

U.S. DEPARTMENT OF HOMELAND SECURITY



FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
COMPANY:	DATE:
	2/21
PHONE NUMBER:	NO. OF PAGES:
	5 + cover
FAX NUMBER:	BILL OF LADING:
	MSC
ENTRY NUMBER:	EMERGENCY ACTION NOTIFICATION SERIAL NO.:
	2900111-1 OE

URGENT
 FOR REVIEW
 PLEASE COMMENT
 PLEASE REPLY
 PLEASE RECYCLE

NOTES/COMMENTS:

The solid wood packing material (WPM) in this shipment is lacking the IPPC markings required by 7CFR319.40. Broker/Importer may request the commodity to be separated from IPPC non-compliant WPM by submitting a CBP Form 3499 to CBP Agriculture within 48 hours.

Separated wood must be immediately exported as per 7CFR319.40 within 7 calendar days.

The cargo cannot be loaded or moved until all conditions of the EAN are met and approved by CBP Agriculture. If the importer and/or agent does not comply within the allocated time periods, CBP may issue liquidated damages, penalties, and/or seize the shipment, article, or conveyance.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information is 0578-0102. The time required to complete this information collection is estimated to average 1 hour per response, including the time reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. FORM APPROVED - OMB NO. 0578-0102

U.S. DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE EMERGENCY ACTION NOTIFICATION		SERIAL NO. 290574-POE	
		1. PPQ LOCATION TX Houston Soc CBS	2. DATE ISSUED 0
3. NAME AND QUANTITY OF ARTICLE(S) Article Name Handicrafts Or Art Made Of Natural Materials Quantity 2,850 Kilogram Description Wrist Watches, Battery, W Other Disply, Base Metal		4. LOCATION OF ARTICLES WORLD TRADE	
		5. DESTINATION OF ARTICLES ESTADO AZORES PORTUGAL ----- LITTLE ROCK AR 72204 United States of America	
6. SHIPPER CASA CHINA LIMITED 6/F, ROOM 606, HAN RUN BUILDING, N NINGBO 33 315040 China		7. NAME OF CARRIER Msc Beijing J1202	
		8. SHIPMENT ID NO.(S) Airway Bill, B/L, Etc. M Tariff Number 91 Container Num M Customs Entry Num AL	
9. OWNER/CONSIGNEE OF ARTICLES Name US PACIFIC TRANSPORT INC Address 10 City State CA Zip 91478 Country United States of America		10. PORT OF LADING Ningbo China	11. DATE OF ARRIVAL 01/
		12. ID OF PEST(S), NOXIOUS WEEDS, OR ARTICLE(S) Lacking Ispm 15 Marking	
		12a. PEST ID NO.	12b. DATE INTERCEPTED 02/
PHONE	FAX	13. COUNTRY OF ORIGIN China	
SS NO.	TAX ID NO.	14. GROWER NO.	
		15. FOREIGN PHYTOSANITARY CERTIFICATE NO. Certificate Status Not Required	
		15a. PLACE ISSUED	15b. DATE

Under Sections 411, 412 and 414 of the Plant Protection Act (7 USC 7711, 7712 and 7714) and Sections 10404 through 10407 of the Animal Health Protection Act (7 USC 8303 through 8306), you are hereby notified, as owner or agent of the owner of said carrier, premises, and/or articles, to apply remedial measures for the pest(s), noxious weeds, and/or article(s) specified in Item 12, in a manner satisfactory to and under the supervision of an Agriculture Officer. Remedial measures shall be in accordance with the action specified in Item 16 and shall be completed within the time specified in Item 17.

AFTER RECEIPT OF THIS NOTIFICATION, ARTICLES AND/OR CARRIERS HEREIN DESIGNATED MUST NOT BE MOVED EXCEPT AS DIRECTED BY AN AGRICULTURE OFFICER. THE LOCAL OFFICER MAY BE CONTACTED AT: 7 88

