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Animal and Plant Health Inspection Service (APHIS)
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January 31, 2020

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Legislative and
Public Affairs

Freedom of
Information

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This is the final response to your Freedom of Information Act (FOIA) request dated February 12, 2017 and received in this office on February 13, 2017. Your request was assigned tracking number 2017-APHIS-02224-F. You requested “*a digital/electronic copy of each PPQ policy available at this internal website location: <http://inside.aphis.usda.gov/ppq/DAPolicy>.*”

Your request was forwarded to the Plant Protection and Quarantine (PPQ) office to search for responsive records. PPQ employees conducted a thorough search of their electronic/database on April 25, 2017 and located the enclosed 173 pages responsive to your request. These documents are appropriate for release in its entirety, without redaction.

You may contact Ms. Sophie Lau-Lopez, the analyst who processed your request at (301) 851-4083, or by email to Sophana.n.Lau_Lopez@usda.gov, as well as Ms. Beth Jones, our FOIA Public Liaison, at (301) 851-4100 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Although no information was withheld, you still have the right to appeal the adequacy of search by the program office(s). You may administratively appeal by writing to:

**Administrator
Animal and Plant Health Inspection Service
Ag Box 3401
Washington, DC 20250-3401.**

FOIA 2017-APHIS-02224-F

Your appeal must be postmarked or electronically transmitted within 90 days of the date of this response letter. If you choose to appeal, please refer to **2017-APHIS-02224-F** in your appeal letter and add the words **"FOIA Appeal"** to the front of the envelope. To assist the Administrator in reviewing your appeal, please provide specific reasons why you believe modification of the determination is warranted.

Sincerely,

**JANELLE
JORDAN**

Digitally signed by
JANELLE JORDAN
Date: 2020.01.31
10:08:57 -05'00'

For:


Tonya G. Woods

Director

Freedom of Information & Privacy Act

Legislative and Public Affairs

Enclosures

 APHIS PPQ-PHP Quarantine Policy, Analysis and Support (QPAS)	Alan Green	Title: Director, Plant Health Programs (PHP)		Number: PPQDA#002-04
	Owner: TBD Title QPAS Director	Revised date: August 25 2004	Revision No.: 007	Page: 1 of 21

Plant and Product Recalls

QPAS

Guidelines for Conducting National Recalls

Plant and Product Recalls

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Introduction

Controls and remedial measures at a port of entry are designed to prevent plant pests, diseases, and prohibited articles from entering the U.S. marketplace. However, not all pests, diseases, and prohibited articles are stopped at the port of entry, and they could become disseminated in the marketplace to the consumer. If this happens, additional remedial measures may have to be considered, such as a product recall.

Although the word “recall” is not mentioned in the Plant Protection Act, it grants Plant Protection and Quarantine (PPQ) authority to prevent the dissemination of a pest under Sec. 414 (b)(1), General remedial measures for new plant pests and noxious weeds. Therefore, PPQ may hold, seize, quarantine, treat, apply other remedial measures to, destroy or otherwise dispose of any plant, plant pest, noxious weed, biological control organism, plant product, article, or means of conveyance that is moving into or through the United States.

Although PPQ does not have explicit authority to order a company to “recall” a product to a central location, PPQ has the authority to order compliance with remedial measures to prevent the dissemination of pests. PPQ formally orders remedial measures with an Emergency Action Notification (EAN), and compliance with an EAN is NOT voluntary. Effectively, these are tools that give PPQ the legal authority to conduct a recall. Asking a company to consolidate their product in a central location would be voluntary, but they could be coaxed to do so as an alternative to the remedial measures that are not voluntary.

In considering remedial measures, the statute requires the Secretary to prescribe the least drastic action to achieve the objective of not disseminating pests. For instance, if a treatment is readily available, it should be offered in lieu of mandatory destruction. A recall could facilitate this policy.

Purpose

These guidelines are primarily designed for national recalls that are based on the following types of interceptions found or reported in the marketplace:

- significant quarantine pests
- prohibited articles not confined to local distribution
- commodities contaminated with prohibited articles not confined to local distribution

In addition, these guidelines can be used for any recall that may require national oversight from the Quarantine and Analysis Support (QPAS) staff. Recalls that only involve a local distribution may be coordinated regionally.

Scope

These guidelines and tasks support the remedial measures necessary to prevent the further dissemination of actionable plant pests and diseases, and prohibited products that have been disseminated in the marketplace and beyond the controls of the port of entry.

Users

Users of these guidelines include the QPAS Assistant Director, National Recall Review Team, and all regulatory officials participating in a national recall.

Roles and Responsibilities

Headquarters

PPQ Deputy Administrator

The Deputy Administrator of Plant Protection and Quarantine (PPQ) may authorize a recall action when the QPAS Assistant Director and the appropriate members of the National Recall Review Team determine that sensitive issues concerning a recall fall outside their decision making authority.

QPAS Assistant Director

The Quarantine Policy and Analysis Support (QPAS) Assistant Director is the leading member of the National Recall Review Team at the Headquarters level. With consultation from appropriate members of the National Recall Review Team, the QPAS Assistant Director can authorize a local or national recall. In addition, the QPAS Assistant Director may also function as the commander or delegate a headquarters' commander to conduct a national recall.

PIM Assistant Director

The Phytosanitary Issues Management (PIM) Assistant Director consults with the QPAS Assistant Director or designee and the Regions to validate the current regulatory status of prohibited plants and other articles. The PIM Assistant Director is a member of the National Recall Review Team at the Headquarters level. The field may consult with a member of the PIM staff to validate the current status of a prohibited article that is considered for a recall.

VRS Assistant Director

The Veterinary Regulatory Support Assistant Director consults with the QPAS Assistant Director or designee and the Regions to validate the current regulatory status of prohibited animal products. The VRS Assistant Director is a member of the National Recall Review Team at the Headquarters level.

Biological & Technical Services Assistant Director

The Biological & Technical Services (BTS) Assistant Director is a member of the National Recall Review Team and alerts the QPAS Assistant Director or designee when an actionable pest has been identified. In addition, the BTS Assistant Director or their representative provides advice on the pest risk associated with the recall. BTS validates the quarantine status and provides background information of the intercepted pests. (This information may include whether the pest is exotic, has limited distribution, but is under official control; the pest's range; and its ability to survive in the environment)

PPQ Regional Offices

The Regional Program Manager and SITC Director are members of the National Recall Review Team. Either can be designated by the Regional Director as an "Incident Commander" of large scale recalls. In addition, they may consult with the QPAS Assistant Director or designee to determine the preliminary characterization of the seriousness of the pest or prohibited articles found in the marketplace.

National Recall Review Team

The appropriate members of National Recall Review Team, in consultation with the QPAS Assistant Director or designee, determine the preliminary characterization of seriousness of the pest or prohibited articles found in the marketplace. This may include assessing the potential to damage agricultural business and potential impacts on the environment in order to advise the QPAS Assistant Director whether a recall is warranted. The core members of the National Recall Review Team include the QPAS Assistant Director, PIM Assistant Director, BTS Assistant Director, and the VRS Assistant Director. The QPAS Assistant Director heads the National Recall Review Team and makes final decisions relating to national recall unless the decision is deferred to the PPQ Deputy Administrator.

LPA

The Legislative and Public Affairs staff sends a recall notice to the public at the request of the QPAS Assistant Director or designee

Data Management and Analysis

The Data Management and Analysis (DMA) staff creates and maintains spreadsheets of large-scale recalls. DMA will update spreadsheets on recalls and make them available on a regular basis to the PPQ Regions and the QPAS Assistant Director or designee. Information will include status of EAN's, list of impacted stores or companies, and status of pest interceptions.

Regions

Plant Protection and Quarantine Officer (PPQO)

Officers will provide all pertinent information regarding the suspect/prohibited product found distributed in commerce to the Regional SITC Director, Senior Regional Program Manager, QPAS Assistant Director or designee, and to the VRS for animal products and animal byproducts. Officers will use the Recall Worksheet (see attachment A, Recall Worksheet) to convey this information and attach all pertinent documents to it.

Local PPQ and State cooperators should concentrate their activities on getting recalled products off the shelves of individual stores and establishments. They should follow procedures for remedial action established by the QPAS Assistant Director and the appropriate members of the National Recall Review Team. In addition they should take additional actions, as seen necessary, to mitigate clear pest risk.

Safeguarding, Intervention and Trade Compliance (SITC)

Initially, SITC will concentrate its resources on working with distribution centers and corporate offices to contain and consolidate recalled products. SITC and FSIS (Food Safety and Inspection Service) may be tasked to pick up recalled products.

PPQ State Plant Health Director (SPHD)

The SPHD, or designee, will be responsible for contacting State Plant Regulatory Officials (SPROs) and leads recall activity in their State. In addition the SPHD coordinates State support through the office of the SPRO.

State Plant Regulatory Official (SPRO)

The SPRO or designee may provide assistance to recall activities in coordination with the SPHD.

Key Contacts

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Related Documents

Title IV – Plant Protection Act (PPA), Sec. 414 (b) (1), General remedial measures for new plant pests and noxious weeds.

Guidelines and Tasks

Overview

A recall may be warranted based on different types of interceptions, including significant quarantine pests, prohibited items, and cargo contaminated with prohibited items. These guidelines are designed for national recalls that are caused by interceptions of quarantine significant pests and prohibited articles that are found in the market place and outside the controls of the port of entry. In addition, these guidelines and tasks may be used for any recall that requires national oversight from the Quarantine Policy, Analysis and Support (QPAS) staff.

Initially, if a PPQ Officer finds a suspected quarantine pest in the marketplace, outside the controls of a port of entry, they designate the interception as urgent and send it to the local identifier. If the local identifier or the National Identification Service (NIS) confirms the interception as a quarantine pest, the NIS staff notifies the PPQ Officer, the Region, and the QPAS Assistant Director that action may be required.

If a PPQ Officer finds only a prohibited article in the marketplace, they notify the Region, and the Region may decide to notify the QPAS Assistant Director if the scope of the problem is not limited to local distribution and, therefore, may require national oversight.

If national oversight is required, PPQ Officers send information to QPAS via the Region, and QPAS requests information from the field via the Region. QPAS conducts national recalls through the Region to the field. In addition, the QPAS Assistant Director or designee coordinates all communication with the public through LPA.

Summary of Recall Guidelines and Tasks

Preliminary Recall Analysis

- Task 1- Identify and Report Prohibited Articles or Actionable Pests**
- Task 2- Convene the National Recall Review Team and Consult with Other Groups as Necessary**
- Task 3- Determine the Distribution of the Problem**
- Task 4- Determine if the Problem is Serious Enough to Continue with the Recall Analysis**
- Task 5- Determine Whether to Start the Recall Process**

Recall Process

- Task 1- Determine if Approval is Needed from the PPQ Deputy Administrator**
- Task 2- Announce the Recall**
- Task 3- Organize Infrastructure and Communications for the Recall**
- Task 4- Conduct the Recall**

Preliminary Recall Analysis

Task 1- Identify and Report Prohibited Articles or Actionable Pests

- PPQ field Officers and cooperators send a suspect pest to a local identifier as an urgent. (Instructions for processing pests submitted by consumers are available in the Airport and Maritime Operations Manual (AMOM)). Further tests or identification may be required to determine the species and/or pest significance. If the local identifier suspects that the interception is high risk or an actionable quarantine pest, the QPAS Assistant Director or designee will determine what action if any should be taken by the field until verification is complete. (Interceptions of prohibited plants and plant products are generally handled on a Regional level and do not require national oversight by QPAS. However, if necessary, the field may consult via Region with QPAS regarding potential recalls for prohibited products that have been distributed beyond the controls of the port of entry).

- If a positive identification of a quarantine pest intercepted in commerce (e.g., market or distributor) is made by the National Identification Services (NIS), 1) QPAS and the Regions are notified immediately by NIS, 2) PPQ field and cooperators will obtain information listed on the Recall Worksheet (see attachment, Recall Worksheet) to document information needed for determining a recall and 3) the QPAS Assistant Director will notify the appropriate members of the Nation Recall Review Team of the pending preliminary recall analysis.
- Recall worksheets should be forwarded to the designated contact in the PPQ Regional Office, who will review the submitted information, and if complete, forward it to the QPAS/DMA staff. The Assistant Director of QPAS may ask the Regions to submit summary reports of SITC and cooperator activities in their regions. Reports may include, the number of establishments visited; number establishments with the recalled product, weight of product held or seized weight of product disposed, etc.
- QPAS/DMA will update spreadsheets on the recall and make them available on a regular basis to the PPQ Regions and the QPAS Assistant Director. Information will include status of EAN's, list of impacted stores or companies, and status of pest interceptions. PPQ Regions will update information to the SPHDs of the affected states.

Task 2- Convene the National Recall Review Team and Consult with Other Groups as Necessary

The QPAS Assistant Director will convene the appropriate members of the National Recall Review Team, which may include the following:

National Recall Review Team Members

- Quarantine Policy, Analysis and Support (QPAS)—Assistant Director and one or more of the following, SITC National Director, Trade Compliance Specialist, and Cargo Staff Officer.)
- Biological & Technical Services (BTS)—Assistant Director and the National Identification Services Chief (NIS) or Pest Identification Specialist
- Phytosanitary Issues Management (PIM)—Assistant Director and/or Import Specialist

The Veterinary Regulatory Support (VRS)—Assistant Director

- Regional SITC Directors
- PPQ Regional Program Managers

Other Groups that May be Consulted by the National Recall Review Team

- Center for Plant Health Science and Technology (CPHST)—various representation based on taxon of pest or particular pest situation
- National Plant Board President/SPRO (State Plant Regulatory Official) (National Plant Board President may be included, depending on seriousness of pest and scope of potential recall)
- International Services (IS) (May be needed to help get information from abroad)
- Investigative and Enforcement Services (IES) (May be needed to insure a legal trace is completed)
- Office of General Counsel (OGC) (May be needed for legal guidance)

Task 3- Determine the Distribution of the Problem

- The QPAS Assistant Director or designee coordinates the necessary investigation/trace back or trace forward to determine if a single lot, shipment, grower, packing house, or exporter was responsible for the infestation. Pathways are also identified through this investigation.
- The QPAS Assistant Director or designee determines the area affected by the problem. (For instance, is it a localized or isolated incident? Does it involve multiple cities and States? Will a survey process be required to determine the affected area?)
- The QPAS Assistant Director designates a person to develop and manage spread sheets for tracking interceptions and infested products. QPAS makes an initial compilation of data, and begins regular meetings or conference calls with the appropriate National Recall Review Team members.
- The QPAS Assistant Director or designee determines if a SITC and PPQ field alert should be issued. QPAS gives direction to SITC and, through the SPHD, other PPQ field personnel to conduct market surveys. QPAS provides guidance to the SITC workforce on detecting pest or items of concern in the market

Task 4- Determine if the Problem is Serious Enough to Continue with the Recall Analysis

- The QPAS Assistant Director, in consultation with the appropriate members of The National Recall Review Team, determines the preliminary characterization of seriousness of pest or intercepted prohibited product. The National Identification Service (NIS) validates the quarantine status and, in discussion with the Center for Plant Health Science and Technologies (CPHST), provides background information of intercepted pests. (This information may include whether the pest is exotic, has limited distribution, but under official control; the pest's range; and its ability to survive in the environment) In addition, the team assesses the potential to damage agricultural business and potential impacts on the environment.

Task 5- Determine Whether to Start the Recall Process

- The QPAS Assistant Director will make decisions regarding national recalls after seeking validation from Phytosanitary Issues Management, Import and Interstate Services Staff (PIM) concerning the regulatory status of plant and plant products. The VRS will consult with Technical Trade Services, National Center for Import Export (NCIE) concerning recall decisions regarding animal products and animal byproducts.
- As soon as possible, the QPAS Assistant Director, in consultation with the appropriate members of National Recall Review Team, decides whether to issue a recall. This decision considers whether the infestation was limited to a single shipment or exporter or, involved a wider programmatic problem. In addition this decision considers the likelihood and consequence of a bad outcome (pest establishment and spread), if no recall occurs. It also considers alternatives that may be less drastic to recall and whether the alternatives sufficiently mitigate the risk.
- Before the QPAS Assistant Director makes a final recall decision, consideration is given to the level of risk involved with the interception. Low levels of interceptions may be an acceptable risk, and a low level of infestation may not result in an outbreak or establishment of the pest.

Recall Process

Task 1- Determine If Approval is Needed from the PPQ Deputy Administrator

- If deemed necessary by the QPAS Assistant Director and appropriate members of the National Recall Review Team, the team may present the recommendation for a recall to the PPQ Deputy Administrator for approval.

Task 2- Announce the Recall

If the National Recall Review Team concludes that the quarantine pest or prohibited item is a significant agricultural hazard, and the critical threshold (trigger) of interceptions has been reached, then they could recommend a recall, and QPAS determines how it should be conducted. Initially QPAS announces the recall by notifying the following:

- QPAS issues a letter to State Plant Regulatory Officials (SPRO) and the Regions that gives information on the recall, the pest or prohibited item, and the required remedial measures
- QPAS determines if LPA should issue a press release, stakeholder announcement, and or hot topic on website to notify the public.
- QPAS notifies the National Plant Board
- QPAS notifies industry stakeholders, appropriate industry representatives, distribution representatives, retail corporate headquarters representatives, confirm decision to recall with State and local jurisdictions
- QPAS notifies PPQ State Plant Health Directors.
- QPAS notifies CBP of changes in import requirements based on the recall findings

Task 3- Organize Infrastructure and Communications for Recall

The recall infrastructure will vary depending upon the scope of the recall and the seriousness of the pest or prohibited item. In recalls, that involve the PPQ Deputy Administrator, QPAS and both Regions may be requested to establish "incident command centers" that would have staffing available 7 days a week.

The QPAS Assistant Director establishes lines of internal and external communication

- The QPAS Assistant Director and appropriate members of the National Recall Review Team should establish a regular communication format, such as weekly or bi-weekly conference call, which may include industry and other stakeholders. The frequency would decrease as the recall proceeds.

Communication protocols for plants, plant products, biocontrol agents and other articles are as follows:

- The QPAS Assistant Director, or designee, will contact the national headquarters of the importer/distributor to notify them of regulatory concerns and the recall.
- Regional Offices will contact the SPHD in the State where the importer/company headquarters is located
- The SPHD or designee, as the local incident commander, will be responsible for contacting State Plant Regulatory Officials (SPROs) and providing oversight of the recall within their state. (This task may be delegated to local SITC in extraordinary pest emergencies)
- The SPHD or designee, as the local incident commander, will designate a PPQ employee, such as a Pest Survey Specialist or SITC Officer, to issue the Emergency Action Notification (EAN), PPQ Form 523* for the recall and account for closing the EAN. (Wording for a national EAN will be provided by the QPAS staff.)
- The SPHD will report progress and completion of the recall to Regional Program Managers and SITC Directors. The Regions will consolidate information of the recall and report to the QPAS Assistant Director or designee.
- The QPAS Assistant Director will designate a person to post recalls on the SITC Bulletin Board indicating progress and completion of recalls.
- SITC will assist in monitoring compliance of the recall from the field level (retail stores).
- LPA is responsible for updating the hot issue page on the website, to keep it timely.

Communications protocols for animal and animal byproducts are as follows:

- VRS will consult with VS on enterability status of product.
- VS will coordinate final disposition of product.
- LPA is responsible for updating the hot issue page on the website, to keep it timely.
- The QPAS Assistant Director in consultation with the National Recall Review Team will determine the extent of regular communication with outside industries, based on the nature of the recall and the degree of potential public interest.
- Regions will be responsible for keeping their State Plant Health Directors informed.
- The SPHD (PPQ State Plant Health Directors) will keep SPRO's (State Plant Regulatory Official) informed of progress on the recall.

Task 4- Conduct the Recall

To conduct the recall, the QPAS Assistant Director or designee creates a recall work plan to identify key tasks, owners and timelines with consideration to the following:

- SITC field units and cooperators complete and issue worksheets to document local EAN's, seizures, and pest interceptions
- PPQ regions compile Regional data reports and send to PPQ to track recall progress
- QPAS Data Management compiles data and develops and maintains spreadsheets on recall statistics
- QPAS, in consultation with PPQ Regions will develop generic language for Emergency Action Notifications relating to national recalls. This will include disposal methods for the recalled product. Consultations with CPHST may be needed in determining remedial actions:
- National EAN – Language for a national EAN will be provided by QPAS
- Corporate offices – In general, QPAS will issue EAN's to corporate headquarters of large, national companies involved in the recall.

Regional or local SITC can issue EAN's to headquarters of smaller, local companies.

