

Lets Talk Containers



Subject Items

- Stowage Exams



- Phytosanitary Inspections



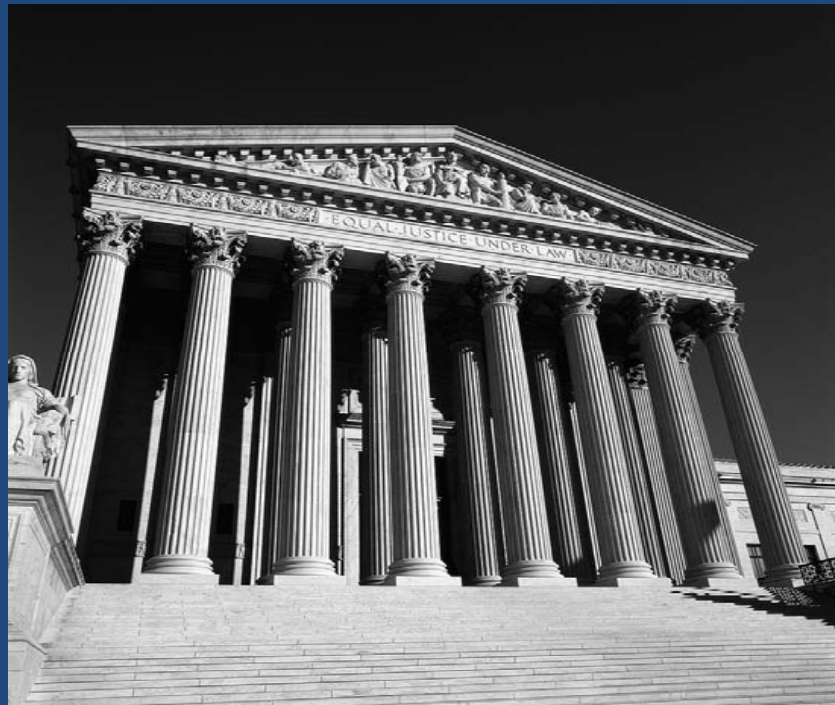
- Container Final Rule



Stowage Exams



- Sections 800.75(f) and (j) of the regulations under the USGSA require that a prior-to-loading stowage examination be performed when an export or outbound domestic lot of grain is officially sampled and inspected at the time of loading, when an outbound lot of grain in a land carrier is officially weighed, or when an official checkloading service is requested.



Stowage Exams

- Applicants should offer Food grade containers
- **Problem Areas Include:**
 - Previous cargo
 - Odor (Fuel, pesticides, hides)
 - Door Seals
 - Checking for Leaks
 - Damaged floors
 - Water or condensation
 - Stained floors
 - Insects
 - Peeling Paint



Can a shipper use cardboard to cover up oil residues that are left on container floorboards?

Answer

No, any type of residues in the container stowage area must be cleaned and dried before the stowage area is approved.

Stowage Guidelines

- Follow the guidelines set forth in FGIS Directive 9180.48.
- In general, the stowage area must comply with the standards of fitness established in the directive to be considered clean, dry, free of infestation, rodents, toxic substances, and foreign odor; and suitable to store or carry bulk or sacked grain, rice, beans, peas, lentils, or processed commodities.
- The stowage area, including hatch covers and other openings, must not have holes, cracks, or any other condition that could cause a change in the weight or condition of the commodity. Examine the inside and outside of the container for all conditions listed in Section 7, Standards of Fitness.

Stowage Guidelines (cont.)

- Temporary repairs, including the use of tar tape, are unacceptable.
- Also, examine the door gaskets, panels, and hinges to ensure that the doors provide for a light/water tight seal when closed.
- Enter the container, close the doors, and then examine the closure from the inside to see if there is any penetrating light.
- Ensure that there is sufficient light (does require a flashlight) to examine the container for insects and other debris.



Stowage Guidelines (cont.)

- When examining the inside of the container, check for penetrating light to ensure that the container is free from small holes, cracks, separated floorboards, loose or missing fasteners, or other similar defects that could expose the product to damaging conditions (e.g., rain).
- Cracks or holes in the roof, doors, or side panels must be satisfactorily repaired by welding or permanently affixing a patch of like material (e.g., steel, aluminum, fiberglass) to the affected area.

