



## THE CENTRAL PLANT BOARD

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### CENTRAL PLANT BOARD 2008 ANNUAL MEETING Madison, Wisconsin

#### RESOLUTION NO. 3

#### COMPLIANCE AGREEMENT HOLDER NOTICE REQUIREMENT TO RECEIVING STATES

USDA APHIS PPQ develops and enters into hundreds of compliance agreements each year. These compliance agreements are intended to reduce or eliminate the risk of moving a plant pest from an infested area into a non-infested area while allowing for commercial movement of potentially regulated articles. In the case of the emerald ash borer quarantine area, it is known that there currently exist approximately 1200 compliance agreements. Quarantine breaches have occurred on at least three separate occasions of which the states are aware (TimberJack firewood, 2005; Taylor firewood, 2007; and Lowe's rustic planters, 2008). These breaches could all have been addressed sooner and more efficiently had the recipient states been made aware that the wood product from a quarantine area was being shipped to their state. As it is, with no forewarning, states are disadvantaged and unable to prepare for addressing wood products that they didn't know were coming. Inspection and enforcement could be made more efficient and effective if the non-quarantine, recipient states had known what to look for.

**RESOLVED**, by the Central Plant Board at its 84<sup>th</sup> annual meeting in Madison, Wisconsin on March 13, 2008, request that USDA, APHIS, PPQ seek full concurrence, support and approval of the State Regulatory Official.

**BE IT FURTHER RESOLVED**, that USDA in cooperation with the state ensure that a vigorous oversight program be implemented to ensure that all compliance agreements are being complied with. At a minimum, the oversight program should include a minimum of at least one unannounced inspection of the facility every six months.

**BE IT FURTHER RESOLVED**, that USDA develop and implement a proactive process of notification that provides potential recipient states with information regarding all compliance agreements written that allow movement of regulated articles out of the EAB quarantine area.

**BE IT FURTHER RESOLVED** that USDA provide language in all compliance agreements that directs the agreement holder to contact all potential recipient states to seek guidance and information regarding individual state requirements or restrictions.

**BE IT FURTHER RESOLVED**, that USDA re-issue all emerald ash borer compliance agreements that were issued before January 1, 2009 with the specified language, and any compliance agreement not reissued with the specified language after July 30, 2009 is declared null and void.

**Distribution:**

Cindy Smith, Administrator, USDA, APHIS  
Rebecca Bech, Deputy Administrator, USDA, APHIS, PPQ  
Abigail Kimball, Chief, USDA Forest Service  
Vic Harabin, Eastern Region Director, USDA APHIS PPQ  
Phil Garcia, Western Region Director, USDA APHIS PPQ  
Walker Gray Haun, President, National Plant Board  
Bob Ehart, NASDA  
Regional Plant Board Presidents