- Local SITC and PPQ Officers, and State Cooperators will issue local EAN's to individual stores or establishments (SITC initially will concentrate efforts on distribution centers and expand levels of recall, as needed)
- The QPAS Assistant Director, in consultation with National Recall Review Team, will give guidance to SITC field Officers for the need to continue surveying the marketplace for the target pest, after the beginning of a recall. Reasons for continuing to survey include strengthening the Department's case for the recall, getting additional information on levels of infestation, origin of infestation, or continued surveillance may be required for the pest or the product that caused the recall.
- At the conclusion of the recall the QPAS Assistant Director or designee will generate a final report and communicate the results to the Executive Team, field, and industry

In addition, QPAS may consider the following actions as follow-up measures to the recall:

- Determine if a New Pest Advisory Group should convene under CPHST (Bob Griffin from CPHST is now in that role.)
- Follow-up market surveys in later, weeks, months or years
- Surveillance of environment for pest that caused recall
- Containment
- Termination of Recall
- Debriefing of component supervisors
- Consider changes in regulations to avoid similar incidents
- Conduct an "After Action Review" to identify and improve operational readiness to respond to and avoid future incidents, which would be documented as updates to these guidelines for conducting national recalls.(see attachment, Guidelines for After Action Reviews)

Definitions and Explanation of Terms

QPAS

Quarantine Policy, Analysis and Support

PIM

Phytosanitary Issues Management

VRS

Veterinary Regulatory Support

NIS

National Identification Services

CPHST

Center for Plant Health Science and Technology

PPQO

Plant Protection and Quarantine Officer

SPHD

State Plant Health Director

SPRO

State Plant Regulatory Official

Safeguarding Intervention and Trade Compliance

A

Data Management and Analysis

Remedial Measures

Remedial Measures are authorized by the Plant Protection Act (PPA) under Sec. 414 (b)(1), General remedial measures for new plant pests and noxious weeds, to prevent the dissemination of a pest. Remedial

measures include holding, seizing, quarantining treating, re-exporting, or applying other remedial measures to destroy or otherwise dispose of any plant, plant pest, noxious weed, biological control organism, plant product, article, or means of conveyance that is moving into or through the United States. Remedial Measures are ordered through a Emergency Action Notification (EAN) , PPQ Form 523.

When a PPQ Form 523 is issued, compliance should be carried out with the following considerations:

- The importer must provide shipment for destruction under USDA supervision, or;
- Re-export the shipment to the country of origin under CBP supervision, or; (Requests to re-export to countries other than origin must be approved by QPAS), or
- Treatment, if applicable under USDA supervision.

Please note that smuggled products, which includes undeclared, misrepresented, concealed, or otherwise mis-manifested products, will generally not be allowed to be re-exported unless there is no adequate means to destroy the product

EAN

Emergency Action Notification. An EAN is used to order remedial measures to prevent the dissemination of pests.

Attachments

Attachment A- Recall Worksheet

Recall Worksheet

Use this worksheet to document pertinent information for market finds of suspect/prohibited products that may lead to a recall.

Date:	Reporting Office:	Reporting Officer:
Product:	CFR/Reg.:	Origin:
Description of product and/or packaging/Lot #.		
Attach Picture file if available:		
Name and Address of Importing Company:	Importer Contact Name: Phone Number: Fax Number:	
Attach Import Documents/Invoices/Certificates:		
Name and Address of Shippers/Manufacturers:		
Corporate Headquarters Contact:	Phone Number:	
Pathogens/Pests/Disease of Concern:		
Risk <input type="checkbox"/> low <input type="checkbox"/> medium <input type="checkbox"/> high and (Extent of distribution):		

Trace back - Give details of trace back and trace forward if applicable. (Pathways)

Initial finds, broker, date imported, distribution, quantity of product imported, date imported, POE's, mode of entry. Was shipment cleared at POE? How was this product manifested?

<p>Initial finds, broker, date imported, distribution, quantity of product imported, date imported, POE's, mode of entry. Was shipment cleared at POE? How was this product manifested?</p>	
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Confirmed that product is prohibited:	Yes <input type="checkbox"/> No <input type="checkbox"/>	
PIM IIS Import Staff.	VMO/VS:	(Completed by QPAS)
Recall: <input type="checkbox"/> No Recall: <input type="checkbox"/> Other: <input type="checkbox"/>	Was IES involved?: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Explanation:	Contact:	(Completed by QPAS)

Attachment B- Goals for After Action Reviews

After Action Reviews (AARs) embed improvement and organizational learning into a team's ongoing work. AARs improve an organization's performance and readiness, develop its leaders, and evolve its policies and procedures. The following are critical-to-success goals for initiating and maintaining an organizational AAR practice.

Goals

- Compare intended behaviors and results with actual behaviors and results
- Help the team uncover what caused their actual results
- Identify what to sustain and what to improve the next time around
- Link local action to strategic intent and situational awareness
- Capture and communicate lessons validated by direct experience

Benefits

- Performance corrections & improvements (immediate & mid-term)
- Participants able to clearly connect local actions with overall business results
- Builds a knowledge base of standards and best practices
- In high-stakes projects "make corrections as you go" with discipline
- The habit and supportive infrastructure to continually improve (long-term)



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Washington, DC
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PPQ Policy No. PPQ-DA-02-2

SUBJECT: Learning Contract Policy

To: All PPQ Employees

May 23, 2002

Purpose:

This document outlines the policy for the use of Learning Contracts by all PPQ employees.

Background:

The Safeguarding Report calls for the strengthening of PPQ's leadership and creation of a learning environment within the organization. The Safeguarding Implementation Plan, OA-19, *Consider the Establishment of Learning Contracts*, recommends the use of Learning Contracts by all PPQ employees as a tool for aligning the employees' developmental needs with the mission and strategic goals of the organization. With guidance from supervisors, employees participate in the process for developing their learning which creates ownership for their professional development. The process provides the means for individuals to identify their developmental needs and career goals, and make use of a variety of training and developmental resources (both traditional and nontraditional) in a systematic program of continual learning. The Learning Contract provides accountability to the Agency by requiring proof or verification that learning has occurred.

Definition—A Learning Contract is a written plan for developing necessary skills, knowledge, and abilities through appropriate training and developmental assignments. The plan reflects the developmental needs and career goals of the individual employee and is created through discussions and agreements between the employee and the supervisor.

Policy:

PPQ requires the use of Learning Contracts by all employees as a tool to align the learner's development with PPQ's mission, vision, and values.

The Learning Contract cycle and process begin at the start of the performance appraisal year. Learning Contracts may be developed to cover a 1 or 2 year period. New employees or employees who change jobs during the performance year should work with their supervisors to create a Learning Contract within 60 days of starting the new job.



The Professional Development Center (PDC) has developed a written guide, "Learning Contract Handbook," for use by all PPQ employees. The Handbook contains useful information on Learning Contracts, how to prepare them, roles and responsibilities, and sample contracts.

Responsibilities:***Professional Development Center:***

- Provides advice and guidance on policy and preparation of Learning Contracts
- Provides information on a variety of learning resources and approaches
- Provides copies of the Learning Contract Handbook to all employees (the Handbook will be distributed to all employees in the fourth quarter of FY 02)

Employee (learner):

- Drafts Learning Contract
- Meets with supervisor to complete and obtain approval for the Learning Contract
- Completes all learning activities listed in the Learning Contract
- Meets with supervisor at least twice a year to review learning and progress

Supervisor:

- Provides assistance in developing the Learning Contract
- Guides the learner toward useful sources of information
- Ensures learner's goals are aligned with mission and vision
- Schedules regular meetings to discuss progress and evaluate learning
- Ensures Learning Contracts of all unit employees can be accomplished within budget
- Supports the transfer of learning into performance and results in the workplace

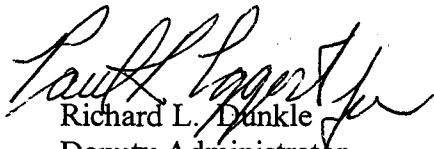
Implementation:

This policy is effective immediately. All employees will have approved Learning Contracts in place by January 1, 2003. Learning Contracts will cover a 1 or 2 year period. New Learning Contracts will be developed every 1 or 2 years depending on the contract length agreed to by the employee and supervisor.

The PDC will provide copies of the Learning Contract Handbook to all employees and will include training on the use of Learning Contracts in the PPQ Supervisors' Seminars conducted after June 1, 2002.

Inquiries:

If you have any questions regarding this policy, please contact the Assistant Director, Training Systems Support Unit, PPQ, Professional Development Center, (240) 629-1917.



Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine



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PPQ Policy No. PPQ-DA-02-3

SUBJECT: Plant Protection and Quarantine Training and Development Policy For
Supervisors, Managers, and Executives

May 23, 2002

TO: All PPQ Supervisors, Managers, and Executives

Purpose

This document outlines the training and development policy for Plant Protection and Quarantine (PPQ) supervisors, managers, and executives. This PPQ policy is effective immediately.

Background

The Federal Government considers supervision an occupation that is critical to effective organization and delivery of its services. The Office of Personnel Management (OPM) has emphasized that within the occupation of supervision, supervisors need to continuously develop and improve themselves in leadership competencies. As a result, OPM has identified 27 core leadership competencies which Federal executive, managerial, and supervisory training should address. USDA, APHIS, and PPQ endorse these 27 competencies as the key to ensuring that PPQ supervisors, managers, and executives have the skills needed to perform their jobs.

PPQ endorses and follows the latest APHIS Policy, however, we have developed this policy which addresses PPQ needs.

Authorities

- USDA Personnel Bulletin 300-1—Leadership Competency Model for Selection and Promotion, dated 04/30/01.
- 5 CFR Part 412 Section 103—Executive, Management, and Supervisory Development. Criteria for Programs for the Systematic Training and Development of Executives, Managers, and Supervisors, dated 01/01/01.
- USDA, Departmental Regulation 4120-2—Policy on Training and Development for Team Leaders, Supervisors, Managers, and Executives, dated 11/04/98.
- APHIS Directive 4315.1—Probationary Period for New Supervisors, Managers, and Career Executives, dated 03/10/94. (**Note:** APHIS is in the process of revising this policy.)



APHIS—Protecting American Agriculture

An Equal Opportunity Employer

Definitions

For the purpose of this policy, the following definitions apply.

- **Supervisor**—An individual employed by the Agency and who has authority in the interest of the Agency to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline, or remove employees, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment.

An individual who occupies a position in which the incumbent performs supervisory duties with respect to three or more employees to the extent that the positions are titled supervisory for classification purposes under the General Schedule Supervisory Guide (GSSG) or, if under the wage system, the Federal Wage System Job Grading Standard for Supervisors. When first appointed to the supervisory position, they are required to complete a 1-year probationary period.

Note: For the purpose of this policy, positions not considered supervisory are:

- Positions with responsibility for work assignments requiring only one or two other workers or with supervisory responsibility only in the absence of the regular supervisor. Such positions have as their primary responsibility personal work accomplishment.
- Positions with some supervisory duties and responsibilities but less than that required to warrant classification of the position as supervisory.

Probationary Supervisors—Newly appointed supervisors who are still serving in the mandated 1-year probationary period.

Experienced Supervisors—Supervisors who have successfully completed the 1-year probationary period.

- **Manager**—An individual who directs the work of an organization; is held accountable for the success of specific line or staff programs; monitors the progress of the organization toward goals and periodically evaluates and makes appropriate adjustments; typically performs the full range of the duties and responsibilities listed in the General Schedule Supervisory Guide, e.g., supervises other supervisors.
- **Executive**—An individual who occupies a Senior Executive Service (SES) position and is responsible for the overall functioning and outcomes of the organization.
- **Leadership Effectiveness Framework (LEF)**—The Federal leadership competency model that defines 27 competencies that are important to all management levels within the Federal Government.

- **Competency**—An observable, measurable pattern of knowledge, skills, and characteristics that an individual needs for effective or superior performance in a job, which can be measured against agreed upon standards, and improved by means of learning and practice.
- **360-Degree Assessment**—A tool that provides an employee with a self, supervisory, peer/coworker, and a subordinate rating on tasks and competencies critical to the performance of a particular occupation. It is used to help employees identify their strengths and developmental needs.

Policy

The 27 core leadership competencies from OPM's LEF will serve as the basis of leadership training within PPQ. Having every supervisor, manager, and executive excel at these 27 leadership competencies is an organizational goal. The human resource systems and methods we use to select, train, develop, and measure performance for all PPQ supervisors, managers, and executives will reflect this goal.

Employee training and development opportunities will be made available to all eligible employees according to need, without regard to non-merit reasons including: race, color, religion, national origin, age, sex, disability (mental or physical), marital or family status, and/or sexual orientation.

Guidelines

Requirements for New PPQ Supervisors:

New supervisors are automatically enrolled in the Training and Development Program for New PPQ Supervisors and are required to complete all components of the program within the first 18 months on the job. The program provides new PPQ supervisors with a Learning Checklist, two 40-hour classroom training sessions, the APHIS-required 40-hour course for newly appointed supervisors and the PPQ New Supervisors' Seminar, a variety of learning formats including on-the-job training and Internet or other technology assisted training, and on-going coaching and support provided by the Professional Development Center (PDC).

As part of the PPQ program, all new supervisors are required to:

- Attend the APHIS-required 40-hour course for newly appointed supervisors within the first 3 to 6 months of their appointment to a supervisory position. The APHIS course will satisfy the basic 40-hour training requirement for new supervisors.

- Attend the PDC sponsored PPQ New Supervisors' Seminar within the first 12 to 18 months of their appointment to a supervisory position after attending the APHIS required course. The PPQ New Supervisors' Seminar will complement and integrate learning from the APHIS course and provide training in critical PPQ competencies (e.g., conflict management and labor management relations) not covered in the APHIS course.
- Review with their manager and complete the Learning Checklist within the first 18 months of the new supervisor's appointment. The Checklist outlines basic learning requirements for the new supervisor's first year and a half and provides a tool for tracking their learning and progress. Managers are invited to add to the Checklist learning requirements that are specific to their organizations. The PDC will continually update the Checklist to reflect critical PPQ priorities.

New supervisors and their managers will receive ongoing coaching and support from PDC throughout the first 18 months.

Requirements for Experienced Supervisors, Managers, and Executives:

- Take a 360-degree self assessment every 2 to 3 years to determine leadership strengths and developmental needs.
- Take 24 hours per year of training or equivalent developmental experiences in the appropriate leadership competencies.
- Annually or bi-annually prepare and update a Learning Contract with their supervisors based on the two bullets above.

Responsibilities

Executives and Managers—Executives and managers are key to the success of their subordinate supervisors' development as they form a partnership with their subordinate supervisors in order to facilitate learning. They must also continue to update and enhance their own skills as set forth in the annual requirements defined in the Guidelines section of this Policy. In addition to those requirements, their responsibilities are to:

- Ensure that new supervisors complete the requirements of the Training and Development Program for New PPQ Supervisors, prioritize and complete the Learning Checklist topics, suggest learning resources, and conduct progress checks with the new supervisor at 6 and 11 months.
- Contact PDC to solicit learning assistance for new supervisors.
- Work with experienced supervisors and managers to develop and complete Learning Contracts, and ensure they fulfill the annual requirements defined in this policy.
- Schedule and complete learning activities specified in own Learning Contract.
- Transfer learning from training and other learning activities to the workplace.
- Report progress and completion of Learning Contract to manager.

Experienced Supervisors—Experienced supervisors must also continue to update and enhance their skills as set forth in the annual requirements defined in the Guidelines section of this Policy. In addition to those requirements, their responsibilities are to:

- Schedule and complete learning activities specified in the Learning Contract.
- Transfer learning from training and other learning activities to the workplace.
- Report completion of Learning Contract to manager.

New Supervisors—New supervisors are the foundation for providing organizational leadership now and in the future. Their responsibilities are:

- Follow the requirements of the Training and Development Program for New PPQ Supervisors, document learning on the Learning Checklist, use learning back at the job.
- Meet with manager to determine which learning topics in the Learning Checklist are priority for self-study and on-the-job learning during the year (and which topics are not applicable to the new supervisors' job).
- Contact the APHIS Training Unit to schedule themselves for the APHIS sponsored 40 hour course, The Fundamentals of APHIS Human Resource Management for New Supervisors.
- Within 2 weeks after completing the required training courses (both APHIS and PPQ), meet with manager to review learning and discuss how to apply this learning to the job.
- Participate in progress checks with manager and PDC at 6 and 11 months.
- Complete all learning activities on the Learning Checklist.

The Professional Development Center—The PDC provides advice and guidance on training and development strategies, policies, and learning opportunities as well as a full range of products and services (e.g., assessment, coaching, training design, development, delivery and evaluation, contract management, development guides, etc.). Some examples of PDC responsibilities related to leadership development for new and experienced supervisors, managers, and executives are:

- Within 30 days of the new supervisor's appointment, a PDC representative will provide the new supervisor and the manager a package of information on the Training and Development Program for New PPQ Supervisors. The package includes a description of the program components and requirements, the Learning Checklist, information about PDC support and periodic contacts, and the book "Getting Results Through Learning."
- During the first 3 months of the new supervisor's appointment, PDC will provide any needed advice and guidance for reviewing and completing the Learning Checklist and other program requirements.

- Six months after new supervisor enters on duty, PDC representatives follow up with the new supervisor and the manager to determine the impact of the APHIS training course for new supervisors on job performance, evaluate the effectiveness of the course modules, and gather recommendations for additions/changes to the course. At this point, PDC representatives also check new supervisors' progress in completing priority Learning Checklist topics.
- Eleven months after new supervisor enters on duty, PDC representatives follow up with the new supervisor and the manager to recheck new supervisor's progress toward completing Learning Checklist topics and to schedule them for the PPQ New Supervisors' Seminar. This teleconference should occur at the time the manager is preparing to certify that the new supervisor has met probationary period requirements.
- Design, develop, deliver, and evaluate the PPQ New Supervisors' Seminar and other leadership training courses.
- Provide advice and guidance on assessment tools.
- Assist with the development of Learning Contracts and provide advice on a variety of learning approaches and opportunities.
- Provide coaching training and coaching services.
- Provide training and support for mentoring

Employee Services Division, Training and Development Branch.

- Design, develop, deliver, and evaluate the APHIS-required 40-hour course for newly appointed supervisors
- Schedule employees for the APHIS-required 40-hour course for newly appointed supervisors
- Conduct and administer APHIS leadership development training programs
- Develop and provide advice and guidance on the APHIS training policy

Human Resources Organization. Human Resources Organization is the primary source for information on new supervisor appointments. Their responsibilities are:

- Track the appointment of new PPQ supervisors.
- Provide the names of new supervisors who must serve a probationary period when they are appointed.

Implementation

The Training and Development Program for New PPQ Supervisors was implemented on December 20, 2001. All new PPQ supervisors are automatically enrolled in the program and will be contacted within 30 days of their appointment by the Program Manager or other PDC representative who will provide them with program information and guidance.

Each experienced supervisor, manager, and executive will conduct a 360-degree assessment every 2 to 3 years. The individual will use the appropriate assessment system in accordance with system instructions. The PDC will provide advice and guidance on the use of assessment tools. The individual will use the compiled assessment results to identify three developmental areas to address. These areas can be strengths to enhance or developmental gaps to close. The individual and his or her supervisor will discuss and agree on appropriate training or developmental activities and document them on a Learning Contract. Information on developing a Learning Contract can be found in the *PPQ Learning Contract Handbook*.

PPQ supervisors, managers, and executives must take a minimum of 24 hours of training or developmental activities that focuses on one or more of the 27 leadership competencies. Generally, each level of supervision should focus on those leadership competencies identified at their level in the LEF. More information about the leadership competencies and learning activities for developing the competencies can be found in the *PPQ Leadership Development and Competency Guide*.

Training delivery systems may include classroom training for some basic core competencies and alternate delivery systems, such as computer-based training, detail assignments, or other. Examples of delivery systems are:

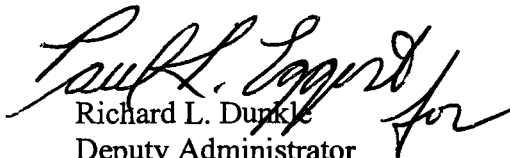
- **Classroom Training**—Enrollment in appropriate APHIS, USDA Graduate School, other Federal training courses, and courses offered by non-Government vendors and universities. Participants are provided a structured learning experience in a classroom setting away from the job.
- **Alternate Delivery Systems**—Training provided via self-study, correspondence courses, technology-based media (audio/videodiscs or computer-based training, satellite training, etc.). The participants are provided learning objectives, and supervisors facilitate the application of learning to work activities.
- **Career Development Experiences**—This delivery system includes activities that provide participants with ways to learn new techniques or perform different types of work. The following developmental activities have proven particularly valuable in building leadership competencies:
 - Job Rotations—includes assignments to different organization functions; must include formal learning outcomes.
 - Details—includes time away from designated position to different position where learner performs the duties of the different position.
 - Mentoring—mentoring program sponsored by the unit, region, or the service that engages the mentor and supervisor in specific learning activities.
 - Special Projects—formal opportunities to direct or participate in special projects or task forces not part of normal responsibilities.
 - Other—reading, shadowing assignments, networking with others.

All employees should have approved Learning Contracts in place by January 1, 2003. Learning Contracts will cover a 1 or 2 year period. New Learning contracts will be developed every 1 or 2 years depending on the contract length agreed to by the employee and the supervisor.

Experienced supervisors, managers, and executives will begin their 360 degree assessments beginning January 1, 2003. They will use the results of their 360 degree assessment to update or develop a new Learning Contracts for calendar year 2004.

Inquiries

Clarification or assistance concerning training and development for yourself or your employees is available from the Assistant Director, Training Systems Support Unit, PPQ, Professional Development Center, (240) 629-1917.


Richard L. Duple
Deputy Administrator
Plant Protection and Quarantine



Signed but: RD - FYI
Not numbered &
not dated -
POLICY NO. PPQ-DA- 003-3

United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

4700 River Road
Riverdale, MD 20737

SUBJECT: PPQ Private Aircraft Clearance Policy

TO: All PPQ Employees

PURPOSE:

To change the Private Aircraft Clearance Policy. This change supports the PPQ Safeguard Recommendation E-81 and maximizes resources by using risk based decisionmaking to redirect resources from low-risk activities to high risk activities.