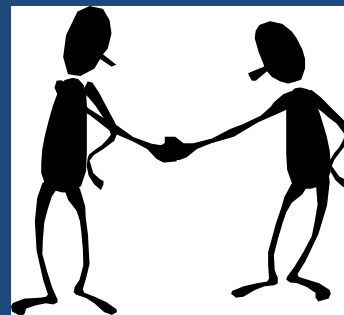
Liners / Lamination

- FGIS does not allow 'liners' or 'lamination' to be placed in containers in lieu of stowage exam.
- Liners/Lamination can only be placed in containers following the container passing the stowage exam.
 - * For shipments of sacked commodities, plastic liners may be used instead of removing loose rust scale. If so statement must be placed on stowage examination certificate.



GIPSA / APHIS MOU

- In November, 1981 GIPSA/FGIS and APHIS/PPQ entered into an agreement to aid shippers in obtaining phytosanitary inspection services at export locations in the United States and Canada
- The agreement, or Memorandum of Understanding (MOU), provided FGIS with the authority to inspect export lots of grain for the presence of insects and other pests (e.g., weed seeds).
- In 2005, APHIS and GIPSA agreed to expand the scope of this MOU to include export grain shipped by containers, trucks, and railcars from interior locations
- In 2007, MOU further expanded GIPSA's authority to include inspection of processed grain products



GIPSA's Responsibilities

- Follow standardized sampling procedures to draw official samples from a lot and examine the sample for live insects, larvae, and other pests prohibited by the country of destination.
- For assistance with identifying insects, use the following link to view the
 - USDA, Agriculture Research Service, Stored-Grain Insects, Agriculture Handbook Number 500:
<http://www.ars.usda.gov/SP2UserFiles/person/2863/pdffdocuments/StoredGrainInsects.pdf>
- Notify APHIS of any live insects or other pests that can not be identified. APHIS will then provide the identification.
- Upon request of APHIS, GIPSA will witness the fumigation of grain infested with insects that are prohibited by the country of destination.
- Upon completion of the inspection GIPSA will promptly provide the completed FGIS 921-2 form, with the pertinent information about any detection of adults insects, larvae or other pests, directly to the applicant for service and/or fax, mail, or electronically submit a completed copy of the form to the APHIS/PPQ office that will issue the phytosanitary certificate.



Applicant's Responsibilities

- Must request phytosanitary inspection service
- Provide official inspection personnel with adequate onsite work space. Space is adequate if it meets the location and safety requirements specified by official personnel
- Make each lot for inspection fully accessible and safe for obtaining a representative sample.

Providing Fumigation Info on 921-2

- Complete the “Fumigation Information” section according to the following guidelines for vessels, lash barges, land carriers, and river barges when fumigating grain.
 - In-Transit Fumigation – if the fumigation is performed according to official procedures the fumigation information will be placed on the 921-2
 - Stationary Fumigation – if official personnel are present to witness the fumigation, the fumigation information will be placed on the 921-2
 - If official personnel are present to witness the fumigation, even if not done according to official procedures, the fumigation information will be placed on the 921-2
 - If official personnel are not present to witness the fumigation, the fumigation information should only be put on the 921-2 if official fumigation procedures are followed, i.e. the fumigator provides the required documentation.
 - **NOTE: The “Treatment” box should always be left blank per FGIS 921-2 instructions.**



Submitted vs. “Type” Sample (PBB #254)

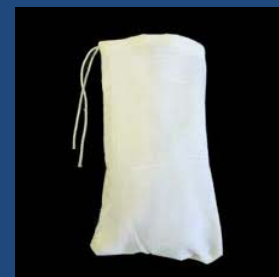
- As stated in Directive 9180.35, phytosanitary inspection service is not available on the basis of a Submitted sample service. However service is acceptable on the basis of Type sample.
 - Submitted Sample- A sample submitted by or for an interested person for official inspection, other than an official sample. The sample is generally identified as a portion of the Lot or carrier.
 - Example: 5 pound bag of dried distiller grains, sampled by shipper, representing a bulk container shipment; carrier ID 123xyz.
 - “Type” Sample- These samples are typically used by shippers to send to prospective buyers. It is a quantity that has been presented by or for an interested person for official inspection. The quantity is identified as the entire Lot and the 921-2 is issued accordingly.
 - Example: 5 pound bag of dried distiller grains representing itself, 5 pounds of dried distiller grains.



Submitted vs. "Type" Sample (cont.)

- Completing 921-2
 - Sublot Number/Carrier ID- enter the Sample ID
 - Quantity - enter total weight (grams/pounds) of type sample.
- Completing Certification
 - Processed or Graded Commodities - issue a submit AMA certificate. Identify the sample as a "Type" sample in the Remarks section.
 - Grains- issue a submit USGSA certificate. Identify the sample as a "Type Sample" in the Remarks section.

Note: If official sampling is required, revert to Official Sample Lot inspection and certify accordingly.



