosanitary safeguarding.

PPQ has determined that the recent shipments of furniture found infested with quarantine significant wood pests did not meet import requirements in the regulations and should have been prohibited entry into the United States. Both shipments met the regulatory definition of wooden handicrafts. Under 7CFR 319.40-5(o), wooden handicrafts from China must be accompanied by an APHIS PPQ import permit, a treatment certificate, and identification tags containing the identity of the product manufacturer on either the handicrafts themselves or the boxes containing the handicrafts. In addition, PPQ's work specification with China regarding wooden handicrafts requires that all wooden handicraft producers must be registered with the government of China. Neither of these shipments met any of the regulatory or work specification requirements.

PPQ is working with the states to coordinate a recall of these products, and we are working with Customs and Border Protection (CBP) to enhance targeting for non-compliant wood products and to enhance manifest review protocols. Initial enhancements included targeting specific importers and manufacturers with reoccurring violations. In addition, PPQ is working with CBP to expand the Harmonized Tariff Schedule (HTS) codes monitored for wooden handicrafts. To date, PPQ has identified 65 codes that may include wooden handicrafts. PPQ is developing

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queries to identify other HTS codes which may include wooden handicrafts. PPQ is also working with the government of China to notify them of the non-compliant manufacturers, and to request China to remind industry of the export requirements for wooden handicrafts.

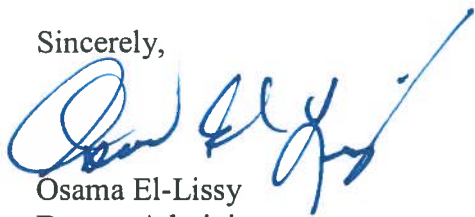
Furthermore, Title 7 CFR 319.40-9 requires a notice of arrival, which is normally and routinely satisfied through CBP's Automated Commercial Environment system. We are evaluating the feasibility of changes to our existing notice of arrival requirements. This includes an assessment of regulatory and non-regulatory options, and the relevant statutory and legal obligations associated with each option. The regulated articles affected by potential revisions are those which have received only primary processing or less, as defined in 7 CFR 319.40-1. Wood articles that have been processed beyond primary processing (i.e. have been machined into completely smooth products) are not regulated, and would not be affected by these revisions.

Over the next few months, PPQ will revise and streamline the guidance for wood and wood products in the Miscellaneous and Processed Product Manual and test the revisions in coordination with CBP. In the near term, PPQ will prepare outreach for industry including a Frequently Asked Questions website to provide clearer guidance on wood product imports from China. Additionally, PPQ will solicit industry cooperation in reaching out to the general public to create greater awareness of wood pests, and the actions to take if they find such pests.

PPQ will also begin prioritizing and scoping pest risk assessments for wooden handicrafts from other countries, which may pose a potential phytosanitary risk. PPQ does not have immediate phytosanitary concerns for wooden handicrafts from countries other than China at this time but will examine the situation more closely.

Once again, thank you for relaying the National Plant Board's concerns. I appreciate your ongoing cooperation and collaboration in protecting our nation's agriculture and natural resources.

Sincerely,



Osama El-Lissy  
Deputy Administrator  
Plant Protection and Quarantine