BACKGROUND:

State Plant Health Directors have provided data for FY's 1997, 1998, and 1999 on the risk of the private aircraft as a pathway for the introduction of plant pests. The number of quarantine material intercepted (QMI) and reportable pests have been analyzed. The results of the data collected indicate that the QMI approach rate was 1.26 percent for 1997; 1.79 percent for 1998; and 2.1 percent for 1999, while the reportable pests/passenger rate was .033 percent for 1997; .06 percent for 1998; and .014 percent for 1999. The figures for 1997 and 1998 were obtained from the States in the old Northeastern Region, while data for 1999 is nationwide. The rate of QMI seizures and reportable pests from passengers and crew is low; thus, it was decided that the pathway risk can be effectively mitigated by the use of compliance agreements with industry. The compliance agreements will ensure that aircraft contraband and garbage are handled properly and that aircraft operators play an active role in ensuring that passengers and crew are aware of and comply with agricultural regulations.

POLICY:

1. PPQ will not routinely require clearance of private aircraft.
2. Up to 5 percent of all private aircraft flights from all foreign sites will be monitored by PPQ to ensure compliance, based on current staffing and risk at that location.



3. Compliance agreements for adherence to catering and garbage regulations must be established with fixed base operators (FBO's, corporations, or appropriate parties).

4. Removal and disposal of contraband from private aircraft arriving from foreign sites (other than direct flights from Canada) must be accomplished by FBO's, corporations, or appropriate parties in concurrence with the compliance agreement.

5. Industry and private individuals operating private aircraft arriving from foreign sites must notify the airport of arrival in the United States at least 12 hours prior to arrival, at which time the following information must be provided:

- (a) Arrival airport and city
- (b) Estimated time of arrival
- (c) Last foreign departure location (city and country)
- (d) Number and names of all crew and passengers
- (e) Contact telephone number and person in the United States

6. In order to properly assess the risk of the aircraft and its passengers and for the PPQ port of arrival to determine if clearance by PPQ will be necessary; the following information must also be provided prior to arrival.

- (a) Passengers' purpose of trip
- (b) Countries visited
- (c) Final destination

Based on the information provided in 5 and 6 above, each PPQ port must decide whether clearance of the aircraft and passengers will be accomplished by PPQ. Applicable risk factors should be present in order to necessitate clearance by PPQ.

7. FBO's, corporations, or appropriate parties at arriving airports will be required to view a PPQ video on the methods and procedures of properly decatering foreign arrival aircraft and disposing of the contraband.

Levels of Responsibility and Requirements:

I. Local Level:

- (a) Establish compliance agreements

(b) Communicate with U.S. Customs Service, Immigration and Naturalization Service, and industry to increase awareness of regulations and obtain cooperation

(c) Utilize civil penalties for noncompliance with regulations

(d) Inspect 100 percent of the baggage of three crew and/or passengers randomly selected for every flight monitored, using the Agricultural Quarantine Inspection Monitoring (AQIM) survey sheet.

2. Regional Level:

(a) Approve exceptions to policy on a limited basis with rationale for the exception

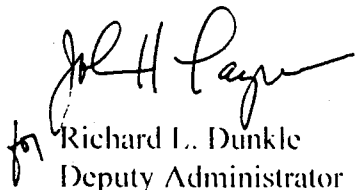
(b) Utilize AQIM data regionally on an annual basis to assess effectiveness and pest-risk status.

3. National Level:

(a) Communicate policy change with NAAE and NAPPQM

(b) Propose legislation requiring advance notification

(c) Make changes to Airport and Maritime Operations Manual to incorporate this policy.


for Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine



PPQ Policy No. PPQ-DA-003-04

United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Washington, DC
20250

SUBJECT: Plant Protection and Quarantine's Training Policy for
Accreditation of Authorized Certification Officials

TO: All PPQ Employees

NOV 17 2004

PURPOSE

This document outlines Plant Protection and Quarantine's (PPQ's) training policy for accrediting Authorized Certification Officials (ACO's) to issue Federal phytosanitary certificates. This training policy is an addendum to and aligned with the *ACO Quality Manual*.

BACKGROUND

On June 1, 2004, PPQ committed to an enhanced Phytosanitary Export Certification Program and issued an *ACO Quality Manual* that details individual responsibilities for obtaining and maintaining accreditation. The actions comply with standards for phytosanitary measures approved by the North American Plant Protection Organization (NAPPO) Executive Committee. The standards provide for the accreditation of individuals to sign Federal phytosanitary certificates and describe the responsibilities of national plant protection organizations (NPPO). The standards also provide the base level of knowledge, skills, ability, and authority appropriate for NPPO officials and their cooperators to sign Federal phytosanitary certificates under the International Plant Protection Convention.

A cooperative effort between PPQ Plant Health Programs, Phytosanitary Issues Management Staff and the Professional Development Center (PDC) has been underway to realign PPQ's *Export Certification Training* with the NAPPO standards of phytosanitary measures and the *ACO Quality Manual*. This document presents the results of their efforts as PPQ's training policy for accreditation of ACO's.

AUTHORITY

1. Plant Protection Act of 2000, Section 418 provides the authority to issue Federal phytosanitary certificates.
2. 7CFR Part 353 covers the certification of plants and plant products for export.
3. FAO Principles of Plant Quarantine as Related to International Trade. Publication No. 1, February 1995, and FAO Glossary of Phytosanitary Terms.
4. National Plant Board Plant Quarantine, Nursery Inspection, and Certification Guidelines. Adopted August 1995.
5. Cooperative Federal-State Phytosanitary Export Certification Programs.

For *Michael A. Hidsky*
Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

Export Certification Training Policy

AUTHORITY

This policy is issued under the following authorities:

1. Plant Protection Act of 2000, Section 418 provides the authority to issue Federal phytosanitary certificates.
2. 7CFR Part 353 covers the certification of plants and plant products for export.
3. FAO Principles of Plant Quarantine as Related to International Trade. Publication No. 1, February 1995, and FAO Glossary of Phytosanitary Terms.
4. National Plant Board Plant Quarantine, Nursery Inspection, and Certification Guidelines. Adopted August 1995.
5. Cooperative Federal-State Phytosanitary Export Certification Programs.

POLICY AND GUIDELINES

ACO's must meet the following criteria based on a combination of required training, education, testing, and experience in order to be accredited to sign Federal phytosanitary certificates.

PPQ's Export Certification Training: ACO's must demonstrate knowledge of and adherence to all established phytosanitary procedures relating to phytosanitary certification. The generic phytosanitary certification process and proficiency requirements that must be demonstrated by ACO's are as follows:

1. The theory and principles of plant protection.
2. Legislation and regulations that authorize phytosanitary certification.
3. Identification of plant components (plant part, plant product, etc.) for export.
4. Identification of information and processes necessary to sign Federal phytosanitary certificates, including the use of the *Export Certification Manual* and the EXCERPT database and the review of import permits.
5. Verifications that official measures have been carried out to ensure a commodity complies with plant quarantine import requirements of the importing country and to ensure the appropriate action is taken in the absence of such import requirements or where such procedures cannot be implemented.
6. Classification of a commodity as unrestricted, restricted, or prohibited.
7. Completion and distribution of Federal phytosanitary certificates or related forms.
8. Appropriate procedures for dealing with violations.

New, entry-level Plant Health Safeguarding Specialists attend this required training as part of *Basic Agriculture Safeguarding Training* maintained by and conducted at the PDC. New Federal, State, or county cooperators attend this required training conducted in the field by Export Certification Specialists (ECS's) or other designated trainers. The course is an instructor-led course using the *Export Certification Manual* and EXCERPT training CD. The course is 24 hours, which includes a 3-hour test. All ACO's must demonstrate knowledge of and adherence to all established phytosanitary procedures relating to phytosanitary certification by successfully achieving 80 percent or higher on the test (see **Testing**). If candidates fail to achieve this proficiency level, they are not to issue Federal phytosanitary certificates until they attend remedial training and retesting to achieve the proficiency level (see **Remedial Training and Retesting**). This training is the minimum requirement needed to provide ACO's with a working understanding of PPQ, its delivery system, and the specific components of plant protection work leading to the issuance of Federal phytosanitary certificates, which are not generally available through another source.

Education: The education required by candidate ACO's is outlined in the NAPPO standards of phytosanitary measures---Section 2.4.2, 7CFR 353, and the *Export Certification Manual*. New, entry-level Plant Health Safeguarding Specialists obtain this knowledge obtained through the *Basic Agriculture Safeguarding Training* curriculum, which all new specialists must successfully complete as a condition of employment. Federal, State, and county cooperators obtain this knowledge through a combination of formal, structured courses and practical experience. Candidate ACO's may satisfy part of the educational requirement by completing Federal, State, or county-sponsored courses as well as courses sponsored by public and private institutions, or other regional or international organizations.

Testing: Each candidate ACO must successfully pass a test with 80 percent or higher, which is issued by the PDC and administered by a designated trainer, ECS, or PDC training specialist. The test is administered at the end of required training and it measures the ability of the ACO to meet the proficiency requirements.

Remedial Training and Retesting: If a candidate ACO fails the test, then the designated trainer, ECS, or PDC training specialist offers remedial training and retesting as follows:

If the candidate ACO is a:	Then:
New, entry-level Plant Health Safeguarding Specialist attending <i>PPQ's Export Certification Training</i> as part of <i>Basic Agriculture Safeguarding Training</i>	<ol style="list-style-type: none"> 1. PDC informs the specialist that he or she will attend remedial training and retesting. 2. During the remedial session, the PDC training specialist will: <ol style="list-style-type: none"> a. Review the first test with the specialist. b. Provide remedial instruction and coaching covering the deficient areas. c. Administer a different test: allow 3 hours. 3. If the specialist passes, PDC sends the training results to Export Services with copies to the Regional Program Manager, State Plant Health Director, and designated ECS.

	<ol style="list-style-type: none"> 4. If the specialist fails: <ol style="list-style-type: none"> a. PDC sends the training results to Export Services with copies to the Regional Program Manager, State Plant Health Director, and designated ECS. b. PDC writes a notice to the Port Director and designated ECS to work with the specialist to reschedule training within 2-45 days. 5. Limit retesting to two times.
Cooperator attending PPQ's Export Certification Training in the field	<ol style="list-style-type: none"> 1. ECS offers to conduct remedial training and retesting. 2. If accepted, ECS reschedules remedial training and retesting within 2-45 days (a minimum of 5 hours including 2 to cover deficient areas and 3 for the test). 3. During the remedial session, the ECS will: <ol style="list-style-type: none"> a. Review with the cooperator, the first test results and deficient areas received from the PDC. b. Provide remedial instruction and coaching covering the deficient areas. c. Administer a different test: allow 3 hours. 4. If the cooperator passes, PDC sends the training results to Export Services with copies to the Regional Program Manager, State Plant Health Director, and designated ECS. 5. If the cooperator fails: <ol style="list-style-type: none"> a. PDC sends the training results to Export Services with copies to the Regional Program Manager, State Plant Health Director, and designated ECS. b. PDC writes a notice to the State Plant Regulatory Official and designated ECS to work with the cooperator to reschedule training within 2-45 days. 6. Limit retesting to two times.

Experience: The *ACO Quality Manual* outlines the experience required by candidate ACO's.

Accreditation Renewal: Once accredited, ACO's must renew their accreditation every 3 years by successfully completing a re-accreditation test administered at the completion of re-accreditation training. (See *PPQ's Export Certification Re-accreditation Training*.) All ACO's must successfully pass a re-accreditation test with 80 percent or higher. The PDC issues the re-accreditation test and a designated field trainer or ECS administers it. The re-accreditation test confirms that ACO's are maintaining their skill and knowledge of the generic phytosanitary certification process and proficiency requirements listed in this training policy under *PPQ's Export Certification Training*. Re-accreditation testing may be required earlier than 3 years because of substantial changes to rules, policies, or programs, or because of recurring performance deficiencies.

PPQ's Export Certification Re-accreditation Training: An instructor-led course maintained by the PDC and conducted by ECS's in the field. The course is tailored to the needs of the ACO's attending and can be scheduled at 3-year intervals to parallel renewing ACO accreditation. The course is a maximum of 8 hours (not to exceed 1 day), which may include the re-accreditation test. Re-accreditation training may be required earlier than 3 years because of substantial changes to rules, policies, or programs or because of recurring performance deficiencies.

Training Records for Tracking Accreditation: PPQ will retain training records in a database that will serve as the primary tool to track accreditation.

TRAINING RESPONSIBILITIES

Technicians and Unauthorized PPQ Employees: PPQ technicians and other PPQ employees such as members of administrative staffs are **not** authorized or approved to issue Federal phytosanitary certificates; therefore, there is no requirement for them to meet the training, educational, testing, and experience requirements necessary to become an accredited ACO. If PPQ technicians and other unauthorized employees provide support because of large workloads or limited operational resources, then it is suggested that they attend *PPQ's Export Certification Training* as part of their Learning Contracts. Such support may include looking up import requirements or typing Federal phytosanitary certificates for an ACO's signature.

Plant Health Safeguarding Specialists: Plant Health Safeguarding Specialists are responsible for:

1. Attending *PPQ's Export Certification Training* as part of *Basic Agriculture Safeguarding Training* at the PDC as a condition of their employment (for new, entry-level specialists).
2. Meeting the experience required before accreditation is final, after successfully completing *Basic Agriculture Safeguarding Training* to meet the education required and *PPQ's Export Certification Training* to meet the training required.
3. Requesting and attending *PPQ's Export Certification Re-accreditation Training*.
4. Renewing accreditation at a minimum of every 3 years by successfully passing a re-accreditation test.

Plant Health Safeguarding Specialists rehired within 2 years of being accredited must complete 60 days of experience working with or under the supervision of an ACO, must complete *PPQ's Export Certification Re-accreditation Training*, and must successfully pass a re-accreditation test. If a specialist is inactive as described in the *ACO Quality Manual*, then the specialist must complete *PPQ's Export Certification Re-accreditation Training* and must successfully pass a re-accreditation test. If a specialist's accreditation is suspended, then the specialist must complete *PPQ's Export Certification Training* and must successfully pass a test during the last 3 months of the suspension.

PPQ Managers: PPQ supervisors, port directors, and State Plant Health Directors are responsible for:

1. Overseeing the completion of the Learning Contracts of all Plant Health Safeguarding Specialists under their managerial jurisdiction. This would include new, entry-level specialists completing *PPQ's Export Certification Training* as part of *Basic Agriculture Safeguarding Training* and would include accredited ACO's completing *PPQ's Export Certification Re-accreditation Training* and a re-accreditation test.

2. Ensuring that their designated ECS:
 - b. Tracks accreditation in order to determine annual training needs.
 - c. Schedules and conducts *PPQ's Export Certification Training* for new cooperators.
 - d. Schedules and conducts *PPQ's Export Certification Re-accreditation Training* and administers re-accreditation testing for all ACO's.
3. Troubleshooting and resolving issues and concerns that are raised regarding the administration of *PPQ's Export Certification Training* and *PPQ's Export Certification Re-accreditation Training*, and regarding re-accreditation with input from the PDC and Export Services.
4. Providing the proper operational infrastructure, environment, procedures, and other training resources required to administer *PPQ's Export Certification Training* and *PPQ's Export Certification Re-accreditation Training*, which influence the successful implementation of the NAPPO standards for phytosanitary measures and the *ACO Quality Manual*. Examples include access to an adequate classroom environment and the equipment needed to conduct the training, access to resources and tools used to track accreditation of all ACO's, and authority and responsibility for maintaining skills and knowledge of all ACO's and ECS's.

State Plant Regulatory Officials: Under a Memorandum of Understanding and outlined in the *Export Certification Manual*, State Plant Regulatory Officials are responsible for:

1. Nominating cooperators and then maintaining participation in a Cooperative Program.
2. Ensuring that the designated liaison for their State:
 - a. Gathers and submits educational and experience requirements.
 - b. Schedules and conducts training.
 - c. Tracks accreditation in order to determine annual training needs.

Export Certification Specialists (ECS's): ECS's are responsible for:

1. Applying criteria to ensure that new, entry-level Plant Health Safeguarding Specialists meet both the educational and experience requirements and to establish a date when ACO's can issue Federal phytosanitary certificates; monitoring the progress of candidate ACO's toward meeting the experience required; and working with Export Services to provide all ACO's with an identification number, letter, and authorization card.
2. Determining the need for, arranging for, and conducting *PPQ's Export Certification Training* for Federal, State, and county cooperators following the *Export Certification Training Administrative Guide*.

3. Sending completed tests to PDC for scoring, and sending ACO's experience and educational qualifications to Export Services for approval.
4. After receiving a copy of the training results from PDC, entering training dates and pass/fail test results for all new cooperators and current ACO's in the tracking database. Issuing training certificates to ACO's who successfully pass the training. For ACO's who fail, notifying the ACO and his or her supervisor of the test results.
5. After receiving Export Services approval (or denial) of accreditation for cooperators, notifying the State Plant Regulatory Officials, and sending a letter, identification number, and accreditation card to those ACO's whose accreditation was approved by Export Services.
6. Tracking accreditation of all ACO's under their jurisdiction in order to determine the need for scheduling re-accreditation training and re-accreditation testing. Keeping Export Services informed of ACO's who transfer or retire.
7. Developing lessons, practice exercises, job aids, and test questions covering local commodities to enhance *PPQ's Export Certification Re-accreditation Training* and to facilitate learning.
8. Scheduling and conducting *PPQ's Export Certification Re-accreditation Training* and administering a re-accreditation test to all ACO's following the *Export Certification Training Administrative Guide* before their accreditation expires.
9. Maintaining the skills and knowledge required to effectively manage *PPQ's Export Certification Training*; participating in periodic export certification workshops conducted by Export Services.

Regional Program Managers: Regional Program Managers are responsible for:

1. Overseeing *PPQ's Export Certification Training* in their designated region.
2. Troubleshooting and resolving issues and concerns that are raised about administering *PPQ's Export Certification Training* and *PPQ's Export Certification Re-accreditation Training* with input from PDC and Export Services.
3. Providing the proper operational infrastructure, environment, procedures, and other training resources required to administer *PPQ's Export Certification Training* and *PPQ's Export Certification Re-accreditation Training*, which influence the successful implementation of the NAPPO standards for phytosanitary measures and the *ACO Quality Manual*. Examples include access to an adequate classroom environment and the equipment needed to conduct the training, access to resources and tools used to track accreditation of all ACO's, and authority and responsibility for maintaining skills and knowledge of all ACO's and designated ECS's.

PPQ's Plant Health Programs, Phytosanitary Issues Management Staff, Export Services: The

Export Services staff is responsible for:

1. Granting approval to arrange for candidate ACO's to attend *PPQ's Export Certification Training*.
2. Notifying PDC of policy and procedural changes that impact training content.
3. Overseeing the training results and accreditation information in the tracking database.

PPQ's Professional Development Center (PDC): PDC is responsible for:

1. Providing and maintaining administrative guidelines to help ECS's and those designated to plan, conduct, and manage *PPQ's Export Certification Training* and *PPQ's Export Certification Re-accreditation Training* for accredited ACO's.
2. Designing, developing, and maintaining training materials for *PPQ's Export Certification Training* and *PPQ's Export Certification Re-accreditation Training*.
3. These training materials include the following components: instructor guide, slide show presentation, student handouts and practice exercises, tests and re-accreditation tests, training completion records and certificates, and advanced instructional lessons.
4. Developing, maintaining, and monitoring tests and grading schemes to ensure that they remain standard, valid, and reliable.
5. Providing skills and knowledge required to plan, conduct, and manage training in the field.
6. Scoring tests received from ECS's; sending test results to Export Services with a copy to the Regional Program Manager, State Plant Health Director, and designated ECS.
7. Ensuring that new, entry-level Plant Health Safeguarding Specialists are notified of their obligation to complete *PPQ's Export Certification Training* as part of *Basic Agriculture Safeguarding Training*.
8. Conducting *PPQ's Export Certification Training* and administering a test for new, entry-level Plant Health Safeguarding Specialists attending *Basic Agriculture Safeguarding Training* at PDC.
9. Sending test results for all new, entry-level Plant Health Safeguarding Specialists who complete *PPQ's Export Certification Training* as part of *Basic Agriculture Safeguarding Training* to Export Services with copies to the Regional Program Manager, State Plant Health Director, and designated ECS.

10. Sending a notice to port directors with a courtesy copy to ECS's and Export Services when a new Plant Health Safeguarding Specialist fails *PPQ's Export Certification Training* informing them that the specialist is not accredited to issue Federal phytosanitary certificates and instruct them to work with the specialists to reschedule training in 2-45 days.

IMPLEMENTATION

This training policy is effective November 15, 2004. For new, entry-level Plant Health Safeguarding Specialists, *PPQ's Export Certification Training* is conducted at the PDC as part of *Basic Agriculture Safeguarding Training*. For Federal, State, and county cooperators, *PPQ's Export Certification Training* is conducted in the field by designated trainers or ECS's when candidate ACO's are nominated by State Plant Regulatory Officials.

A test is administered at the end of the required training that measures the ability of the ACO to meet the proficiency requirements. If a candidate ACO fails the test, then remedial training and retesting is offered.

For new, entry-level Plant Health Safeguarding Specialists, the educational requirement is met when they successfully complete *Basic Agriculture Safeguarding Training* as a condition of employment. For Federal, State, and county cooperators, the educational requirement is obtained through a combination of formal, structured courses, and practical experience.

The experience required by candidate ACO's is outlined in the *ACO Quality Manual*.

Once becoming accredited, ACO's must renew their accreditation at a minimum of every 3 years by successfully passing a re-accreditation test administered in the field under the direction of an ECS and upon completing *PPQ's Export Certification Re-accreditation Training*. ECS's will work with PPQ managers and State Plant Regulatory Officials to track accreditation.