Fumigation Information for Processed Commodity Phyto Inspections (PBB #255)

- In November 2012, Vietnam informed APHIS that they were implementing additional measures to Distillers Dried Grains with Solubles (DDGS) shipments in order to reduce the incidence of reported infestations of Larger Cabinet Beetles (*Trogoderma inclusum*). All DDGS shipments to Vietnam are now required to have an APHIS phytosanitary certificate indicating that the product was either heat treated or the product in the carrier (container) was treated with phosphine or methyl bromide prior to export.
- Because FGIS does not have “official fumigation procedures” for bulk processed commodities there has been some concerns by FGIS and APHIS on the method of reporting fumigation information on the FGIS 921-2. To alleviate uncertainty, the following policy has been established.



Fumigation Information for Processed Commodity Phyto Inspections (cont.)

- This policy is to be applied for all carrier types:
 - If the fumigation is witnessed by official personnel, the fumigation section will be completed on the FGIS 921-2.
 - If the fumigation is not witnessed, the fumigation section will be completed on the FGIS 921-2, however the Name of Inspector block will be left blank.

Note: The fumigation information that is documented will be what the licensed fumigator provides.



Container Final Rule



FGIS recently revised the procedures for official grain inspection and weighing services performed under the authority of the U.S. Grain Standards Act (USGSA), as amended (7 U.S.C. 71 et seq.). FGIS amended the following regulations:

- **7 CFR 800** – **Meaning of Terms**
- **7 CFR 800.84** - **Average or Composite grades for single lots and Limiting the number of containers to 20**
- **7 CFR 800.85, .97-.98** - **Combined-Lots and Weighing**
- **7 CFR 800.152** - **Sample Retention**



Justification

- These amendments will promote fairness by setting regulations for exported grain in containers that are parallel to those we already have for grain exported in shiplots, unit trains, and lash barges.
- It will promote confidence in the USDA certification process and in the quality of U.S. grain exports.

7 CFR 800 – “Meaning of Terms”

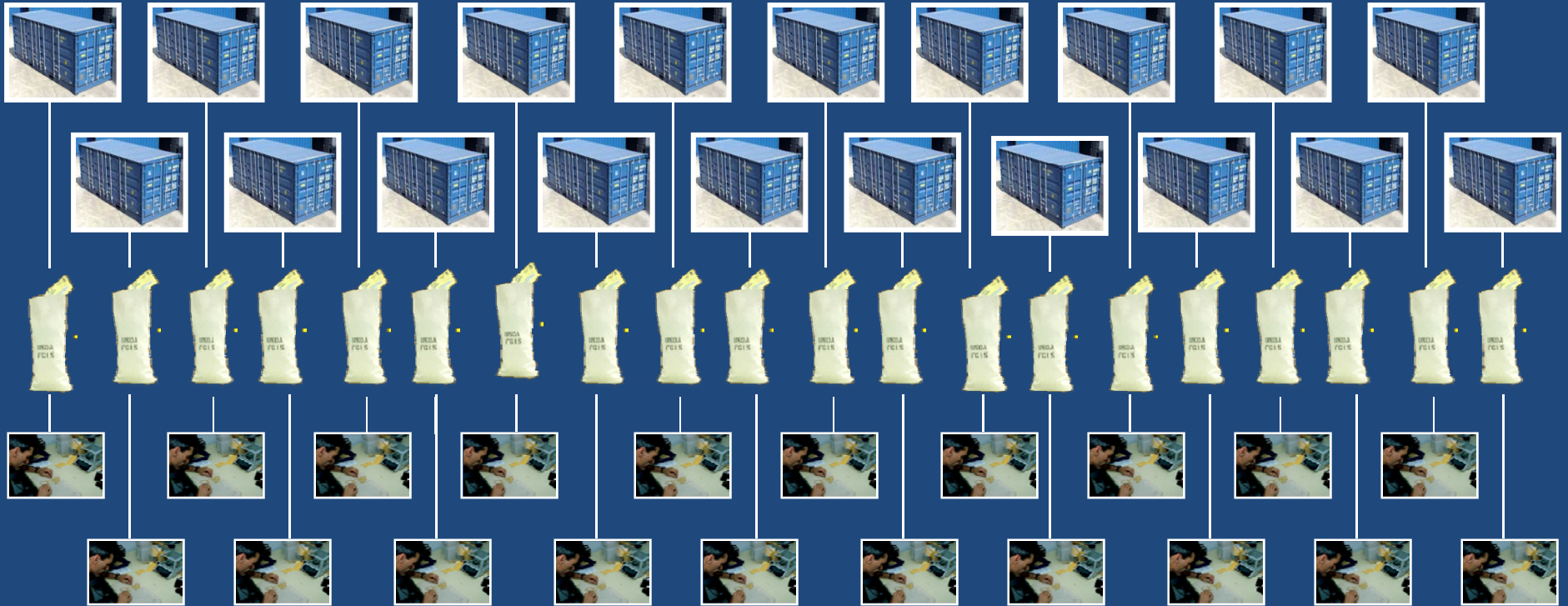
- **Average Grade (a.k.a. Average Composite)**- Multiple carrier units or sublots that are graded individually then averaged to form a single lot inspection.
- **Composite Grade**- Multiple samples obtained from the same type of carriers (*e.g.* trucklots, containers) that are combined into one sample for grade to form a single lot inspection.