U.S. DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE		SERIAL NO. 290574-POE
		1. PPQ LOCATION
		2. DATE ISSUED
EMERGENCY ACTION NOTIFICATION		
16. ACTION REQUIRED		
<input type="checkbox"/>	TREATMENT	<p>The Wood Packing Material (WPM) with this shipment is noncompliant. The WPM must be re-exported. Please contact an Agriculture Officer for further explanation. Note: No cost in the remedial measures for this shipment will be incurred by The United States Government.</p> <p>7 CFR 319.40</p> <p>The solid wood packing material (WPM) in this shipment is lacking the IPPC markings required by 7CFR319.40. Broker/importer may request the commodity to be separated from IPPC non-compliant WPM by submitting a CBP Form 3499 to CBP Agriculture within 48 hours.</p> <p>The CBP Form 3499 must contain a reserved export container and Booking Reference. If the Port Director approves a request for separation, this will take place under the supervision of CBP Agriculture. Separated wood must be immediately exported as per 7CFR319.40 within 7 calendar days. Acceptance of a perforated CBP Form 7512 by CBP Agriculture is required prior to the release of the commodity or re-exportation of the commodity. The CBP Form 7512 must include the EAN #, booking reference #, reserved container, vessel, cut off date, sailing date, and final port of destination. If this information is not included on the 7512, then the 7512 will need to be re-submitted and amended per CBP guidelines. The container with non-compliant WPM must leave directly from Port of Houston and cannot transit the United States, Mexico, or Canada. Non-complaint WPM must leave directly from the CES it was separated at. All actions must be completed within 7 calendar days. Please discuss detailed requirements with CBP Agriculture.</p> <p>The cargo cannot be loaded or moved until all conditions of the EAN are met and approved by CBP Agriculture. If the importer and/or agent does not comply within the allocated time periods, CBP may issue liquidated damages, penalties, and/or seize the shipment, article, or conveyance.</p> <p>If pests are intercepted during or after the separation of the non-compliant WPM/Dunnage, then the entire shipment will be required to be safeguarded immediately and fumigated and/or re-exported.</p> <p>* Should the owner or owner's agent fail to comply with this order within the time specified below, USDA is authorized to recover from the owner or agent cost of any care, handling, application of remedial measures, disposal, or other action incurred in connection with the remedial action, destruction, or removal.</p>
<input checked="" type="checkbox"/>	RE-EXPORTATION	
<input type="checkbox"/>	DESTRUCTION	
<input type="checkbox"/>	OTHER	
17. AFTER RECEIPT OF THIS NOTIFICATION COMPLETE SPECIFIED ACTION WITHIN (Specify No. Hours or No. Days): 7 Days		18. SIGNATURE OF OFFICER Ki
ACKNOWLEDGEMENT OF RECEIPT OF EMERGENCY ACTION NOTIFICATION		
<i>I hereby acknowledge receipt of the foregoing notification.</i>		
SIGNATURE AND TITLE		DATE AND TIME
19. REVOCATION NOTIFICATION		
ACTION TAKEN		
SIGNATURE OF OFFICER		DATE

U.S. CUSTOMS AND BORDER PROTECTION
Department of Homeland Security
 SEAPORT OF HOUSTON/GALVESTON

PUBLIC INFORMATION NOTICE

DATE: June 18,
2008

NUMBER: HOU-
08-005

FOR FURTHER INFORMATION
CALL: D: 1-
607-0301

SUBJECT: Requirement change for violative WPM separation requests.

Purpose

This notice is to inform concerned parties of a requirement that must be met in order to receive approval for separation of violative WPM, in accordance with 7 CFR § 319 and described in the Operating Procedures for Implementation of the Wood Packaging Materials (WPM) Regulation Version 3.

Background

The United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) revised its import regulation for wood packaging materials, 7 CFR § 319. The final rule was posted in the Federal Register September 16, 2004, with an effective date of September 16, 2005.

The regulation requires non-exempt WPM used in international trade to be treated to kill harmful insects that may be present. WPM must be marked with the International Plant Protection Convention (IPPC) logo, the two-letter International Organization for Standardization (ISO) code for the country that treated the WPM, the treatment facility number assigned by the national plant protection organization, and either HT for heat treatment or MB for methyl bromide. In some instances separation of unmarked violative WPM from compliant WPM or associated merchandise may be authorized. Any request for separation must be submitted via a CBP 3499.

Procedures

When submitting a CBP 3499 requesting separation of violative WPM a number of factors must be met before the Port Director will consider reviewing the request.

One of these factors is ensuring that proper safeguards are in place to control and isolate any possible pest risk after separation from the cargo. Prior to any consideration of a separation request the requesting party must arrange for the separated WPM to be reloaded directly into the container which will be used in the re-exportation of the violative WPM. Any movement of the container after it has been reloaded and sealed and prior to immediate re-exportation will require the approval of a CBPAS supervisor.