INQUIRIES

Inquiries about the ACO Accreditation Program should be directed to Michael Ward, Accreditation Manager, at 301-734-5227. Clarification or assistance about administering *PPQ's Export Certification Training* or *PPQ's Export Certification Re-accreditation Training* is available from the PDC at 240-629-1900 or visit the PDC web site at <http://www.aphis.usda.ppq/pdc>.



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PPQ Policy No. PPQ-DA-03-1

SUBJECT: Voicemail

February 24, 2003

TO: All PPQ Employees

Voicemail is an important tool that allows us to communicate information to callers. It provides an avenue for callers to leave information for us or make requests of us. It also provides the opportunity to give callers an alternative when we cannot be reached. When misused, however, voicemail becomes an obstacle to efficient and effective communication. As with all forms of communication, we need to be mindful of the needs of the caller. With that in mind, the following policy for use of voicemail in PPQ is established:

- Everyone will have an outgoing voicemail message that provides the date and your name and the name of your program, staff, or work unit.
- The outgoing message will be updated daily and will provide information concerning your work status, such as "on leave," "in travel status," "in the office, but in meetings," or "in the office today." If your status changes, the outgoing message will be updated. For instance, if you were to take an unplanned day of sick leave, you would change your message from home that morning to reflect the fact that you will not be in the office.
- In your voicemail message, ask the caller to leave a brief message regarding the purpose of his or her call. This will allow you to respond to them with an answer on their voicemail if they are not there when you return the call.
- The outgoing message should give the caller the option of dialing zero to be transferred to a main phone line. If this option is not available on your phone system, provide an alternative phone number where the caller can obtain additional help. Be sure these options are functional on your phone system.
- Primary phone lines in each work unit should be answered during normal business hours. Voicemail should only be used on a main number for after hours messages or in the event of an emergency, such as a building evacuation.
- When identifying normal business hours for your location, please be mindful of all of your customers. For example, offices in the East that routinely do business with the West Coast or Alaska or Hawaii should ensure that phone lines are covered during hours that give those customers a reasonable window of opportunity to make contact.



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- When leaving a message on voice mail, be mindful of the recipient and be sure you leave your name, telephone number, time and date of call and a brief description of the purpose of your call to expedite a response. Speak slowly and clearly so the recipient can retrieve your information accurately.



Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine



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PPQ Policy No. PPQ-DA-03-2

SUBJECT: E-Mail Policy

TO: All PPQ Employees

February 24, 2003

Purpose

E-mail is an important communication tool that is increasingly relied upon for the conduct of business. However, its overuse or misuse can lead to confusion and miscommunication and often results in employees spending more time than is necessary to sort through their e-mail or to understand what is expected of them. To be an effective and efficient means of communication, e-mail should be governed by a reasonable set of protocols. This policy establishes protocols to be used within PPQ when using the e-mail system.

Protocols

Identify Your Audience The most important thing to keep in mind when preparing an e-mail message is the audience. Before drafting your e-mail, ask yourself who **needs** the information. Limit your communication to those who **need to know**. If you need to send the e-mail to a large group, use the "blind copy" line in the Lotus Notes address. This will diminish the amount of time it takes the recipients—especially those in remote locations—to access the e-mail. It will also eliminate the problem of accidentally replying to an entire group when only the sender needs to receive a reply. Determine the appropriate recipients for copies. Remember, for example, to keep your supervisors informed of communications that affect the work unit or that reflect changes in policies, operations, or guidelines. In addition to identifying your audience, it is important that your audience know who the sender is. You are encouraged to include contact information or use a signature block in your e-mails—a feature that can be activated automatically in Lotus Notes.

Use Appropriate Group Addresses As a corollary to identifying the appropriate audience, you should be careful to use appropriate group addresses. E-mail group addresses are set up for many locations and can be found in the USDA address book in Lotus Notes. For example, there are separate group addresses for all PPQ employees, Riverdale employees, downtown employees, the regional offices, the State Plant Health Directors, and others. The "PPQ All" address and the headquarters address are perhaps the most frequently overused. For example, if car lights are on or articles have been lost or found in Riverdale, the appropriate address to use is a Riverdale group address, not "PPQ All" or the full



headquarters address. Group addresses should generally only be used for e-mails that apply to or are of general interest to all members of that group. They might be appropriate, for example, to announce new guidelines or policies; to let people know about the establishment or updating of a website; or to announce new hires who will interact throughout the organization. If you are in doubt, ask your supervisor for assistance in identifying the breadth of your audience.

Fill in the Subject Line Be sure you fill in the "subject" line of the e-mail with a short, informative phrase. This allows the recipient to prioritize e-mail and use his or her available time more efficiently. In addition, identify the urgency of the e-mail in the subject line using the following designators:

For Information Only

Action Required By (Date)

Information Request

Establishment or Update of Policy

Program Update

Urgent (to be used only if action must be taken in less than 24 hours)

Please note that we are pursuing the potential for establishing mandatory drop down menus with these designators in Lotus Notes.

Remember that e-mail is not always effective when used alone. If you are conveying critical information or are unsure whether your recipient has access to e-mail, follow up with a phone call. A phone call or other confirmation should almost always accompany an "urgent" or "action required" e-mail with a short deadline. Important policies or policy changes should usually be provided in the form of paper documents through appropriate supervisory channels in addition to any distribution by e-mail. New policies that change the work of employees should be discussed with employees by supervisors to ensure that there is a good understanding by employees of what is expected of them.

Be Clear and Concise Keep e-mails as brief as possible. Include the information the recipient needs to know and be clear about what is required of the recipient. Include only as much background as is necessary to frame your message. Use plain English and proofread your document before you send it. Remember that Lotus Notes has a spell check feature, which can be set up to activate every time the "send" button is activated. If you are uncertain about whether your message is conveying the information you want to convey, ask another party to read your draft and see whether he or she understands your message.

Format Your E-mail for Maximum Effectiveness When drafting an important e-mail message, be sure you identify the purpose up front. State the action required or let the recipient know the message is for information only. Explain the purpose of the action being taken and be clear in your expectations of what the recipient should do. Provide a deadline for action, if appropriate, and be sure to include a name and contact information in case the recipient needs additional information or assistance. Use subheaders for longer e-mails to make it easier for the recipient.

Concise standard formats are particularly important for "action" items, including those marked "urgent," and for policy announcements. Standard formats will be developed for these and other categories described above. Those formats will be made available when ready to simplify and standardize communication by e-mail. If possible, the formats will be made available electronically by incorporating them into the current system.

Limit the Use of Graphics and Animation While making your e-mail visually appealing can enhance the communication, it is best to keep the use of graphics and animation to a minimum. These devices can make it difficult for those in remote locations to open the document and can tie up an individual's e-mail system if he or she is working from a remote location or using dial-up access on a laptop.

Use Attachments Wisely If possible, include all pertinent information in the body of the e-mail. When you need to use attachments, be sure to send them in appropriate formats. PPQ employees should be able to access either Word Pro or Word. If you are uncertain about the software your recipient has on his or her computer, convert your documents to rich text format before sending. Rich text format is a format that is accessible through most word processing packages. You can convert to this format by using the "save as" feature when saving your document. Open the drop-down menu for "save as type" and select "Rich Text Format." If you must send multiple attachments and they are all lengthy, consider sending them in batches to prevent inordinate delays in accessing the e-mail.

Use of E-Mail During Emergency Situations E-mails sent during an emerging crisis will be sent from one sender, even though a group may be involved in responding to the crisis. The initial message should announce the emergency and give a specific time and date when updates can be expected. The name of an individual who can be contacted if people have questions should be specified in the e-mail.



Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine



PPQ Policy No. PPQ-DA-⁰⁰⁴⁻⁰¹~~001-04~~

**SUBJECT: USDA-APHIS-PPQ Training Policy and Standards for Certifying
U.S. Customs and Border Protection Agriculture Specialists**

August 13, 2004

TO: All PPQ Managers and Supervisors

Purpose

This document outlines the policy and standards USDA-APHIS-PPQ will follow to certify U.S. Customs and Border Protection (CBP) Agriculture Specialists who attend CBP Agriculture Specialist Training at the Professional Development Center (PDC) in Frederick, Maryland.

Background

In accordance with Section 421 (e) (2) (A) of the Homeland Security Act of 2002, the Department of Homeland Security (DHS) and the U.S. Department of Agriculture (USDA) agreed that USDA would "supervise and provide educational support and systems to ensure that DHS employees receive the training necessary to carry out the USDA functions transferred to DHS."

In preparation for the implementation of the new integrated CBP Agriculture Specialist curriculum on May 11, 2004, PDC worked closely with training representatives from CBP to establish minimum training standards for the mandatory completion of Agriculture Specialist Training. These standards are paramount in USDA's certification of CBP Agriculture Specialists who are tasked with performing agricultural import and port-of-entry inspection functions transferred to DHS.

Policy and Standards

USDA-APHIS-PPQ and CBP requires that all new Agriculture Specialists successfully complete Agriculture Specialist Training and receive USDA certification prior to enforcing agricultural import and port-of-entry inspection regulations. The enclosure to this memorandum outlines in detail the policy and standards for certifying CBP Agriculture Specialists.

Responsibilities

APHIS-PPQ

The Director of the PDC is responsible for ensuring that the requirements of this policy and the training standards are met.

CBP


The CBP Class Coordinator, consistent with CBP policy, is responsible for ensuring that CBP Agriculture Specialists, who do not meet the requirements of this policy, are removed from training and returned to their port for determination of continued employment status.

Implementation

This policy was effective May 10, 2004.

Inquiries

If you have any questions regarding this policy, please contact Troy Fine, Senior Training Specialist, PPQ, at 240-629-1922.



Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

Enclosure

cc:

W. Ron DeHaven, APHIS, Washington, DC
Bill Dickerson, National Plant Board, Raleigh, NC
Jeffrey J. Grode, CBP, Washington, DC
Jay H. Weisz, PPQ, Orlando, FL
PDC Staff, Frederick, MD
FLETC Staff, Glynco, GA

United States Department of Agriculture (USDA)
Animal and Plant Health Inspection Service (APHIS)
Plant Protection and Quarantine (PPQ)
PPQ Policy No. PPQ-DA-04-001-04

DATE: May 10, 2004

**SUBJECT: USDA-APHIS-PPQ Training Policy and Standards for Certifying
U.S. Customs and Border Protection Agriculture Specialists**

1. Purpose

This policy establishes the minimum training standards for the mandatory successful completion of Agriculture Specialist Training and USDA's certification of U.S. Customs and Border Protection (CBP) Agriculture Specialists who are tasked with performing agricultural import and port-of-entry inspection functions transferred to the Department of Homeland Security (DHS). All CBP Agriculture Specialists are required to successfully complete said training and receive USDA certification prior to enforcing agricultural import and port-of-entry inspection regulations.

2. Policy

Subject to the restrictions and conditions listed in this policy, all CBP employees who are appointed to the position of Agriculture Specialist will be required to successfully complete Agriculture Specialist Training and receive USDA certification at the Professional Development Center, prior to enforcing agricultural import and port-of-entry inspection regulations.

2.1 "Successful Completion" is defined in Section 6 and further elaborated in the Attachment to this policy. Furthermore, it is the policy of the USDA that CBP Agriculture Specialists who do not successfully complete the mandatory Agriculture Specialist Training, in compliance with this policy, not be certified by USDA to enforce agricultural import and port-of-entry inspection regulations.

2.2 Continuing employment status of CBP Agriculture Specialists, who do not successfully complete Agriculture Specialist Training, will be determined by the appropriate CBP official.

3. Authorities/References

Sections 421(a) and 421(e) of the Homeland Security Act of 2002, and Articles 3 and 4 of the Memorandum of Agreement (BTS-03-0001) between DHS and USDA.

4. Responsibilities

4.1 The Director of the Professional Development Center is responsible for ensuring that the requirements of this policy are met.

4.2 The CBP Class Coordinator, consistent with CBP policy, is responsible for ensuring that CBP Agriculture Specialists, who do not meet the requirements of this policy, are removed from training and returned to their port for determination of continued employment status.

5. Minimum Training Standards, Testing, and Certification Procedures

Any CBP Agriculture Specialist who fails to achieve a score of at least 80 percent on a written examination will be provided an opportunity for remedial instruction and will be required to pass a remedial written examination. CBP Agriculture Specialists will be tested on courses presented by methods outlined below.

5.1 A remedial written examination, testing all the objectives covered in the original course content, will be allowed in the following situations:

5.1.1 CBP Agriculture Specialists who do not achieve the 80 percent minimum passing score for each written examination will be retested no earlier than 3 workdays after a failed test unless they request to be retested earlier.

5.1.2 The minimum passing score on a remedial written examination is 80 percent.

5.1.3 CBP Agriculture Specialists will be permitted a total of three remedial written examinations, not to exceed one per written examination.

5.1.4 The maximum score a CBP Agriculture Specialist can receive on any remedial written examination, for the purpose of academic standing, is 80 percent.

5.1.5 CBP Agriculture Specialists who fail a fourth written examination will be considered to have not successfully completed the required training.

5.2 CBP Agriculture Specialists who achieve the minimum 80 percent passing score on each written examination will be considered to have successfully completed the required training and will receive certification by USDA. The fact that remedial written examinations may have been taken will not adversely affect successful completion as long as the requirements of this policy are satisfied.

5.3 CBP Agriculture Specialists who do not successfully complete the required training will be immediately referred to the CBP Class Coordinator for final disposition.

5.4 In order for the terms and conditions of this policy to be applicable to CBP Agriculture Specialists, the following preconditions must have been met:

5.4.1 If CBP Agriculture Specialists are selected through competitive announcements, the announcement should contain the following or similar statement to inform applicants of the mandatory successful completion of Agriculture Specialist Training:

"You will be required to attend 8 – 12 weeks of paid training at the Professional Development Center in Frederick, Maryland. This technical training must be successfully completed according to the standards of U.S. Customs and Border Protection. Failure to do so will be grounds for mandatory removal from the position. Such failure will result in either reassignment to a different position, demotion, or separation from the Service by appropriate procedures."

5.4.2 In addition, every effort should be made during the recruitment process or in interviews to advise applicants of the existence of this policy.

5.4.3 The selectee must sign an employment agreement provided by CBP certifying that they understand the mandatory successful completion of Agriculture Specialist Training requirement prior to entering the position covered by this policy. Failure or refusal by the selectee to sign the statement does not waive the requirement.

6. Measurement

"Successful Completion" of Agriculture Specialist Training is defined as the following:

6.1 CBP Agriculture Specialists attending training must comply with the following standards in order to be considered to have successfully completed the training:

6.1.1 Must meet or exceed 80 percent on each graded written examination, as defined in Section 5 of this policy, to receive USDA certification.

6.2 The results of the written examinations will be used to determine the successful completion of Agriculture Specialist Training. The student must receive at least the minimum percentage score on each written examination; scores will not be averaged. Retesting procedures are set forth in Section 5.1 of this policy.

7. In addition, CBP Agriculture Specialists must be certified in Regulatory Pest Control. Successful completion of Regulatory Pest Control Examination #1 (Pesticide Certification) and Regulatory Pest Control Examination #2 (Fumigation) meets the certification requirement for Regulatory Pest Control.

USDA-APHIS-PPQ Testing Standards and Policy For New CBP Agriculture Specialists

There are 10 USDA-administered written examinations for Agriculture Specialist Training. A student must achieve a minimum score of 80% on each written examination. Any student who does not achieve a minimum score of 80% will be required to pass a remedial examination. A student will be permitted a total of three remedial examinations, not to exceed one per written examination listed below. If a student fails a written examination they will be placed on academic probation and be given one final remedial attempt for that examination. A student who fails a fourth written examination will not be permitted to take a fourth remedial examination, will not receive a Certificate of Graduation, will be removed from training, and will be referred to the CBP Class Coordinator for final disposition.

Written Examinations

1. Introduction to Regulatory Decision Making/Preventing Agricultural Bioterrorism
2. Plant Health Regulations
3. Animal Health Regulations
4. Agricultural Import and Port-of-Entry Inspection Operations
5. Regulatory Pest Control Examination #1 (Pesticide Certification)
6. Regulatory Pest Control Examination #2 (Fumigation)
7. Pest Identification Examination #1
8. Pest Identification Examination #2
9. Pest Identification Examination #3
10. Pest Identification Examination #4



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20050

PPQDA-005-01

February 4, 2005

SUBJECT: Plant Protection and Quarantine
Deputy Level for Establishing
and Filling Positions

TO: PPQ Executive Team
PPQ Resource Management
PPQ Financial Management
MRPBS-Human Resources

Receipt of this memorandum establishes new streamlined procedures for establishing and filling positions within Plant Protection and Quarantine.

Until further notice, the PPQ Deputy Administrator will no longer review and approve the following positions:

1. Vice positions of any type, series or grade.

The filling of Senior Executive Service and GS-15 positions continue to be governed by Agency/Departmental approvals and procedures which PPQ must continue to follow.

2. New Clerical, ASA, and Administrative positions of any type, series or grade will no longer be reviewed and approved by the PPQ, DA's Office **unless the grade is GS-13 and above.**
3. Temporary positions of any type, series or grade will no longer be reviewed and approved by the PPQ DA's office.
4. Technician positions of any type, series or grade will no longer be reviewed and approved by the PPQ DA's office.
5. Predeparture Officers GS-9 and below will no longer be reviewed and approved by the PPQ DA's office.

Accordingly, only new Fulltime Permanent Program positions at the GS-11 level and above will be reviewed and approved by the PPQ Deputy Administrator's Office.

An example would be the establishment of a new safeguarding officer position or a new staff or regional program manager position,



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The procedure is straightforward.

The only positions to be reviewed and approved by the PPQ DA's office with the issuance of this memorandum are:

1. New, Permanent, Full-time, Program positions where the full performance grade level is GS-11 and above.

2. New, Permanent, Full-time, Administrative positions where the full performance grade level is GS-13 and above.

As in the past, please forward all requests for position approval via fax directly to Ms. Terri Burrell, PPQ Resource Management Director, 301-734-8434 or to me in the Deputy's Office, 202-690-0472.

/s/

Paul R. Eggert
Associate Deputy Administrator
Plant Protection and Quarantine



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POLICY NO. PPQ-DA-92-1

Subject: PPQ Policy Memoranda System

Date: July 13, 1992

To: All PPQ Employees

PURPOSE: To announce establishment of the new PPQ Policy Memoranda System. This memorandum is the first issuance under the new system.

BACKGROUND: For quite sometime there has been no formal "numbered" system for communicating new or revised PPQ policy to the field. Policy has merely been issued in the form of a memorandum. This has made it difficult to track the issuance of policy--to determine whether previous policy had been revised or a new policy established. Also, some policy issuances may have been overlooked as they did not stand out.

POLICY: All PPQ Policy memoranda will be numbered, will be signed by the Office of the Deputy Administrator, and will be clearly identified as PPQ Policy. As indicated at the top of this memorandum, the format for identifying and numbering policy will be "Policy No. PPQ-DA-92-xx". All changes to policy will be issued as a new policy under a new policy number. Numbers will be assigned by the Office of the Deputy Administrator. The body of the memorandum will follow the format depicted in this memorandum.

All offices are to create and maintain a "PPQ Policy" notebook for ready reference.

We are sure this new system will be helpful to all.

B. Glen Lee
Deputy Administrator
Plant Protection and Quarantine





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P.O. Box 96464
Washington, DC
20090-6464

POLICY NO. PPQ-DA-92-2

August 12, 1992

SUBJECT: Visitors to PPQ Facilities

TO: All PPQ Employees

PURPOSE: To implement a policy throughout PPQ regarding visits of family members or unauthorized PPQ employee visitors to hazardous areas of worksites. This policy is to be based on safety concerns as well as the professional image PPQ employees should demonstrate while on the worksite.

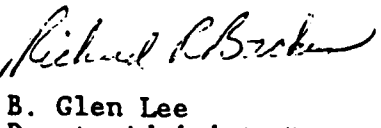
BACKGROUND: The research for this project began with an indepth look at the Federal Personnel Manual and Agency Directives. After careful examination of the contents, it was determined that while there was information regarding workers' compensation, there was no mention of any responsibility the Government may have toward spouses and children of Federal employees who may be injured while visiting an employee's worksite.

Several offices within APHIS and USDA were contacted to obtain any information related to the Federal Government's responsibility regarding injury of visitors to a worksite. The offices contacted included both Classification, Staffing, and Compensation, and Performance, Conduct, and Labor Relations, Human Resources Division; and the Property and Safety Management Branch, Management Services Division, Management and Budget. The information received was consistent from each office:

- Concern was expressed due to safety reasons.
- There are no known safety and health regulations covering this issue.
- It is unprofessional for visitors to accompany PPQ Officers while they are on an inspection.

The Office of General Counsel, Research and Operations Division, advised that if an accident occurred on Government property, the Federal Government is liable for negligence on the part of the Federal employee, and the Government could be sued. However, if an injury occurs on private property (airport or shipyard), the business, rather than the Government, would be liable if the negligence is on their part. They also stated it is the supervisor's responsibility to establish a policy prohibiting spouses and children on the worksite where there may be some safety concerns.

POLICY: Family members and visitors are not allowed to accompany PPQ employees on overtime duties or to visit hazardous worksites unless approved in advance by local management. If a PPQ Officer desires to bring a family member or visitor to the place of employment during working and nonworking hours, a request must be made to management prior to the visit. In the event a visitor is authorized to accompany a PPQ Officer on an overtime assignment, he/she must remain clear of the worksite until the assignment is completed.


B. Glen Lee
Deputy Administrator
Plant Protection and Quarantine



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We are sure this new system will be helpful to all.