7 CFR 800.84- Multiple Carrier in single Lots

- FGIS amended 7 CFR 800.84 , “Inspection of grain in land carriers, containers, and barges in single lots” to add procedures for inspecting and certifying average or composite grades for single lots. FGIS restricted the number of containers that may be averaged or combined in a single lot to **20** containers. All containers in the single lot must be inspected within the official service provider’s area of responsibility...in other words no crossing boundaries on single lots!



Average Grade/Average Composite → Single Certificate



(Average)

UNITED STATES DEPARTMENT OF AGRICULTURE NATIONAL GRAIN INSPECTION SERVICE OFFICIAL GRAIN INSPECTION CERTIFICATE		AMOUNT OF GRAIN INSPECTED ORIGINAL NOT RECORDED
Quantity: 120,000 Pounds		Certificate No.: US-NO107461
CLASSIFICATION OF GRAIN BY VARIETY OR IDENTIFY		
QUALITY AND OTHER INFORMATION AS DETERMINED BY INSPECTOR		
U.S. No. 1 or better Below Standard 13.99, Below 2.14, Damaged because of mold 0.00, Wet, heated, 1.0, 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, 9.0, 10.0, 11.0, 12.0, 13.0, 14.0, 15.0, 16.0, 17.0, 18.0, 19.0, 20.0, 21.0, 22.0, 23.0, 24.0, 25.0, 26.0, 27.0, 28.0, 29.0, 30.0, 31.0, 32.0, 33.0, 34.0, 35.0, 36.0, 37.0, 38.0, 39.0, 40.0, 41.0, 42.0, 43.0, 44.0, 45.0, 46.0, 47.0, 48.0, 49.0, 50.0, 51.0, 52.0, 53.0, 54.0, 55.0, 56.0, 57.0, 58.0, 59.0, 60.0, 61.0, 62.0, 63.0, 64.0, 65.0, 66.0, 67.0, 68.0, 69.0, 70.0, 71.0, 72.0, 73.0, 74.0, 75.0, 76.0, 77.0, 78.0, 79.0, 80.0, 81.0, 82.0, 83.0, 84.0, 85.0, 86.0, 87.0, 88.0, 89.0, 90.0, 91.0, 92.0, 93.0, 94.0, 95.0, 96.0, 97.0, 98.0, 99.0, 100.0		
STORAGE		
EQUIP. NOS. 1, 2, 3, 4, 5, 6, 7		
REMARKS		
THIS OFFICIAL CERTIFICATE AND RECEIPT ARE VALID FOR THE GRAIN INSPECTION SERVICE ONLY AND ARE NOT VALID FOR ANY OTHER PURPOSE.		



Reasonably Continuous Operation a.k.a. the 88-hour rule

- ***Reasonably continuous operation:*** A loading or unloading operation in one specific location which does not include inactive intervals in excess of 88 consecutive hours.
- This does not mean you have to load a single lot in 88 hours, just that there are no breaks in loading a single lot exceeding 88 hours.
- This applies to the loading/unloading of containers, ships, trains, trucks, as well as the weighing.



Reasonably Continuous Operation a.k.a. the 88-hour rule

- If loading/unloading or weighing has breaks in excess of 88 hours that are due to unusual circumstances, please contact your Field Office Manager to explain the scenario as this requirement may be waived at the local level.
- If a waiver is not granted, composite all samples up to that point and certify on the single lot certificate.