***DISCLAIMER:** This information has been prepared for your convenience by the CBP officers at the Port of Houston/Galveston. This material is intended to provide guidance. Recognizing that many complicated factors are involved in Customs matters, an importer may wish to obtain a binding ruling under 19 CFR Part 177. Reliance solely on this information may not be considered reasonable care. Importers are referred to Treasury Decision 97-96, which was published in the Federal Register of December 4, 1997, and in the Customs Bulletin of December 17, 1997, for in-depth information on the concept of reasonable care.*

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U.S. CUSTOMS AND BORDER PROTECTION
Department of Homeland Security
 SEAPORT OF HOUSTON/GALVESTON

PUBLIC INFORMATION NOTICE

DATE: December 14, 2009	NUMBER: HOU-SEA-10-02	FOR FURTHER INFORMATION CALL: D: 1- 877-837-8884
SUBJECT: Emergency Action Notifications and/or Safeguard Orders		

Purpose

The purpose of the Emergency Action Notification (EAN) is written notification to inform an owner, agent, or importer that a pest, disease, or other quarantine issue is present within a shipment, article, conveyance, or premises. The initial contact and quarantine instructions may be made verbally by U.S. Customs and Border Protection (CBP). Failure to follow the requirements of a Emergency Action Notification or the initial verbal quarantine order is contrary to the Plant Protection Act (7 USC 7711, 7712, and 7714) and Sections 10404 through 10407 of the Animal Health Protection Act (7 USC 8303 through 8306).

Background

The Emergency Action Notification (EAN) is a document utilized to enforce foreign quarantine orders under Animal and Plant Health Inspection Service (APHIS) regulations. When an emergency or quarantine action must be taken on a shipment, article, conveyance, or premises, the EAN facilitates communication of a specific action to the responsible parties in writing. CBP may issue verbal quarantine action orders initially. The EAN specifies to the importer, importer's agent, agent or owner the reason(s) why a product, conveyance or premises requires specific quarantine measures, remedial procedures, and a timeframe for completion of the quarantine orders.

Procedures

When a quarantine issue is discovered, action must be taken to safeguard or resolve the issue in a timely manner. The Agriculture Specialist will issue a PPQ Form 523 (Emergency Action Notification) to the importer, importer's agent, or other responsible parties, notifying them of the quarantine issue and the action or actions that must be taken. For most quarantine actions CBP will provide several options to the importer, agent, or owner. These options will be listed in item 16 of the EAN. A copy of the EAN will be provided to the importer, owner, or agent with a request to sign acknowledgement of receipt and indicate the appropriate option you wish to take to satisfy the quarantine order. CBP will generally allow up to 48 hours for the owner or agent to decide on the

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quarantine actions they are willing to proceed with to satisfy the quarantine order. The time allotted will be entered into block 17 of the EAN. The action(s) chosen on the EAN must be completed within a designated time by the importer, owner or their agent. Timeframes for completion of the quarantine order may require immediate action or up to seven calendar days. Any extensions of the timeframe must be approved by CBP in advance. If the importer and/or agent do not comply with the quarantine order within the allocated time periods, or if the importer, agent or owner abandons the shipment, CBP may option to issue liquidated damages, penalties, and/or seize the shipment, article, or conveyance. Abandonment of a quarantine product is a violation of APHIS regulations, and all costs to destroy treat, and/or re-export will be the responsibility of the importer, agent, and/or owner.

If you option to re-export the article, a valid CBP Form 7512 will be required prior to the movement of the article for export. Additional information required by CBP prior to acceptance of the CBP Form 7512 will be stated in block 16 of the EAN, or in a separate request.

A completed CBP Form 3499, *Application and Approval to Manipulate*, will be required prior to any approval of wood packing material separation. A CBP Form 3499 may also be required when manipulation of cargo is required to meet the conditions of an EAN; the CBP officer or agriculture specialist will specify when this form is required. Any required destructions, treatments, or manipulations of cargo involving a quarantine order must be under the supervision of CBP or USDA. When required the name of the entity(s) which will perform the manipulation, cartage, and destruction of regulated materials must be listed in the description column of the CBP Form 3499. Additional information required by CBP Agriculture prior to acceptance of the CBP Form 3499 will be stated in block 16 of the EAN.

/s/

Lynn F. Smith
Acting Area Port Director
Houston/Colombia