B. Glen Lee
Deputy Administrator
Plant Protection and Quarantine





Subject: Management of Chemical and
Pesticide Inventories

Date: August 21, 1992

To: All PPQ Employees

PURPOSE: To establish a uniform PPQ policy on chemical and pesticide inventories.

BACKGROUND: An earlier memorandum (July 18, 1991) established a uniform format for inventories of PPQ program chemicals and pesticides. This memorandum reiterates and expands on that document.

Chemicals include pheromones, lures, and baits; pesticides include herbicides, insecticides, and fumigants. The Animal and Plant Health Inspection Service's Safety and Health Manual dated May 1, 1991, describes responsibilities for managing such materials. As stated in paragraph 10.2.4, B. of the Manual, PPQ Regions and Laboratory and Program Directors must annually inventory all hazardous materials (primarily chemicals and pesticides) and must report any surplus to APHIS' Safety, Health, and Environmental Section (SHES).

Inventories include the information required in Exhibit 3, Chapter 10, of the Safety and Health Manual (Exhibit 3 requires the material's name, percentage of active ingredient, formulation, amount held, amount surplus, and storage location). When Regions, laboratories, or programs determine they no longer need a particular chemical, they should place a notice describing the material on the PPQ E-Mail Bulletin Board. If other PPQ programs cannot use surplus chemicals, then the unit owning the material should notify SHES and request disposal.

In general, proper management of pesticides should limit bulk storage to less than 1 year. Furthermore, programs should use pesticides or properly dispose of them within the manufacturer's recommended shelf life (typically 2 years). If a pesticide's purity is suspect, submit a sample to APHIS' National Monitoring and Residue Analysis Laboratory in Gulfport, Mississippi, for analysis of purity. Unless otherwise stated on the pesticide label, use the following table as a guide in determining whether the formulation is sound (40 CFR 158.175):

Table of Standard Certified Limits

<u>Nominal Concentration (N) of the Active Ingredient</u>	<u>Upper Limit</u>	<u>Lower Limit</u>
N < 1.0%	N + 10%N	N - 10%N
1.0% < N < 20.0%	N + 5%N	N - 5%N
20.0% < N < 100.0%	N + 3%N	N - 3%N



Thus, a malathion formulation labeled 91 percent should test no less than about 88.3 percent pure. If doubts still exist as to the material's viability, contact the manufacturer and ask if the material may be returned for reprocessing/reformulating. This option is often less expensive than disposal.

POLICY: To fulfill the APHIS inventory and reporting requirement, PPQ Regions and Laboratory and Program Directors will complete an inventory of their chemicals and pesticides during October of each fiscal year (maintain inventory data at the Region, laboratory, or program level, as appropriate). This inventory will help PPQ efficiently use, report, or dispose of any chemicals or pesticides (including hazardous materials).

If you have any questions about this policy, please contact Ron Milberg, Domestic and Emergency Operations, Operational Support, on Area Code (301) 436-8247.



B. Glen Lee
Deputy Administrator
Plant Protection and Quarantine

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Policy No. PPQ-DA-92-4

Subject: PPQ Policy Memorandum No. PPQ-DA-92-2
Visitors to PPQ Facilities

Date: December 14, 1992

To: All PPQ Employees

The August 12, 1992, PPQ Policy Memorandum No. PPQ-DA-92-2, entitled "Visitors to PPQ Facilities," is hereby rescinded. Please follow the practices in effect prior to August 12, 1992, until further notice.

If you have any questions, please contact the appropriate supervisory personnel.

B. Glen Lee
Deputy Administrator
Plant Protection and Quarantine



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Subject: Using the Behavioral Event Interview (BEI)
for Filling GM-13, 14, and 15 Positions

Date: November 24, 1993

To: See DISTRIBUTION

PURPOSE: To provide guidance for Plant Protection and Quarantine (PPQ) Managers regarding selection methods for supervisor/managerial positions at the GM-13, 14, and 15 level.

BACKGROUND: The BEI offers a systematic approach to ensuring that panel members focus on evidence of past behavior when evaluating the interview information. In today's workplace it is critical that the best candidate available is selected for the job. As one of the tools in the selection process, the BEI provides additional information about the candidate and how he/she is likely to perform in the position being filled. In addition, it is imperative that the final selection or nonselection decision be well documented.

The principle behind this particular interview method is that "the most reliable interview information on how a candidate *will* perform in the target position is to understand how the candidate *has* performed in the past."

According to the article, "In Search of Competence: Structured Behavior Interviews" (Mar-Apr 1991), Mr. Van Cleef compared the overall effectiveness for predicting job performance of six widely-used selection tools. Of those evaluated, the structured behavior interview process produced the highest success rate.

The BEI process is divided into five phases; below is an abbreviated version of each phase:

1. *Planning* - The selecting official contacts the facilitator, clarifies the specific criteria to be used in the interview, chooses the panel members, and sets up the schedule for the interview. The panels should consist of three to five members and be representative of the diversity within the Agency. You may wish to have a member of the Equal Opportunity and Civil Rights (EO/CR) staff (or regional EO/CR representative) as an observer to the process.

2. *Orientation* - Prior to the first interview, the facilitator meets with the panel (this process takes about an hour) to describe his/her role, the role of the panel members, the process in detail, paying particular attention to the stages of the interview, and the process which will be used for debriefing. The selecting official will describe the position, the criteria to be used in assessing candidates, and answer any questions from the panel concerning the vacant position.
3. *Interviews* - Each interview is approximately 1 hour in length, with a 30 minute panel debriefing process immediately following each interview.
4. *Final Debriefing* - Following the last interview, the panel conducts a comparative assessment of the candidates against the criteria. If the selecting official has not been involved in the interviews, it is recommended that he/she join the panel members for the final debriefing. By doing so he/she can hear the full range of discussions and perspectives of the various panel members.
5. *Followup* - The selecting official must be able to fully justify the selection (and nonselection) of the candidate(s).

The selection process should not focus on the BEI alone. Selection officials are to use the SF-171, performance appraisals, references, etc., in conjunction with the BEI when making a final decision.

The training provided by the Human Resources Division (HRD), as described below, is the training required to implement the BEI process.

1. *Facilitators* - APHIS currently has three facilitators trained in the BEI process. In addition, HRD is in the process of developing a BEI training package in order to train one or two persons from each activity within APHIS.
2. *Selecting Officials* - The facilitator spends 1 hour in a planning session with the selecting official. During this planning session competencies are developed for the specific position, panel members are selected, and the selecting official will decide whether he/she will be a member of the panel.
3. *Panel Members* - The facilitator conducts an orientation session with the panel members prior to the first interview. During this time, the facilitator reviews the competencies and their definitions to ensure the panel has a mutual understanding of both.

See DISTRIBUTION

3

POLICY: It will be PPQ's policy to use the BEI panel process whenever possible, for GM-13, 14, and 15 managerial and supervisory positions. The BEI concept is also applicable to other lower graded positions, e.g., GS-11 or 12 highly visible or sensitive career ladder positions.



B. Glen Lee
Deputy Administrator
Plant Protection and Quarantine

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Subject: Certification of Pesticide Applicators

PPQ-DA-93-2

Date: December 10, 1993

To: PPQ Regional Directors

Enclosed for your information is an advanced copy of the new policy on certification of PPQ pesticide applicators.

If you have any questions regarding this policy, please contact Ron Milberg at Area Code (301) 436-8247.

for Richard R. Bachus

B. Glen Lee
Deputy Administrator
Plant Protection and Quarantine

Enclosure



Subject: Certification of Pesticide Applicators

To: All PPQ Employees

Date: December 10, 1993

PURPOSE: To update the pesticide certification policy as discussed by the PPQ Management Team on September 22, 1993. The changes are effective immediately and supersede all previous PPQ pesticide certification policies.

BACKGROUND: On October 8, 1980, the Environmental Protection Agency (EPA) approved the APHIS Certification Plan (comprising PPQ and Veterinary Services) as part of the U.S. Department of Agriculture's Federal Agency Plan (45 FR 66864-01). In approving the plan, EPA stated, "The Administrator has reviewed this plan and finds that it complies with the terms of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended..." In addition, 40 CFR 171.2(a)(7) defines certification as "the recognition by a certifying Agency that a person is competent and thus authorized to use or supervise the use of restricted use pesticides."

POLICY: The following policies apply to PPQ employees:

General. Employees described below must successfully complete PPQ's initial pesticide certification training and subsequent recertification training:

- Any employee (except intermittent) who in the performance of official duties directly supervises, uses, recommends or monitors the use of any pesticide, whether classified for general or restricted use. This includes rehired annuitants performing pesticide-related duties.
- All GS-436 PPQ Officers, Supervisors, and Officers-in-Charge even if their current assignment does not involve pesticide use.

Initial Pesticide Certification Training (PCT) includes completion of the self-instructional pesticide applicator course and a fumigation workshop for PPQ Officers or others performing or supervising fumigations. Recertification involves studying for and passing a recertification examination every 3 years.

In addition, employees must use pesticides in accordance with the product labeling, exemption instructions, and the PPQ Treatment Manual. Each certified employee must also meet local jurisdictional certification requirements (e.g., state, county, municipality, territory, or Indian Reservation) in which the employee conducts pesticide related duties.



State and local certification requirements vary widely with some only requiring certification of supervisors, while others require full certification of all employees. The State Plant Health Director or other Regional designee will negotiate State certification requirements for PPQ in a Memorandum of Agreement or letter of acceptance with each State's appropriate certification agency.

Employees not certified in accordance with this policy and the approved APHIS plan or employees allowing their certifications to lapse will not use (unless supervised by a certified applicator), supervise, or monitor the use of pesticides. However, if the local jurisdiction requires everyone using pesticides to be certified, then employees must abide by the local jurisdiction's requirement.

New PPQ Officers. New PPQ Officers will complete PCT within 12 months after the PPQ Officer's entry on duty (EOD). New PPQ Officers complete a fumigation workshop as part of the NOT and PCT program. Procedures governing NOT are described in PDC's Administrative Guide entitled "New Officer Training (NOT) as a Condition of Employment." Within the one subject area of pesticide applicator certification, new PPQ Officers to be certified must obtain a minimum 80 percent average grade on the two examinations covering both the fumigation workshop and the self-study portion of PCT. For example, one could score 70 on the fumigation workshop and 90 on the self-study portion and become certified. Employees failing the self-study examination may retake it as described under Retesting.

Employees Entering PPQ (into non-Series 436 Positions). When duties require pesticide use, individuals entering PPQ from other Federal Agencies or new-hires into positions other than Series 436 must become certified within 1 year of PPQ EOD.

Intermittent Program Employees. Part-time, summer-hire, letter authority, or other intermittent PPQ employees normally receive close supervision from a certified applicator. Therefore, they need not complete pesticide certification training unless the appropriate Regional Director, Director of Operational Support, or local jurisdictions require such certification.

If local jurisdictions require more stringent employee certification, then regional personnel should contact the responsible local official(s) and attempt to resolve any requirements which unduly restrict program activity. For example, when a State requires that any employee applying pesticides be certified, the Region will confer with the State and seek State acceptance of certification of the contracting officer's representative, project officer, or other responsible program official as sufficient to meet the State's certification requirements. If the issue(s) cannot be resolved, then PPQ personnel must meet any certification requirements imposed by the local jurisdiction.

Retesting. Employees failing a pesticide certification or recertification examination, must retake the examination within 30 days of the notice of initial failure. Employees may contact the PDC to determine in what area(s) to concentrate studying. Employees refusing to take scheduled retests shall be subject to appropriate disciplinary action.

Upon a second consecutive test failure, the Agency will put the employee on written notice that unless the examination is passed on the next attempt, adverse action will be taken to remove the employee from the 436 Series (if applicable) and/or Federal service, or other appropriate action. The notice will provide an additional 30-day period for the employee to study for and pass the examination. At any time after the first failure, an employee may request assistance from supervisory personnel to prepare for the examination. This may include (a) designating study time, (b) answering questions, (c) other assistance. Note: supervisors are prohibited from assisting employees while the employees take the examination.

If the employee fails the examination on the third attempt, the Agency may conclude that the individual's continued use, supervision, or monitoring of pesticide use may present a hazard to the employee, other individuals, or the environment. Therefore, the Agency may immediately ban the employee from performing such duties. In addition, the Agency will initiate adverse action to remove the employee from the 436 Series (if applicable) and/or Federal service, or take other appropriate action.

Pesticide Misuse. Employees must use pesticides in accordance with all product labeling, exemption instructions, PPQ Treatment Manual, and appropriate State and Federal regulations. The APHIS Certification Plan states that "any certificate applied for or issued to any person under this plan may be denied, suspended or revoked for misusing a pesticide (using a pesticide inconsistently with its labeling) or falsifying any record or report required to be kept under this plan." Furthermore, disciplinary action may result. The plan also states that, "the appropriate Deputy Administrator has authority to review any certificate issued under this plan for possible denial, suspension or revocation of any person who has been penalized under Section 14 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)."

Responsibilities.

Human Resources Operations (HRO): In vacancy announcements for new PPQ Officers, HRO will include completion of PCT within 12 months of the employee's EOD as a condition of employment.

PDC will:

- Ensure that new PPQ Officers are notified of their obligation to complete certification within 12 months of their EOD.
- As soon as practical, notify by telephone the supervisor of any employee failing the correspondence portion of PCT.

Officers in Charge will make available to employees appropriate product labeling, Material Safety Data Sheets, exemption instructions, and the PPQ Treatment Manuals.

PPQ line supervisors will:

- Ensure that new PPQ Officers and other employees as required complete PCT within 12 months of their EOD. (Note: PCT may begin prior to attending NOT.) For new PPQ Officers, the NOT and PCT process should be initiated early during the probationary period, so the employee if necessary can retake the PCT exam in accordance with the paragraph entitled Retesting.
- Authorize 20 hours of official duty time for new employees to study the self-instructional course material. For those previously certified, authorize up to 22 hours for study prior to each recertification test. Study time for both should be in increments not exceeding 4 hours per day and on consecutive days where practical. An appropriate study environment will be provided, e.g., privacy, no disruptions, and quiet.
- Ensure that they and their employees maintain local jurisdiction certification requirements.
- Notify employees who require recertification and ensure the recertification examination is taken before certification expiration or shortly thereafter (normally within 45 days).
- Ensure that all appropriate employees attend and complete fumigation training as part of their initial PCT (unless attended during NOT).
- Initiate appropriate actions (in coordination with a Regional Employee Relations Specialist) regarding individuals who fail the certification examination three consecutive times or who refuse to take the examinations in a timely manner.

Domestic and Emergency Operations (DEO) will track and record employee certification and recertification dates and inform Regions, Operational Support, and other appropriate work units of employees requiring recertification during the upcoming quarter. DEO will issue training certificates and certification cards to employees successfully completing PCT. Signature authority for the applicators' wallet-size cards and Certificates of Training is delegated to the responsible Operations Officer in DEO.

If you have any questions regarding this policy, please contact Ron Milberg, DEO, at Area Code (301) 436-8247. If you have any questions about the administration of PCT, contact Bob Burdsall, PDC, at Area Code (301) 663-0342.

for/ Richard R. Backer
B. Glen Lee

Deputy Administrator
Plant Protection And Quarantine



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Policy No. PPQ-DA-94-1

Subject: Establishment of GS-6 Grade
Level for PPQ Technicians

Date: March 17, 1994

To: PPQ Management Team

PURPOSE: To adhere to the single interval classification series (Grade Level Guide for Aid and Technician Work in the Biological Sciences, GS-400). All PPQ Technicians in the GS-421 or GS-404 series will progress through the series at single grade intervals.

BACKGROUND: Historically, PPQ has bypassed the GS-6 level in single-grade interval series positions.

POLICY: Effective March 21, 1994, all PPQ employees hired into the GS-404 (Lab Technician) or GS-421 (PPQ Technician) series will progress through the series at single grade intervals.

The career path of an AQI employee could start at the GS-3 level, (or lower, depending on individual qualifications and the duty requirements of the work location) and have a career path to the GS-5 level. If the career path is higher, the merit promotion announcement must so stipulate.

The career path of a Domestic employee could start at the GS-3 level, (or lower, depending on individual qualifications and the duty requirements of the work location) and have a career path of GS-4/5/6/7.

Any employee that has competed for the Career Enhancement Program (CEP) prior to March 21, 1994, will bypass the GS-6 level and progress to the GS-7 level, once they meet the appropriate time in grade requirements. Any employee selected for CEP after March 21, 1994, will follow a single-grade interval career path.

B. Glen Lee

B. Glen Lee
Deputy Administrator
Plant Protection and Quarantine



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Subject: Selecting Official Authority

Policy No. PPQ-DA-94-2

Date: March 31, 1994

To: All PPQ Employees

PURPOSE: To change the level of selecting official authority.

BACKGROUND: PPQ's policy has been that the selecting official should be two grade levels above the position.

POLICY: Effective April 15, 1994, the Deputy Administrator will be the Selecting Official for grades GS-15 and above. The Regional Director and Operational Support Director will be the Selecting Officials for GS-14's. For all other positions, the Selecting Official will be the immediate supervisor of the position.



B. Glen Lee
Deputy Administrator
Plant Protection and Quarantine



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Policy No. PPQ-DA-96-1

Subject: Supervisory Overtime Policy for PPQ

To: All PPQ Supervisors and Managers

Date: **SEP 2 1996**

PURPOSE: To change the Supervisory Overtime Policy.

BACKGROUND: The Plant Protection and Quarantine (PPQ) Strategy Team believes that Supervisory PPQ Officers should not routinely work nonsupervisory overtime. The PPQ Strategy Team realizes there are situations and/or locations that require supervisors to work nonsupervisory overtime; however, our aim is to have this be the exception rather than the rule.

Quality service--both on regular time and overtime--can be affected by employees working excessive amounts of overtime. Managers and supervisors must consider this when defining overtime policies at work units.

Quality customer service, essential program delivery, prudent use of funds, and effective employee utilization should be the principal factors in determining and managing overtime at a work unit.

Supervisors and managers are accountable for developing and maintaining stringent administration, oversight, and audit procedures for overtime usage. Procedures must be in place to avoid even the slightest appearance of a conflict of interest between those performing overtime and those administering overtime. Overtime will be managed in a fair and equitable manner.

POLICY:

- Overtime will be performed by those employees (i.e. seasonal employees, technicians, PPQ officers, supervisors) who normally perform the same type of work during regular working hours.
- Supervisors and managers will not routinely work nonsupervisory overtime when the service can be provided by the on-site cadre of nonsupervisory employees.
- Overtime for specific supervisory activities should be based on the same customer service and accountability standards used for nonsupervisory overtime.

Donald F. Husnik
Deputy Administrator
Plant Protection and Quarantine

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Policy No. PPQ-DA-97-1

Subject: Dedicated Commuter Lanes at Land Border Ports of Entry

Date: September 23, 1997

To: All PPQ Supervisors and Managers

PURPOSE: To establish policy for plant and animal product entry through Dedicated Commuter Lanes (DCL).

BACKGROUND: Dedicated Commuter Lanes are expanding across the land border ports of entry. Whether travelers use the technology employed in the Secure Electronic Network for Travelers' Rapid Inspection (SENTRI), or a modified version, more and more people will be enrolling in these programs. The advantage to DCL's is that enrollees have shorter waits at points of entry. A question has arisen as to what if any plant and animal products would be permitted entry through the dedicated commuter lanes.

POLICY:

- If a traveler were to enter plant and animal products through DCLs, the question of enterability would be answered by the traveler and not Plant Protection Quarantine (PPQ). Although many plant and animal products are enterable into our country, the position of PPQ is that these products are not enterable by passengers through the DCL's.
- If a traveler chooses to enter plant and animal products, then that person must travel through a lane which is not a DCL and must declare plant and animal products at the point of entry. At that time, a determination will be made on the enterability status by PPQ or its designee.

Alfred S. Elder
Acting Deputy Administrator
Plant Protection and Quarantine



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PPQ Policy No. PPQ-DA-98-1

Subject: Policy on Personal Searches

Date: October 22, 1998

To: All PPQ Employees

PURPOSE: This notice transmits the Plant Protection and Quarantine (PPQ), Animal and Plant Health Inspection Service, U.S. Department of Agriculture, policy on personal searches. Policy statements are provided for:

- (1) Requests to witness searches conducted for U.S. Customs Service (Customs) purposes;
- (2) Personal searches for PPQ purposes.

BACKGROUND: (1) Requests to witness searches conducted for Customs purposes.

For Customs purposes the courts have identified different types of personal searches and delineated the necessary level of suspicion to support the search. For example, a "pat-down" (i.e., strip search) for the purpose of discovering merchandise subject to duty or attempted to be entered contrary to law may be conducted on mere suspicion, which is nothing more than a hunch. However, a search beyond a "pat-down" must be supported by reasonable suspicion.

The Customs Directive No. 3300-04 issued March 1997, requires that any personal search more extensive than a "pat down" be conducted and witnessed by persons of the same sex as the person being searched, except:

- a) Physicians and their professional assistants,
- b) Same sex witness not available. An officer of the opposite sex of the person being searched may remain immediately outside the search room when personnel of the same sex are not available.

This Handbook provides that in the absence of appropriate Customs personnel, Customs Inspectors are authorized to request other Agency personnel to assist.

PPQ Officers should be aware that 19 USC 482, and 19 USC 507, amended October 27, 1986, allows Customs Inspectors to demand assistance, in certain instances, including personal searches.



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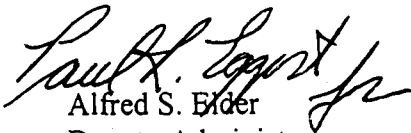
POLICY: PPQ authorizes its Officers to honor a Customs request to witness personal searches. Appropriate training will be conducted by Customs trainers in personal searches/pat-downs.