Mycotoxins

- No longer unlimited
- Max containers to be composited/averaged as a single lot is capped at 20
- Acceptable to grade individually, and test composite for mycotoxins
- Average composites – may not include containers that exceed contract or FDA limits
- Example of *Unacceptable Average Composite*:

1	2	3	4	5	6	7	8	9	10
10 ppb	5 ppb	0 ppb	0 ppb	3 ppb	18 ppb	25 ppb	12 ppb	2 ppb	0 ppb



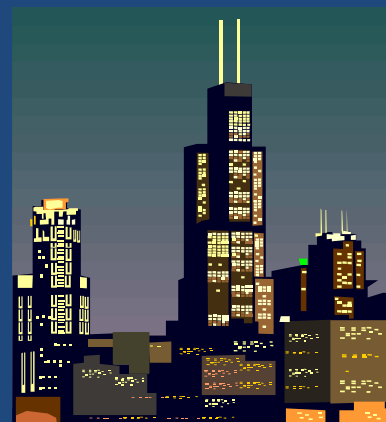
Default

If the applicant does not select average grade/average composite analysis or composite analysis as the method of inspection for up to 20 containers in a single lot, the default will be 1 container → 1 certificate.

An official USDA form titled 'OFFICIAL EXPORT GRADE INSPECTION CERTIFICATE'. The form includes fields for 'Description, Unit and Grade', 'Quantity', 'Origin', and 'Inspection Date'. It also features a large circular seal at the bottom right and a 'USDA' logo at the top left.

7 CFR 800.85 (continued)

- Multiple single lots of up to 20 containers that are of the same grade/quality may be combined with other single lots to form a combined lot. This may be done across different official service providers' boundaries.



Example

- 60 containers of U.S. No. 2 Yellow Soybeans certified as three single lots of 20 in North Carolina may be combined with 40 containers of U.S. No. 2 yellow soybeans certified as two single lots of 20 in Washington State. One OSP will issue a combined lot certificate for all 100 containers.



X 60



+



X 40



=



X 100 → 1 FGIS combined lot



Combined Lot Certification Procedures

- Have applicant send ALL single lot inspection certificates as pdf files along with an application for combined lot inspection service to whichever OSP they would like to combine the lots.
- The requested OSP should ensure that the application is received within two business days of the date of service on the latest single lot inspection certificate.

Combined Lot Certification Procedures

- The requested OSP should supersede ALL of the single lot inspection certificates.
- In the “Remarks” section state:
 - This combined lot certificate supersedes certificate Nos. _____, dated _____; and “ “ “
- E-mail the combined lot certificate to the applicant and carbon copy all of the OTHER OSPs as well as Janine Goodson.
Janine.K.Goodson@usda.gov 816-659-8401



Combined Lot Certification Procedures

- In addition to sending the combined lot certificate, please send ALL of the OTHER OSPs' single lot certificates to be Voided to the OTHER OSPs and an Excel spreadsheet that includes the following to Janine Goodson:
 - Single Lot Certificate Numbers (to be Voided)
 - Dates of Service
 - Identification
- Note: Please place ALL Container ID numbers in the “Remarks” section of the combined lot certificate and NOT on a separate sheet.



7 CFR 800.97

- FGIS amended **7 CFR 800.97**, “Weighing grain in containers, land carriers, barges, and shiplots” to clarify requirements for containers.
- FGIS did not restrict the amount of containers that may be placed on a weight certificate.



7 CFR 800.98 Weighing

- FGIS amended 7 CFR 800.98, “Weighing grain in combined lots” to allow grain weighed at multiple locations to be certified as a combined lot.
- Weighing grain in combined lots may also be done across different official service providers’ areas of responsibility.



7 CFR 800.152 Sample Retention

- FGIS amended **7 CFR 800.152**, “Maintenance and retention of file samples” to add requirements for retaining file samples from containers and from short voyage ships and barges, and to include retention periods for the storage of file samples for containers.
- Hold outbound and export file samples for a minimum of 60 days.



Summary

PROCEDURE	OLD WAY	NEW WAY
Max # containers that can be graded as a single lot	Unlimited	20
Max # containers on a weight certificate	Unlimited	Unlimited
Max # containers that may be composited for mycotoxin tests	Unlimited	20
Time Restriction	None	No breaks exceeding 88 hours
File Sample Retention	Regs silent – 60 day policy	Minimum 60 days
Boundary Restriction	No combining lots across boundaries	Ok to combine certified single lots across boundaries to form combined lots.

Conclusion

- By defining and setting procedures for average grades/average composites and composite grades, restricting the inspection and weighing to an OSP's area of responsibility, specifying a 60-day retention period for container file samples, and making the 88-hour rule applicable to containers as we have done with other carriers, FGIS is helping to facilitate the marketing of U.S. grain shipped for export.

Questions



For further information please contact:

- FGIS' Policies, Procedures, and Market Analysis Branch
- Your Field Office Manager.

Thank you!