(2) Personal searches for PPQ purposes.

BACKGROUND: The Plant Quarantine Act (7 USC 164a) and Plant Pest Act (7 USC 150ff) contains authority for personal searches. While there has been no litigation of this authority, cases involving Customs laws provide some guidance.

In general, the courts have held that even though authorized, personal searches must be based on reasonable suspicion. Once initiated, a search must be terminated when the original suspicion is satisfied. For example, a passenger holds his arm locked against his body and attempts to manipulate his baggage with one hand. A bulge indicates that something is concealed under his jacket. This situation would constitute reasonable suspicion. If after asking the passenger to remove the jacket the bulge is still present and under the shirt, the suspicion has not been satisfied and a further search would be in order. If, however, removal of the jacket revealed that the bulge was due to a large amount of paper being carried in the jacket or a shirt pocket, a personal search would not be appropriate. This example above would be valid grounds for a limited search. Another instance might involve evidence that a passenger is carrying a prohibited item (finding an empty freshly used bird cage, but no bird). Personal searches are authorized only to the extent of resolving the suspicions. If resolution requires removal of any article of clothing other than an outer coat or jacket, this should be accomplished in private, and in the presence of a witness of the same sex as the person being searched. Since PPQ has authorized its Officers to assist Customs concern, Customs Inspectors are expected to assist based on cases that require a search in private. In appropriate situations, Customs will initiate a search report and PPQ Officers should provide reporting assistance as needed.

POLICY: PPQ only authorizes personal searches in instances involving direct suspicion or concealment of a prohibited or restricted item.


Alfred S. Elder
Deputy Administrator
Plant Protection and Quarantine



United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and Plant
Health Inspection
Service

Washington, DC
20250

PPQ Policy No. - PPQ-DA-98-2

DEC 16 1998

SUBJECT: Changing PPQ Policy on Dedicated Commuter Lanes
at Land Border Ports of Entry

TO: All PPQ Supervisors and Managers

Issue: The current PPQ policy (PPQ-DA-97-1) on movement of agricultural materials through Dedicated Commuter Lanes at northern and southern land border operations prohibits travelers from carrying admissible articles. The policy is as follows:

- *"If a traveler were to enter plant and animal products through DCLs, the question of enterability would be answered by the traveler and not Plant Protection and Quarantine (PPQ). Although many plant and animal products are enterable into our country, the position of PPQ is that these products are not enterable by passengers through the DCLs.*
- *"If a traveler chooses to enter plant and animal products, then that person must travel through a lane which is not a DCL and must declare plant and animal products at the point of entry. At that time, a determination will be made on the enterability status by PPQ or its designee."*

PURPOSE: To establish policy for plant and animal product entry through Dedicated Commuter Lanes (DCLs). This policy supersedes PPQ Policy #PPQ-DA-97-1.

BACKGROUND: DCLs are expanding to many of our land border ports of entry. The advantage to DCLs is that enrollees have shorter waits at points of entry. PPQ provides detailed guidance on APHIS regulations to each participant in the DCL program. One of our primary concerns in both DCL and non-DCL lanes is that prohibited materials will be commingled with admissible articles. We address this problem by conducting routine inspections in non-DCL lanes and by randomly selecting vehicles for inspection in DCL lanes. Additionally, participants in the DCL programs are local commuters who are in the lowest risk portion of border traffic. Penalties for violation of any Federal Inspection Agency's regulation(s) are severe, including automatic removal from the program.



APHIS - Protecting American Agriculture

PPQ Policy No. - PPQ-DA-98-2

POLICY: Any traveler participating in a DCL program at land border ports of entry must adhere to APHIS regulations. Participants in the program will be provided with specific information about what admissible articles may be entered through a DCL.

Travelers may carry admissible articles through a DCL and are subject to inspection. Travelers found to be in violation of APHIS regulations by carrying prohibited articles will be removed from the DCL program and are subject to civil penalty.



Alfred S. Elder
Deputy Administrator
Plant Protection and Quarantine



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

4700 River Road, Unit 130
Riverdale, Maryland 20737

POLICY NO. PPQ-DA-99-02

Subject: Personal Search Policy

Date: May 3, 1999

To: PPQMT
SPHD
Port Directors
NAAE Executive Committee
NAPPQM Executive Committee

The Personal Search Policy PPQ-DA-98-1, dated October 22, 1998, is rescinded in order for U.S. Custom's to comment and review. After we have received their comments we will forward the revised policy to NAAE for review.

The Personal Search Policy (attached), dated June 29, 1987, will be in effect until we reach concurrence on a new policy.

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

Attachment



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Policy Number: PPQ-DA-99-4

SUBJECT: Certification of Pesticide Applicators

TO: All PPQ Employees

DATE: December 22, 1999

Purpose:

To clarify and update the pesticide certification policy. The changes are effective immediately and supersede all previous PPQ pesticide certification policies.

Background:

On October 8, 1980, the Environmental Protection Agency (EPA) approved the APHIS Certification Plan (comprising PPQ and Veterinary Services) as part of the U.S. Department of Agriculture's Federal Agency Plan (45 FR 66864-01). In approving the plan, EPA stated, "The administrator has reviewed this plan and finds that it complies with the terms of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. . ." In addition, 40 CFR 171.2(a)(7) defines certification as "the recognition by a certifying Agency that a person is competent and thus authorized to use or supervise the use of restricted use pesticides."

Policy:

The following policies apply to PPQ employees:

Employees described below must successfully complete PPQ's initial pesticide certification training and subsequent recertification training:

- All PPQ employees in the GS-436 series even if their current assignment does not involve pesticide use.
- Any employee (in other than the GS-436 series mentioned above) who in the performance of official duties directly supervises, uses, recommends, or monitors the use of any pesticide, whether classified for general or restricted use. This includes rehired annuitants performing pesticide related duties, plant protection center personnel, headquarters staff who deal with domestic or emergency programs, and pilots.



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All PPQ Employees

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General: Initial Pesticide Certification Training (PCT) includes completion of the self-instructional pesticide applicator course and a fumigation workshop for PPQ officers or others performing or supervising fumigations. Recertification involves studying for and passing a recertification test every 3 years.

In addition, employees must use pesticides in accordance with the product labeling, exemption instructions, and the PPQ Treatment Manual. Each certified employee must also meet local jurisdictional certification requirements (e.g., State, county, municipality, territory, or Indian Reservation) in which the employee conducts pesticide related duties.

State and local certification requirements vary widely with some only requiring certification of supervisors, while others require full certification of all employees. The State Plant Health Director or other Regional designee will negotiate State certification requirements for PPQ in a Memorandum of Agreement or letter of acceptance with each State's appropriate certification agency.

Employees not certified in accordance with this policy and the approved APHIS plan, employees allowing their certification to lapse, or employees waiting for test results will not use (unless supervised by a certified applicator), supervise, or monitor the use of pesticides. However, if the local jurisdiction requires everyone using pesticides to be certified, then employees must abide by the local jurisdiction's requirement. PPQ's policy requires all employees in the GS-436 series to be certified.

New PPO Officers: New PPQ officers will complete PCT before attending New Officer Training (NOT) in Frederick, Maryland. The training includes studying in preparation for taking the test. New PPQ officers will take the certification test in Frederick, as well as a fumigation workshop as a part of NOT. Procedures governing NOT are described in PDC's Administrative Guide titled *New Officer Training (NOT) as a Condition of Employment*. Within the one subject area of pesticide applicator certification, new PPQ officers to be certified must obtain a minimum 80 percent average grade on the two tests covering both the fumigation workshop and the pesticide certification test. Employees failing the pesticide certification test must retake it as described under **Retesting**.

Rehired Employees:

- If an employee has left PPQ and then is rehired, the employee can study for and then take the recertification test.
- If an employee has left PPQ and then is rehired after 13 or more months, in addition to studying for and taking the recertification test, it is recommended that the employee complete a fumigation workshop if the employee's responsibilities include supervising, monitoring, or conducting fumigations.

All PPQ Employees

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Employees Entering PPQ (into non-GS-436 Positions): When duties require pesticide use, individuals entering PPQ from other Federal agencies or new hires into positions other than GS-436, must become certified within 1 year of PPQ entrance on duty date.

Intermittent Program Employees: Part time, summer hire, letter of authority, or other intermittent PPQ employees normally receive close supervision from a certified applicator. Therefore, they need not complete pesticide certification training unless the Director or local jurisdictions require such certification.

If local jurisdictions require more stringent employee certification, then regional personnel should contact the responsible local official(s) and attempt to resolve any requirements which unduly restrict program activity. For example, when a State requires that any employee applying pesticides be certified, the Regional Director will confer with the State and seek State acceptance of certification of the contracting officer's representative, project officer, or other responsible program official as sufficient to meet the State's certification requirements. If the issue(s) cannot be resolved, then PPQ personnel must meet any certification requirements imposed by the local jurisdiction.

Exemptions: Exemptions may be granted by Regional Directors, the Director of APHIS Plant Health Programs, or the Director of the Center for Plant Health Science and Technology to employees with valid, medical reasons explaining why the employee cannot work with pesticides. To apply for an exemption, submit your request (in writing) along with your doctor's documentation to the appropriate Director. The Director will determine on a case-by-case basis who will be granted an exemption. In addition to exemptions for medical reasons, the Director may also grant exemptions to employees outside the GS-436 position if the employees in performance of their official duties do not directly supervisor, use, recommend, or monitor the use of any pesticide whether classified for general or restricted use.

The Director or designee will notify the Professional Development Center of all employees who have been granted exemptions. If an employee has been granted an exemption, been removed from the database, and then decides to become certified, the same policy for Rehired Employees applies.

Retesting: Employees failing a pesticide certification or recertification test must retake the test within 30 days of the notice of initial failure. Employees may contact the PDC to determine in what area(s) to concentrate studying. Employees refusing to take scheduled retests shall be subject to appropriate administrative action.

All PPQ Employees

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Upon a second consecutive test failure, the Pesticide Program Manager will put the employee on written notice that unless the test is passed on the next attempt, appropriate administrative action will be taken to remove the employee from the GS-436 series (if applicable) and/or Federal service, or other appropriate action. The notice will provide an additional 30 day period for the employee to study for and request assistance from supervisory personnel to prepare for the test. This may include designating study time, answering questions, and other assistance.

NOTE: No one is allowed to assist any employee taking the test.

If the employee fails the test on the third attempt, the individual's continued use, supervision, or monitoring of pesticide use may present a hazard to the employee, other individuals, or the environment. Therefore, the Pesticide Program Manager may immediately ban the employee from performing such duties. In addition, the Pesticide Program Manager will notify the Deputy Administrator to initiate appropriate administrative action to remove the employee from the GS-436 Series (if applicable) and/or Federal service, or take other appropriate action.

Pesticide Misuse: Employees must use pesticides in accordance with all product labeling, exemption instructions, PPQ Treatment Manual, and appropriate State and Federal regulations. The APHIS Certification Plan states that "any certificate applied for or issued to any person under this plan may be denied, suspended, or revoked for misusing a pesticide (using a pesticide inconsistently with its labeling) or falsifying any record or report required to be kept under this plan." Furthermore, disciplinary action may result. The plan also states that, "the appropriate Deputy Administrator has authority to review any certificate issued under this plan for possible denial, suspension, or revocation of any person who has been penalized under Section 14 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)."

Responsibilities:

Directors: Will designate a Pesticide Program Manager for the Region, staff, or center.

Pesticide Program Managers:

- Inform supervisors/port directors of employees requiring recertification during the upcoming quarter.
- Will initiate appropriate administrative actions (in coordination with the Deputy Administrator and supervisors/port directors) regarding employees who fail the certification or recertification time three consecutive times, who refuse to take the test in a timely manner, or who intentionally ignore this policy memorandum.
- Will issue certification cards to employees successfully completing PCT. Some State Plant Directors have assumed this responsibility.

All PPQ Employees

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Pesticide Program Managers: (continued)

- Will issue the employee written notice that unless the test is passed on the next attempt, appropriate administrative action will be taken to remove the employee from the GS-436 series (if applicable) and/or Federal service, or other appropriate action. The notice will provide an additional 30 day period for the employee to study for and request assistance from supervisory personnel to prepare for the test. This may include designating study time, answering questions, and other assistance.

PPQ Supervisors/Port Directors:

- Make available to employees appropriate study materials including product labeling, Material Safety Data Sheets, exemption instructions, and the PPQ Treatment Manual.
- Ensure that new PPQ officers and other employees as required complete PCT before attending NOT in Frederick, Maryland.
- Authorize 20 hours of official duty time for new employees to study the self-instructional course material. For those previously certified, authorize 22 hours for study prior to each recertification test. Study time for both should be in increments not exceeding 4 hours per day and on consecutive days where practical. An appropriate study environment will be provided, e.g., privacy, no disruptions, and quiet.
- Ensure that they and their employees maintain local jurisdiction certification requirements.
- Notify employees who require recertification and ensure the recertification test is taken before certification expiration or shortly thereafter.
- Ensure that all employees attend and complete fumigation training as part of their initial PCT.
- Notify the Pesticide Program Manager of a second consecutive failure of an employee.
- Initiate appropriate administrative actions (in coordination with the Pesticide Program Manager for the Region, staff, or Center) regarding individuals who fail the certification or recertification test three consecutive times, who refuse to take the test in a timely manner, or who intentionally ignore this policy memorandum. Administrative actions could include no promotions; no overtime assignments; no domestic or foreign assignments; removal from the GS-436 series; and/or removal from Federal service.

All PPQ Employees

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APHIS Business Services (ABS), Minneapolis, Minnesota: In vacancy announcements for new PPQ officers, ABS will include completion of PCT within 12 months of the employee's EOD as a condition of employment.

Professional Development Center:

- Will ensure that new PPQ officers are notified of their obligation to complete the PCT before attending NOT and that the test will be given during NOT in Frederick.
- Notify by telephone the test administrator of any employee failing the test.
- Notify the employee via e-mail of grade and new due date, providing the employee has a Lotus Notes e-mail address.
- Track and record employee certification and recertification dates and inform the Pesticide Program Managers of employees requiring recertification during the upcoming quarter.
- Provide PPQ management with quarterly reports on the status of certification in each Region.
- Provide the Pesticide Program Managers with monthly reports listing employees who took the test.

If you have any questions regarding this policy or the administration of the PCT, please contact Matthew Wittek, PPQ-PDC, at 301 663-8598, ext. 142.



Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine



United States
Department of
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Marketing and
Regulatory
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Animal and
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April 14, 2000

PPQ-DA-2000-1

SUBJECT: Certification of Pesticide Applicators

TO: All PPQ Employees

Purpose:

To amend the responsibilities of the Pesticide Program Manager. The changes are effective immediately and supersede Policy Number: PPQ-DA-99-4, dated December 22, 1999.

Background:

On October 8, 1980, the Environmental Protection Agency (EPA) approved the APHIS Certification Plan (comprising PPQ and Veterinary Services) as part of the U.S. Department of Agriculture's Federal Agency Plan (45 FR 66864-01). In approving the plan, EPA stated, "The administrator has reviewed this plan and finds that it complies with the terms of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. . ." In addition, 40 CFR 171.2(a)(7) defines certification as "the recognition by a certifying Agency that a person is competent and thus authorized to use or supervise the use of restricted use pesticides."

Policy:

The following policies apply to PPQ employees:

Employees described below must successfully complete PPQ's initial pesticide certification training and subsequent recertification training:

- All PPQ employees in the GS-436 series even if their current assignment does not involve pesticide use.
- Any employee (in other than the GS-436 series mentioned above) who in the performance of official duties directly supervises, uses, recommends, or monitors the use of any pesticide, whether classified for general or restricted use. This includes rehired annuitants performing pesticide related duties, plant protection center personnel, headquarters staff who deal with domestic or emergency programs, and pilots.



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General: Initial Pesticide Certification Training (PCT) includes completion of the self-instructional pesticide applicator course and a fumigation workshop for PPQ officers or others performing or supervising fumigations. Recertification involves studying for and passing a recertification test every 3 years.

In addition, employees must use pesticides in accordance with the product labeling, exemption instructions, and the PPQ Treatment Manual. Each certified employee must also meet local jurisdictional certification requirements (e.g., State, county, municipality, territory, or Indian Reservation) in which the employee conducts pesticide related duties.

State and local certification requirements vary widely with some only requiring certification of supervisors, while others require full certification of all employees. The State Plant Health Director or other Regional designee will negotiate State certification requirements for PPQ in a Memorandum of Agreement or letter of acceptance with each State's appropriate certification agency.

Employees not certified in accordance with this policy and the approved APHIS plan, employees allowing their certification to lapse, or employees waiting for test results will not use (unless supervised by a certified applicator), supervise, or monitor the use of pesticides. However, if the local jurisdiction requires everyone using pesticides to be certified, then employees must abide by the local jurisdiction's requirement. PPQ's policy requires all employees in the GS-436 series to be certified.

New PPO Officers: New PPQ officers will complete PCT before attending New Officer Training (NOT) in Frederick, Maryland. The training includes studying in preparation for taking the test. New PPQ officers will take the certification test in Frederick, as well as a fumigation workshop as a part of NOT. Procedures governing NOT are described in PDC's Administrative Guide titled *New Officer Training (NOT) as a Condition of Employment*. Within the one subject area of pesticide applicator certification, new PPQ officers to be certified must obtain a minimum 80 percent average grade on the two tests covering both the fumigation workshop and the pesticide certification test. Employees failing the pesticide certification test must retake it as described under **Retesting**.

Rehired Employees:

- If an employee has left PPQ and then is rehired, the employee can study for and then take the recertification test.
- If an employee has left PPQ and then is rehired after 13 or more months, in addition to studying for and taking the recertification test, it is recommended that the employee complete a fumigation workshop if the employee's responsibilities include supervising, monitoring, or conducting fumigations.

Employees Entering PPQ (into non-GS-436 Positions): When duties require pesticide use, individuals entering PPQ from other Federal agencies or new hires into positions other than GS-436, must become certified within 1 year of PPQ entrance on duty date.

Intermittent Program Employees: Part time, summer hire, letter of authority, or other intermittent PPQ employees normally receive close supervision from a certified applicator. Therefore, they need not complete pesticide certification training unless the Director or local jurisdictions require such certification.

If local jurisdictions require more stringent employee certification, then regional personnel should contact the responsible local official(s) and attempt to resolve any requirements which unduly restrict program activity. For example, when a State requires that any employee applying pesticides be certified, the Regional Director will confer with the State and seek State acceptance of certification of the contracting officer's representative, project officer, or other responsible program official as sufficient to meet the State's certification requirements. If the issue(s) cannot be resolved, then PPQ personnel must meet any certification requirements imposed by the local jurisdiction.

Exemptions: Exemptions may be granted by Regional Directors, the Director of APHIS Plant Health Programs, or the Director of the Center for Plant Health Science and Technology to employees with valid, medical reasons explaining why the employee cannot work with pesticides. To apply for an exemption, submit your request (in writing) along with your doctor's documentation to the appropriate Director. The Director will determine on a case-by-case basis who will be granted an exemption. In addition to exemptions for medical reasons, the Director may also grant exemptions to employees outside the GS-436 position if the employees in performance of their official duties do not directly supervisor, use, recommend, or monitor the use of any pesticide whether classified for general or restricted use.

The Director or designee will notify the Professional Development Center of all employees who have been granted exemptions. If an employee has been granted an exemption, been removed from the database, and then decides to become certified, the same policy for Rehired Employees applies.

Retesting: Employees failing a pesticide certification or recertification test must retake the test within 30 days of the notice of initial failure. Employees may contact the PDC to determine in what area(s) to concentrate studying. Employees refusing to take scheduled retests shall be subject to appropriate administrative action.

Upon a second consecutive test failure, the Pesticide Program Manager will put the employee on written notice that unless the test is passed on the next attempt, appropriate administrative action will be taken to remove the employee from the GS-436 series (if applicable) and/or Federal service, or other appropriate action. The notice will provide an additional 30 day period for the employee to study for and request assistance from supervisory personnel to prepare for the test. This may include designating study time, answering questions, and other assistance. **NOTE: No one is allowed to assist any employee taking the test.**

If the employee fails the test on the third attempt, the individual's continued use, supervision, or monitoring of pesticide use may present a hazard to the employee, other individuals, or the environment. Therefore, the Pesticide Program Manager may immediately ban the employee from performing such duties. In addition, the Pesticide Program Manager will notify the Deputy Administrator to initiate appropriate administrative action to remove the employee from the GS-436 Series (if applicable) and/or Federal service, or take other appropriate action.

Pesticide Misuse: Employees must use pesticides in accordance with all product labeling, exemption instructions, PPQ Treatment Manual, and appropriate State and Federal regulations. The APHIS Certification Plan states that "any certificate applied for or issued to any person under this plan may be denied, suspended, or revoked for misusing a pesticide (using a pesticide inconsistently with its labeling) or falsifying any record or report required to be kept under this plan." Furthermore, disciplinary action may result. The plan also states that, "the appropriate Deputy Administrator has authority to review any certificate issued under this plan for possible denial, suspension, or revocation of any person who has been penalized under Section 14 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)."

Responsibilities:

Directors: Will designate a Pesticide Program Manager for the Region, staff, or center.

Pesticide Program Managers:

- Inform supervisors/port directors of employees requiring recertification during the upcoming quarter.
- Will initiate appropriate administrative actions (in coordination with the Deputy Administrator and supervisors/port directors) regarding employees who fail the certification or recertification time three consecutive times, who refuse to take the test in a timely manner, or who intentionally ignore this policy memorandum.

Pesticide Program Managers: (continued)

- Inform supervisors/port directors of employees requiring recertification during the upcoming quarter.
- Issue certification cards to employees successfully completing PCT. Some State Plant Health Directors have assumed this responsibility.

PPQ Supervisors/Port Directors:

- Make available to employees appropriate study materials including product labeling, Material Safety Data Sheets, exemption instructions, and the PPQ Treatment Manual.
- Ensure that new PPQ officers and other employees as required complete PCT before attending NOT in Frederick, Maryland.
- Authorize 20 hours of official duty time for new employees to study the self-instructional course material. For those previously certified, authorize 22 hours for study prior to each recertification test. Study time for both should be in increments not exceeding 4 hours per day and on consecutive days where practical. An appropriate study environment will be provided, e.g., privacy, no disruptions, and quiet.
- Ensure that they and their employees maintain local jurisdiction certification requirements.
- Notify employees who require recertification and ensure the recertification test is taken before certification expiration or shortly thereafter.
- Ensure that all employees attend and complete fumigation training as part of their initial PCT.
- Initiate appropriate administrative actions (with input from the Pesticide Program Manager for Region, staff, or Center) regarding employees who fail the certification or recertification test three consecutive times, who refuse to take the test in a timely manner, or who intentionally ignore this policy memorandum.
- Issue the employee a written notice upon the second consecutive failure of the certification or recertification test informing them that unless the test is passed on the next attempt, appropriate administrative action will be taken to remove the employee from the GS-436 series (if applicable) and/or Federal service, or other appropriate action. The notice will provide an additional 30 day period for the employee to study for and request assistance from supervisory personnel to prepare for the test. This may include designating study time, answering questions, and other assistance.

PPQ Supervisors/Port Directors: (continued)

- Initiate appropriate administrative actions (with input from the Pesticide Program Manager for Region, staff, or Center) regarding individuals who fail the certification or recertification test three consecutive times, who refuse to take the test in a timely manner, or who intentionally ignore this policy memorandum. Administrative actions could include no promotions; no overtime assignments; no domestic or foreign assignments; removal from the GS-436 series; and/or removal from Federal service.

APHIS Business Services (ABS), Minneapolis, Minnesota: In vacancy announcements for new PPQ officers, ABS will include completion of PCT within 12 months of the employee's EOD as a condition of employment.

Professional Development Center:

- Will ensure that new PPQ officers are notified of their obligation to complete the PCT before attending NOT and that the test will be given during NOT in Frederick.
- Notify by telephone the test administrator of any employee failing the test.
- Notify the employee via e-mail of grade and new due date, providing the employee has a Lotus Notes e-mail address.
- Track and record employee certification and recertification dates and inform the Pesticide Program Managers of employees requiring recertification during the upcoming quarter.
- Provide PPQ management with quarterly reports on the status of certification in each Region.
- Provide the Pesticide Program Managers with monthly reports listing employees who took the test.

If you have any questions regarding this policy or the administration of the PCT, please contact Matthew Wittek, PPQ-PDC, at 301 663-8598, ext. 142.

Richard L. Dunkle

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine



Subject: Plant Protection and Quarantine's (PPQ) Publication Policy

To: All PPQ Employees

Date: June 30, 2000

This memorandum supersedes all previous PPQ publication policies.

PURPOSE: To establish a PPQ policy regarding publication of staff work in professional and trade journals and other publications.

BACKGROUND: Many PPQ employees are experts in their professional field and may be asked to write or edit articles or books for publication.

POLICY: Because PPQ program activities often entail many high-profile and/or sensitive scientific issues, we have established the following internal guidelines for outside publications:

1. Supervisory approval and review (primarily to look for inconsistent references to Agency policy).
2. Additional review by three subject matter experts (this includes at least one non-Animal and Plant Health Inspection Service reviewer).

Finally, manuscripts do not have to be reviewed by Legislative and Public Affairs (LPA) prior to outside publication; professional journal/book formats are generally determined by the publisher. However, LPA must review any articles that are targeted for the public media; i.e., newspapers, magazines, trade journals, etc.

Additional publication guidelines are outlined in Government standards of ethical conduct at 5 CFR § 2635.807. These standards bar compensation for writings that deal with significant ongoing Department policy or programs, not just those of PPQ. However, the regulations do not preclude PPQ employees from receiving compensation for writing on a subject within their professional discipline based on individual educational background and/or work experience. Compensation can still be received provided the subject matter only concerns the employee's general area of responsibility. However, compensation for writing about specific Agency policy is strictly prohibited.

If compensation is accepted, the writing and/or editing must be done in the employee's private capacity. In this capacity, employees may not use or permit the use of their official title or position unless they are included among several other biographical details. Bear in mind that your official title or position should not be given more prominence than other significant biographical details. Additionally, employees are strictly prohibited from using nonpublic information, Government resources, or official time when compensation is accepted.



If conducted in an official capacity, PPQ management must determine whether there is an official interest in assigning the writing/editing work as an official duty. Management should consider the ramifications of allowing writing and/or editing within an employee's official capacity that may give the appearance PPQ is endorsing the product or providing editing services that will help publishers sell books. Additionally, managers need to determine if the writing/editing is being conducted for a "for profit" or a "not for profit" organization. Writing and/or editing assignments for non-Government organizations within an employee's official capacity may only be allocated to "not for profit" groups such as professional organizations. Government resources may not be used on behalf of a "for profit" organization.

If additional clarification is required regarding standards of ethical conduct, employees are encouraged to contact Susan Bernstein, APHIS Mission Area Ethics Advisor, at 202/690-3037.



Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

FILE COPY

Policy No. PPQ-DA-2000-03

AUG 22 2000

SUBJECT: Cruise Ship: Risk Management Policy

TO: All PPQ Supervisors and Managers

A 12-month survey of cruise ship passenger baggage concluded on April 30, 1999. Based on an analysis of the data collected and the Work Accomplishment Data System (WADS) data reported from Fiscal Year (FY) 1996 through February 1999, the following policy change for clearance of cruise ships and passenger baggage is being adopted.

PURPOSE:

To change the Cruise Ship Risk Management Policy. This policy change supports the Plant Protection and Quarantine (PPQ) Safeguarding Review of maximization of resources by using risk-based decisions to redirect resources from low-risk activities making additional resources available for higher risk activities.

BACKGROUND:

The National Agricultural Quarantine Inspection Monitoring Team and the National Safeguarding Team have evaluated the risk of passenger baggage on vacation cruises to determine the Quarantine Monitoring Inspection (QMI) and pest approach rates. Canadian cruises and cruises to no where were excluded from the survey. Nearly 10,000 passengers were randomly selected for inspection between April 19, 1998 and April 30, 1999. The survey showed that 1.9 percent of the passengers sampled were carrying prohibited material. Plant material accounted for 96 percent of the QMIs' seized. Over 40 percent of the QMIs' seized were apples (33 percent) and bananas (8 percent). No reportable pests were found on the 408 plant seizures. Both the QMI approach rate and pest approach rate are minimal. Survey results were similar to work activity counts reported in WADS from FY 1996 through February 1999.

POLICY:

- Passengers and baggage on Caribbean, Mexican, and Bermuda cruise ships will not be routinely cleared by PPQ. Primary risk management of this pathway should be
- accomplished via amnesty bins, posters, and announcements on the ship to tell people not to remove fruit, meat, and meat products from the ship.
- Each affected port will work with its staff to develop a local plan for implementation within 30 days. The port will identify the resources previously invested, resources required to carry out this policy, resources available for redirection, and the specific plan for redirection to higher priority activities.
- Plans will be submitted to the State Plant Health Directors and regional levels for review and possible revision to assure consistency with priorities and resource needs.
- Work units should continually assess monitoring data on this pest-risk pathway and advise their State Plant Health Director of any changing risk. Each port should monitor baggage on an unannounced spot check basis at no more than a 10 percent inspection rate.
- Exceptions may be made to any voyage determined to be high risk or out of the ordinary by the local port with concurrence of the regional staffs. An example may be when a PPQ port receives information that a cruise ship has not complied with its compliance agreement.
- A compliance agreement will be developed with each shipping line that discharges passengers. The agreement should contain language that indicates the ship will be occasionally inspected. The crew should assist in the effort by informing passengers that the ship is subject to inspection and they should not bring prohibited materials into the United States. At minimum, the compliance agreement will formalize the handling of garbage. Each agreement will be reviewed twice a year.

/S/ CHARLES P. SCHWALBE

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

APHIS:PPQ:PO:JSmith:mah:734-8295:08-16-2000:h:\Jimsmith\cruiseshippolicyfnl
File:FY 2000:POI 1:Cruise Ship:Policy



POLICY # - PPL-DA-2000-03

United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and Plant
Health Inspection
Service

Washington, DC
20250

August 7, 2000

SUBJECT: Cruise Ship Policy

TO: Regional Directors
All Port Directors

Enclosed is Plant Protection and Quarantine's new policy concerning cruise ships and compliance agreements. I have fulfilled our statutory obligation to notify the Union of the change in policy and it is now time to implement this directive. Please work within the Port and with the assistance of the Regional Office to implement this as soon as possible and where practicable.

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

Enclosure

cc:
Michael Randall, President, NAAE
Donna West, President, NAPPQM
Mary Neal, Plant Health Programs



APHIS - Protecting American Agriculture



United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and Plant
Health Inspection
Service

Washington, DC
20250

POLICY NO. PPQ-DA-2000-04

Date: September 22, 2000

SUBJECT: Structured Interview Policy

TO: PPQ Supervisors and Managers

PURPOSE:

To establish a national uniform, consistent, and effective screening and selection process that will select candidates with the skills and traits necessary for successful performance in the job. This applies to all new hires as well as those being considered through Merit Promotion who are not required to go through a Behavioral Event Interview.

BACKGROUND:

Anecdotal data from PPQ field managers and PDC instructors indicates a general decline in the quality of newly-hired personnel over the past several years. One reason for this decline is insufficient screening and assessment of a candidate's skills/abilities and traits during the screening and selection process. In too many cases the only assessment is a review of the candidate's written application. In many cases the Selecting Official lacks training and experience in the use of reliable and proven screening and selection tools.

The PPQ National Recruitment Committee endorses the generic Structured Interview (SI) process as a means to effectively assess the skills and traits of applicants. Research shows that well-constructed SI interviews, properly conducted by trained personnel, can effectively predict a candidate's potential success in the job and can be cost effective.

POLICY:

- A SI contains a specific series of job-related questions directly related to the knowledge, skills, and abilities required by the position being filled.
- At a minimum, the SI is conducted by a trained interviewer and the selecting official.
- A nationwide set of competencies will be in place for all nationwide PPQ positions.
- Each competency will have several questions from which the selecting official can select.
- The same questions will be asked of all applicants for a specific position.
- The SI results are used as 50 percent of the selection decision. Other items to be reviewed in the selection decision will include such items as the reference checks, the written application, the applicability of the applicants background to the specific position being filled, etc. The Selecting Official will maintain documentation on his/her selection.
- External candidates are expected to incur all travel costs to the interview site. Travel expenses may be incurred by the Agency in extenuating circumstances, as allowed by the Human Resources Desk Guide.

APHIS - Protecting American Agriculture

- Interviews will be conducted face-to-face. Under extreme circumstances, interviews may be conducted by video-conference. Telephone interviews are not acceptable.
- Interviews may be conducted by a management official local to the candidate.

INTERIM PLAN

Use trained interviewers to help the Selecting Officials do the SI.

- A small cadre of interviewers (25-50) trained in the SI process will be immediately trained to travel across the country to work with the selecting officials in the interview process.
- The selecting official will pay the travel cost for the trained interviewer.
- The trained interviewer will work with the selecting official to evaluate the results of the structured interview.

LONG TERM PLAN

Use SI to select all future new PPQ employees as well as those being considered through Merit Promotion who are not required to go through the BEI process.

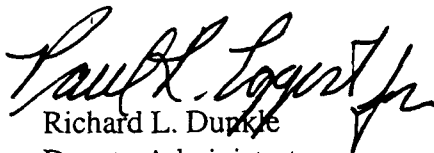
Two options are available for the use of the structured interview in the future:

- Supervisors trained in the structured interview process will conduct the interviews; or,
- The region will have trained individuals (non-bargaining unit employees) in each area who will work with selecting officials in their local area to conduct the structured interviews.

The training to conduct structured interviews will be included in all future supervisory training. This will allow the interim options above to be phased out as all supervisors are trained in the structured interview process.

The travel cost of the trained interviewers will be supported by the local budget.

The make-up of this cadre will be determined by the individual regions.


Richard L. Duple
Deputy Administrator
Plant Protection and Quarantine

POLICY NO. PPQ-DA-2001-1

Date?

SUBJECT: PPQ Lateral and Hardship Transfer

TO: Regional Directors
State Plant Health Directors
PPQ Supervisors and Managers

PURPOSE:

This memorandum establishes Plant Protection and Quarantine's (PPQ) National policy for determining the minimum time a new employee and a journey level employee must stay in a Port prior to requesting a Lateral or Hardship Transfer.

BACKGROUND:

This National Lateral and Hardship Transfer Policy addresses recruitment and retention issues by ensuring that employees remain in their new Port/Domestic Work Unit for specified periods of time after their arrival. PPQ is experiencing requests for Lateral and/or Hardship Transfers from employees who have just arrived at new duty locations. This has forced some Ports/Domestic Work Units to constantly recruit new employees, because they are losing them to other ports through the transfer process. This causes an artificially high turnover rate, interferes with accomplishing our mission and causes general disruption in the workforce.

POLICY:

All newly hired PPQ inspectional personnel must remain at their initial duty station for at least 18 months and all journey level inspectional personnel must remain for at least 12 months after arrival at their new duty location before requesting a Lateral or Hardship Transfer.

This Policy shall not exclude any employees from applying and being selected from a competitive announcement which is announced utilizing the APHIS merit promotion plan, or case exam announcement process.

Nothing in this Policy shall waive any of the employers rights under Law, Rule and Regulation.

"/s/ Paul A. Eggert"

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

APHIS/PPQ/DA:PEggert/cml:3/16/01 - WordPerfect - lateral.ppq

PPQ POLICY NO. - DA-2001-2

SUBJECT: Establishing the National Personnel Policy
for PPQ's Canine Program Handlers

TO: Regional Directors
State Plant Health Directors
PPQ Supervisors and Managers

The attached fully executed Memorandum of Understanding between PPQ Management
and the National Association of Agriculture Employees outlines Plant Protection and

Quarantine's national personnel policy for Canine Program Handlers.

"/S/ Paul R Eggert"

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

Attachment

APHIS/PPQ/DA:PEggert/cml:3/16/01 - WordPerfect - k9hndlrs.cml

Memorandum of Understanding (MOU) between APHIS, PPQ, and NAAE

Canine Policy Agreement

Individuals selected to the Canine Program will be required to review the conditions below and sign acknowledgment of these requirements.

1. New Canine Officers: Individuals selected from case exam or under Merit Promotion to an initial appointment of Canine Handler Positions, GS-436-5/7/9.

Individuals selected for a Canine Officer position under these methods, as stated above, will be required to remain in the Canine Program for a period of 3 years starting from the Employee date of hire. The Employee will be ineligible for voluntary transfer to a non-canine position for the 3 year period.

2. Reassignments: Employees currently employed as a GS-436 - 5/7/9 PPQ Officers that lateral into a Canine Handler Position, GS-436-5/7/9.

Employees selected from internal announcements to Canine positions will be required to remain in the Canine Program for a period of 2 years from the completion date of the Canine training program. The employee will be ineligible for voluntary transfer to a non-canine position for the 2 year period.

3. Current Canine Officers:

Employees currently in a Canine Position that have not completed the Canine training will be required to complete the 2 year period from the date the employee completes the training. The employee will be ineligible for voluntary transfer to a non Canine position for the 2 year period. Employees currently in the Canine Program that have completed the Canine training will be exempt from this policy.

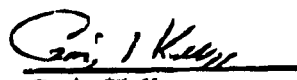
Exceptions:

Promotions: Employees will not be precluded from applying under a competitive announcement for positions with promotion potential. Lateral Transfers: Canine Officers will be only eligible for voluntary transfers to Canine Officer positions. This will be in accordance with the current voluntary transfer policy for both lateral and hardship transfers.



Thomas Stevens
Chief Negotiator
APHIS

Date: Jan 17, 2001



Craig Kellogg
Chief Negotiator
NAAE

Date: January 17, 2001



POLICY NO. PPQ-DA-2001-3
June 4, 2001

United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Washington, DC
20250

SUBJECT: Remedial Measures Policy

TO: All PPQ Employees

PURPOSE: To announce establishment of the new Remedial Measures Policy which provides a mechanism for cost recovery.

BACKGROUND: The Plant Protection Act provides PPQ authority to collect for costs incurred when PPQ arranges and takes remedial action for articles (e.g., import cargo) after the importer or agent fails to comply with prescribed remedial measures. PPQ has developed an internal operational policy and mechanism to utilize this new authority.

POLICY: This policy was reviewed and revised based upon input collected from the field, the National Safeguarding Team, Regional Managers, Marketing and Regulatory Programs-Business Services (MBS), and the Office of the General Counsel. The attached documents include the subject policy, a questions and answers document, PPQ Form 301-R, and directions for filling out the form. PPQ Form 301-R can also be located at the website: www.aphis.usda.gov/library/.

This new Remedial Measures Policy will benefit the field by providing operational guidance and a mechanism to recoup costs when prohibited and/or infested articles are abandoned. This policy will help PPQ gain compliance from importers and brokers. When managed in a timely manner, the mechanism will help reduce the time infested or prohibited products are stored pending treatment or disposal, thus reducing the risk of pest dissemination.

Please begin implementation of this policy immediately.

The attached documents include the subject policy, a questions and answers document, PPQ Form 301-R, and directions for filling out the form, PPQ Form 301-R can also be located at the website: www.aphis.usda.gov/library/.

Questions regarding this policy may be directed to Jeffrey Grode of our Port Operations staff at (301) 734-8295 or by facsimile at (301) 734-5269. Questions regarding billing should be directed to Inez DeCoteau, MRP-BS, Minneapolis, Minnesota, at (612) 370-2203.

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

4 Attachments



REMEDIAL MEASURES POLICY

As of June 20, 2000, PPQ has authority to recover costs from the owner or agent, if the owner or agent fails to comply with the remedial action ordered by the Secretary. This cost recovery will occur through a billing process.

Background

If the Secretary considers it necessary in order to prevent the dissemination of a plant pest or noxious weed that is new to or not known to be widely prevalent or distributed within and throughout the United States, the Secretary may hold, seize, quarantine, treat, apply other remedial measures to, destroy, or otherwise dispose of any plant, plant pest, noxious weed, biological control organism.

Section 414 of the Plant Protection Act (PPA) authorizes the Secretary to order the owner of any plant, biological control organism, plant product, plant pest, noxious weed, article, or means of conveyance subject to such an action, or the owner's agent, to treat, apply other remedial measures to, destroy, or otherwise dispose of the plant, biological control organism, plant product, plant pest, noxious weed, article, or means of conveyance, without cost to the Federal Government and in the manner the Secretary considers appropriate.

Once the appropriate course of action is determined, PPQ issues an Emergency Action Notification (EAN, PPQ Form 523) to the owner, or agent, when remedial measures are ordered for carriers, cargoes, or articles arriving in the United States or moving interstate. Block 14 of the form, "Begin Specified Action Within" allows us to specify the actual beginning of a treatment or good faith effort to begin contract proceedings or preparation for the action. The action must take place within a reasonable prescribed time to prevent pest dissemination.

Since the passage of the PPA on June 20, 2000, if the owner or agent of the owner fails to comply with the Secretary's order under this subsection, the Secretary may take an authorized action and recover from the owner or agent of the owner the costs of any care, handling, application of remedial measures, or disposal incurred by the Secretary in connection with the actions taken. An agent can be the broker, permittee, or importer of record.

The following procedure describes the methods for this reimbursement:

Procedures

1. PPQ field operations will issue Emergency Action Notifications whenever remedial measures are required. A reasonable amount of time will be permitted for the owner, or owner's agent, to complete the required action. This amount of time will be determined by local PPQ personnel based on the pest dissemination risk and local safeguarding conditions. Generally, this initial range may vary from 48 hours to 72 hours to begin the action but rarely more than 5 days.

Remedial Measures Questions and Answers

The following are questions and answers regarding the Remedial Measures Policy:

1. Question: When is the owner, or agent, charged for the PPQ officers time?

Answer: If the owner, or agent refuses to comply with a destruction order, then they are charged for an officers time (2 hour minimum), whether regular tour of duty or overtime.

2. Question: Who will handle collections? Will there be field involvement issue?

Answer: The Minneapolis Business site (MBS) will handle all collections. There will not be field collections. The field will need to fill out and forward the worksheet to MBS.

3. Question: Cost - Who will pay the contractor/company for disposal?

Answer: PPQ will pay associated costs with VISA checks listing the national account number for remedial measures.

4. Question: If payment from the owner/agent is not timely or at all, do we refuse other services, e.g., inspection, overtime requests, etc.?

Answer: If payments are delinquent PPQ will go on a cash only basis for that particular company if reimbursable overtime services are requested. PPQ will perform normal TOD inspections as needed.

5. Question: How do we recuperate charges from companies who ignore or delay payment?

Answer: The MBS can collect through a Treasury Program which includes IRS Offset. This means that PPQ will receive payment taken from any IRS tax reimbursement due to the delinquent company. MBS can also process a collection (over \$600.00) through the Department of Justice which would essentially take the delinquent company to court.

6. Question: Who is the responsible party? Is it the broker or consignee?

Answer: The Statute says that the owner (generally the consignee), or agent (broker), is responsible. If the broker was handling the shipment, and the remedial measure, they could be billed for failure to comply.

7. Question: Can we hold the carrier responsible for re-exporting the cargo if the owner or broker will not?

Answer: The carrier could be held responsible as an "agent" for the owner, however we recommend holding the owner accountable whenever possible so the billing, and penalty, will have the greatest deterrent effect with the actual importer. U.S. Customs indicated that they hold the importer of record responsible.

Remedial Measures Questions and Answers

8. Question: Re: Work Sheet PPQ form 301- Why is the space labeled "Outside Normal Tour of Duty (2 hour minimum)" grayed out? What is the difference between "Outside Normal Tour of Duty (2 hour minimum)" and "Other than Sunday/Holiday"?

Answer: That column is a heading only and refers to the two type of non-duty hours immediately below. These types are "Sunday/ Holiday" and "Other than Sunday/Holiday".

9. Question: Are there circumstances when the two hour minimum does not apply in overtime situations, such as continuous time or when the time before or after the TOD factors in?

Answer: No. The 2 hour minimum applies whether on overtime or during normal tour of duty.

10. Question: If two officers or more are required for the work, do we multiply the hours by the number of officers involved?

Answer: Yes.

11. Will the new EAN form include a quotation of Sec. 414 B(2) Failure to Comply? The section states, "If the owner or agent of the owner fails to comply with the Secretary's order under this subsection, the Secretary may take an action authorized to recover from the owner or agent of the owner the costs of any care, handling, application of remedial measures, or disposal incurred by the Secretary in connection with actions taken."

Answer: Yes we will add this language to the form in order to notify the importer or their designated agent that when they sign the 523, they acknowledge receipt of notification of ultimate consequences with failure to comply. OGC has advised us to redesign the form so that actions are completed within a set time rather than begun by a certain time.

12. Question: Can PPQ bill reimbursable overtime for all measures taken to remedy lack of compliance after a second notification since there is no account which to charge these treatment activities?

Answer: There is a national account. These activities can occur during regular TOD as well as after hours. The new form will take the place of typical reimbursable overtime. PPQ Form 89 should not be used.

13. Question: If an owner or agent is not cooperating, there may be a risk of violence. What should an Officer do if threatened?

Answer: Generally non-cooperation is evidenced by inaction rather than threats. If threats of violence are made, the Officer will refer all concerns to his or her Supervisor

Remedial Measures Questions and Answers

immediately. The Supervisor may contact the local law enforcement authority to assist if needed.

14. How should we address employee liability when a product is destroyed or re-exported and the owner is billed?

Answer: PPQ has statutory authority to perform these actions and will defend the employees role when they act within the scope of their employment. All actions and verbal notifications need to be documented in writing for internal use.

15. Question: Can we double the amount of the penalties in Number 4? The amount for the first violation should be increased to \$1,000 for the first time occurrence and \$2,000 plus for subsequent violations. These will serve as a deterrent for importer to use these policies as a mean to get rid of the infested goods.

Answer: The amounts in the guidelines are offered for consistency. The PPQ manager may recommend higher penalties if warranted.

16. Question: If dunnage is found on the pier and the owner is unknown, who is billed?

Answer: Contact the carrier, and or steamship line to find the owner. PPQ can hold the carrier responsible as an agent of the owner. If a steamship line has possession of the dunnage and is using it for various shipments, they can be billed as the owner.

17. Question: Can PPQ contract a fumigation as a remedial measure if that is the most logical method?

Answer: Yes, however PPQ should avoid fumigations if another treatment is available.

18. Question: What if the cost for an action is higher than \$2,000.00 upper limit for Visa Checks?

Answer: Contact the regional representative who has authority to spend more than \$2,500.

19. Question: Should a copy of the billing worksheet be sent to the owner or agent?

Answer: No. The worksheet should be sent to MBS, in Minneapolis. MBS will send a bill to the broker or owner. We do not want the owner to confuse the worksheet for a bill.

20. Question: What does the Officer do if the company refuses to provide a tax id number?

Answer: PPQ cannot force them to provide a number. If they will not provide the tax id number, ask for the owner's social security number. Tax ID numbers can also be found via the ATS system once we have access.

21. Question: What about Solid Wood Packing Materials?

Answer: If necessary, PPQ can make arrangements for the solid wood packing materials to be reconditioned or re-exported. PPQ will not seize non-regulated cargo. Once the

Remedial Measures Questions and Answers

remedial measures for the SWPM are finished, the non-regulated cargo is the responsibility of the owner or agent, and if abandoned, the cargo can be turned over to U.S. Customs. If the SWPM is from China, utilize the PPQ Form 950 for billing, rather than the Remedial Measures Worksheet, and follow the separate protocol for SWPM shipments from China.

22. Question: Will we need to have start up money in the national account prior to expenditures?

Answer: No, we do not need start up money. Obligations (costs) can occur before revenue is received. This is especially true in this type of account, which will be a no year account. Unlike our regular appropriations, any excess revenue can be carried over from 1 year to the next.

If a port has to dispose/disinfect, etc., an item, all costs (salary, supplies, transportation, etc.) would be charged against a national accounting code. The company will be billed for our hourly fee (\$65, \$74) and the actual costs of supplies, hauling, etc. When the money is collected, it will be deposited into the national account and will be used to offset the obligations incurred.

23. Question: Will we have directions for the Remedial Measures Worksheet?

Answer: Yes, directions for PPQ Form 301-R have been developed.

24. Question: Does the Remedial Measures section in the PPA apply to all EAN's for AQI and/or domestic quarantines?

Answer: No. Remedial measures applies to import products that are moving into or through the United States. It does not apply to domestic quarantine applications unless the material is under postentry quarantine or are the progeny of a prohibited importation.

**INSTRUCTIONS FOR COMPLETION OF PPQ FORM 301, REMEDIAL MEASURES
REIMBURSEMENT FOR ABANDONED/SEIZED PRODUCTS**

Item 1 - ORIGINATING OFFICE AND TELEPHONE NO. - Enter issuing office's city and State and telephone number, including area code.

Item 2 - LOCATION CODE - Enter the fourth through seventh digits of your local accounting code.

Item 3 - SERVICE DATE - Date service is provided. If the service extends over two or more days, enter the beginning date.

Item 4 - IRS TAX ID/SS NO. - The taxpayer identification number (TIN) is an IRS assigned employer identification number or individual's social security number. All federal agencies are required to obtain a TIN number from each person doing business with that agency.

Item 5 - OWNER/AGENT NAME - Company or Agent's name.

Item 6 - OWNER/AGENT ADDRESS - Company or Agent's complete mailing address.

Item 7 - OWNER/AGENT TELEPHONE NO. - Company or Agents telephone number, including area code.

Item 8 - REIMBURSABLE TIME - Service Timeframe. The time will be a minimum of two hours, regardless of when the service is provided. The two hour minimum will include the Officer's time and time spent making all necessary arrangements and completing paperwork.

Item 9 - UNIT COST - This is the current hourly and quarterly cost for services.

Item 10 - NUMBER OF UNITS - Fill in the number of units next to the service provided. For example, if service is provided outside the normal tour of duty on a Sunday and takes 2 ¼ hours, enter "2" in the Hours column and "3" in the Quarters column. Complete the Commuted Travel Time column following 7 CFR § 354.2.

Item 11 - TOTAL DOLLARS - This represents the total amount for that particular line. Multiply the cost per unit by the number of units, and put the total for the line in this block.

Item 12 - TOTAL REIMBURSABLE CHARGE - Add all the amounts in Item 11, "Total Dollars," and enter here.

Item 13 - ADDITIONAL COSTS - Check the appropriate boxes and enter the actual costs for each service. Supporting documentation such as invoices, etc., must be attached to the form to substantiate the claim.

Item 14 - TOTAL ADDITIONAL COSTS - Add all the amounts in Item 13, "Additional Costs," and enter here.

Item 15 - IDENTIFICATION OF CARGO - Complete applicable information to identify the specific cargo abandoned/seized.

Item 16 - TOTAL AMOUNT DUE - Add the amounts in Item 12 and Item 14 and enter here.

Item 17 - REMARKS - Use this space for any additional comments.

Item 18 - PLANT PROTECTION AND QUARANTINE OFFICER'S SIGNATURE - Signature required of person performing the service.

Item 19 - SIGNATURE DATE - Date of signature.

FORWARD FORM TO MBS -

When complete, forward the Billing Worksheet, and copies of all associated bills, invoices, EAN, VISA check payments, statements, to the Minneapolis Business Site (MBS).

USDA, APHIS, MBS Attn Inez DeCouteau
100 N Sixth Street
5th Floor
Minneapolis, MN 55403

The MBS will collect the money and reimburse the funds to the national accounting code.
The MBS contact is Inez DeCoteau at 612-370-2203.

U.S. DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
PLANT PROTECTION AND QUARANTINE

REMEDIAL MEASURES BILLING
(Statement of Services)

1. ORIGINATING OFFICE AND
TELEPHONE NO.

2. LOCATION CODE (4 Digits)

3. SERVICE DATE

4. IRS TAX ID NO./SS NO.

5. OWNER/AGENT NAME

6. OWNER/AGENT ADDRESS

7. OWNER/AGENT TELEPHONE NO.

NOTE: Partial units must be in quarter increments (e.g., 15 minutes = 1; 30 minutes = 2; 45 minutes = 3)

8. REIMBURSABLE TIME (2 hour minimum)	9. UNIT COST		10. NUMBER OF UNITS		11. TOTAL DOLLARS	
	FOR HOURS	FOR QUARTERS	FOR HOURS	FOR QUARTERS		
Normal Tour of Duty	\$55.00	\$14.00				
Outside Normal Tour of Duty						
Sunday/Holiday	\$74.00	\$18.50				
Other than Sunday/Holiday	\$65.00	\$16.25				
Commuted Travel Time (If applicable under 7 CFR § 354.2)	\$65.00	\$16.25				
					12. TOTAL REIMBURSABLE CHARGE \$	
13. ADDITIONAL COSTS (See Attached Invoice(s))					14. TOTAL ADDITIONAL COSTS \$	
<input type="checkbox"/> Destruction \$ <input type="checkbox"/> Treatment \$ <input type="checkbox"/> Handling \$ <input type="checkbox"/> Transit \$ <input type="checkbox"/> Other \$						
15. IDENTIFICATION OF CARGO					15. TOTAL AMOUNT DUE \$	
Carrier _____ Entry No. _____ Airway Bill/ Bill of Lading No. _____ Broker Reference No. (If Applicable) _____						
17. REMARKS						

CERTIFICATION: I CERTIFY THAT SERVICES RECORDED ABOVE WERE PERFORMED.

18. PLANT PROTECTION AND QUARANTINE OFFICER'S SIGNATURE

19. SIGNATURE DATE



United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Washington, DC
20250

POLICY NO. PPQ-DA-2001-4
August 20, 2001

SUBJECT: Supervision of Agricultural Quarantine Inspection (AQI) Personnel

TO: All PPQ Employees

PURPOSE:

To reaffirm Plant Protection and Quarantine's (PPQ) commitment to providing adequate supervision for inspectional personnel.

BACKGROUND:

The Animal and Plant Health Inspection Service's (APHIS) PPQ is committed to the efficient and safe assignment of personnel to inspectional activities. A key component of keeping this commitment is the supervision of personnel and the monitoring of the environment in which inspections occur.

This policy provides the operational guidance for supervisors and managers in the performance of their duties and responsibilities. It is the intent of this policy to provide supervisory oversight for the vast majority of work performed by inspection personnel.

POLICY:

The following policy provides the guidance for supervisors and managers in the performance of their duties and responsibilities.

Supervisory Coverage:

Supervisors should be reasonably available outside of their regular tours of duty to address emergency situations in their ports or concerning their personnel.

A supervisor must be assigned to the "Operations Desk." When a supervisor is absent due to days off or on leave for a limited duration, the supervisory position shall be filled with an acting and/or relief supervisor. When a supervisor is away for TDY assignments or extended leave, a supervisor shall be assigned to the position. This may include an acting and/or relief supervisor. Exceptions to this policy must have the approval of the next higher level of management or his/her designee.



This policy does not include or cover supervisory overtime for Smuggling Interdiction and Trade Compliance Officers, Regional Program Managers, and funded domestic and emergency programs.

General Principles:

Supervisors and managers shall not perform nonsupervisory overtime duties when the service can be provided by the on-site cadre of nonsupervisory employees. Work performed by inspectional personnel, whether on regular time or overtime, shall have supervisory oversight. All supervisory oversight shall be performed, to the extent possible, on regular time. Each employee shall be paid in accordance with Agency policy and Government-wide rules and regulations.

Supervisory overtime shall be utilized for those situations where it is not reasonable and/or cost effective to hire and establish a supervisory tour of duty.

Definition of Supervisory Working Titles:

First line supervisors are employees who perform GS-12 supervisory duties on a regular and recurring basis. This includes those State Directors/Port Directors who are the only supervisor in the port/work unit.

Port Directors/Directors of Operations are managers of the day-to-day operations of the ports and work units. These duties include supervision; however, their primary function is the operation of the port. These employees do not perform GS-12 supervisory overtime. Any deviation to this policy shall be approved in advance by the next level of supervision or his/her designee.

Supervising Regular Tours of Duty:

All regular scheduled tours of duty shall have a supervisor.

Exceptions to establishing a supervisory tour may be approved in locations and/or situations in which the workload does not warrant the presence of a full-time supervisory PPQ Officer; e.g., work units/work stations with one to two full time inspectional employees. Any shifts which are granted an exception (e.g., midnight to 8 a.m.), the inspectional personnel shall be monitored at a rate of at least 10 percent of the time. This may require supervisory overtime. Regular tours of duty at remote inspectional work sites/work stations shall have on-site supervision at a rate of at least 10 percent of the time. To the extent possible, on-site supervision shall be completed on regular time. Any deviation to this policy shall be pre-approved by the Regional Director or his/her designee.

Supervising Overtime Periods of Inspectional Personnel:

To the extent possible, supervisors, on regular time, shall supervise employees performing overtime duties. Supervisors shall be paid in accordance with Agency policy and Government-wide rules and regulations.

Work units with few overtime assignments may be exempt. In these cases, it may be more cost effective to employ the supervisor on overtime for on-site supervision at least 10 percent of the time rather than staffing with a full-time supervisory position. Any deviation to this policy shall be based on the assessment of supervisory needs and must be pre-approved by the PPQ Deputy Administrator or his/her designee.

Implementation of Supervisory Overtime Policy:

Prior to implementation, an assessment shall be made at each port to determine supervisory needs and priorities.

IMPLEMENTATION PLAN:

- Supervisory needs assessments--completed September 30, 2001--to be accomplished by the ports in conjunction with the State Plant Health Directors.
- By October 1, 2001, begin acquiring appropriate supervisory personnel.
- Assign supervisory personnel tours and overtime assignments as needed.

Questions regarding this policy may be directed to the appropriate State Plant Health Director or the Regional Program Managers.



Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine



POLICY NO. PPQ-DA-2001-5
November 29, 2001

United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Washington, DC
20250

SUBJECT: PPQ Policy Statement on Maxiflex and Flexiplace

TO: All PPQ Employees

This memorandum clarifies policy for establishing flexible work schedules and assigning tours of duty to PPQ employees. PPQ follows Marketing and Regulatory Programs (MRP) policy as outlined in the Tours of Duty Directive MRP 4610.1 dated September 28, 2001, and Flexiplace Program Directive MRP 4368.1 dated July 26, 2001.

All headquarters PPQ employees will be assigned to a maxiflex schedule unless mission requirements prevent such a tour. Under maxiflex, they can work 8 hours per day, emulate a compressed work schedule, or work variable hour days. Daily tours for headquarters employees may begin no earlier than 6 a.m. and end no later than 6 p.m. Field units may establish different start/stop times based on local mission requirements. Agency heads will decide tours of duty to which field employees will be assigned or they may delegate the level of supervision that will have the authority to set tours of duty in field locations. Although both headquarters and field employees may request to work a particular tour under maxiflex, the tour itself is subject to supervisory approval. The foremost responsibility is to ensure the accomplishment of the mission; this must be a major factor in the supervisor's decision to approve or not approve.

Customer service bands at headquarters are 8 a.m. to 4:30 p.m. Headquarters employees are expected to be available to provide customer service during these office hours. Field units may adopt these bands or establish different bands based on mission or agency requirements. Headquarters core days and hours are Tuesday through Thursday, 9 a.m. to 3 p.m. Maxiflex flexible days for headquarters are Monday and Friday and maxiflex flexible hours (glide times) are 6-9 a.m. and 3-6 p.m., Monday through Friday. Maxiflex flexible days for field employees are Monday, Friday, and Saturday and maxiflex flexible hours (glide times) are 6-9 a.m. and 3-6 p.m., Monday through Friday and Saturday, 6 a.m. to 6 p.m. Absences during core and flexible times are granted in 15-minute increments.

The ability to work credit hours is always subject to supervisory approval. Employees on a maxiflex tour may earn credit hours once they have worked or been in a paid leave status for 80 hours of the pay period. With prior supervisory approval, employees may earn credit hours on either Saturday of a pay period. On Saturdays, headquarters employees may only earn credit hours between the hours of 8 a.m. and 6 p.m.; field employees may only earn credit hours between 6 a.m. and 6 p.m. The maximum number of credit hours employees may earn and carry over in each pay period is 24. Credit hours are earned or used in 15-minute increments.

Employees may not earn credit hours for time spent in training. Credit hours cannot be accrued or used on a holiday. Employees cannot earn credit hours for time spent traveling outside the official duty station (e.g., in transit in a plane, train, auto). Credit hours may be



earned while in travel status (at a temporary duty site) outside the official duty station if it is approved by the supervisor, work is actually being performed (not hours while the employee is in transit), and the work is performed during the flexible time bands.

If an office is closed for the entire day because of hazardous weather, an employee is granted excused absence for the number of hours scheduled for that day. For hazardous weather when the office is not closed for the entire day or for emergency situations, you need to look for guidance from the Office of Personnel Management in the Washington, DC area, the Local Executive Board, and/or MRPHR. Supervisors must look at the declared tours of employees to determine the number of hours they must be paid.

Employees are only entitled to 8 hours of pay on a holiday under maxiflex. Employees normally working longer hours must either:

1. Change the tour to reflect an 8-hour day on the holiday
2. Make up the time during the pay period, and/or
3. Take leave.

Managers and supervisors are ultimately responsible for establishing tours of duty within the parameters established above always emphasizing that mission delivery comes first.

Additional information on tours of duty may be found in the Human Resources Desk Guide (HRDG) Subchapter 4610 and the Tours of Duty Directive MRP 4610.1. The Directive and HRDG Subchapter 4610 are available on the MRPHR home page at www.aphis.usda.gov/mb/mrphr or the Information Technology electronic library at www.aphis.usda.gov/library.

The flexiplace program, also known as "work at home," is a management option rather than an employee benefit. Accomplishment of the agency's mission takes precedence over flexiplace participation. Participants must be available for onsite meetings, training, travel, and conferences as directed by the supervisor. Flexiplace training is required for participants and their supervisors. Participants and their supervisor must also sign a Flexible Workplace Work Agreement which governs their participation. The agreements are generally signed for one year and may be renewed at the end of the one year period.

More information on flexiplace can be found in HRDG Subchapter 4368 and the Flexiplace Program Directive MRP 4368.1. These can be found on the MRPHR home page and electronic library at the web sites listed above.



Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine



Policy No. PPQ-DA-2002-1
February 11, 2002

United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and Plant
Health Inspection
Service

Washington, DC
20250

SUBJECT: Interviewing and Selecting Candidates for All Positions

TO: PPQ Supervisors and Managers

Purpose:

This policy establishes expectations about filling all positions from internal or external sources regardless of grade. This policy rescinds all previous DA policies and PPQ memoranda regarding how candidates for positions will be interviewed and selected for positions in PPQ.

Background:

Since 1993, PPQ has required Behavioral Event Interviews (BEI) for all positions GS-12 and above. In 1999, I signed a policy that Structured Interviews (SI) would be required for all other positions. To meet the need for rapidly increasing our staffing, PPQ has examined ways to streamline some of the selection processes under our control. It has been observed that, as an interviewing mechanism, the facilitated BEI panels have taken significant time and resources. Often certificates required extensions in order to get the selection process completed. Therefore, in an effort to expedite selections while still maintaining a high level of professionalism and accountability, PPQ will institute this new policy. The Supervisor's Recruitment, Selection and Retention Handbook will be revised at a later date to reflect this policy change.

Policy:

1. All selections must be made within 30 days of receiving the certificate (whether case exam or merit promotion). It should be the rare case where extensions are requested for a certificate. Selecting officials must make every effort not to allow certificates to expire. If additional time is needed, requests for extensions must be made prior to the expiration date.
2. Interviewing is a critical step in the selection process and should be done in all selections. Exceptions to this requirement should be seldom and must be approved in advance by the selecting official's supervisor.
3. Selecting officials will NOT be limited to interviewing by the current Behavioral Event Interview or Structured Interview concepts or methods. BEI panels should be the last resort for interviewing candidates.



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4. Selecting officials must obtain their supervisor's approval in advance for the method chosen for interviewing.
5. Whenever possible, selecting officials should participate in the interview process.
6. Selecting officials must make every effort to provide feedback to the unsuccessful candidates considered from merit promotion certificates.
7. Selecting officials must check references (i.e., current and past supervisors).
8. Selecting officials must consider these criteria when making a selection: The written application including responses to KSAs; interview results; and reference checks. S/he may also consider performance appraisals, awards, training, and other factors deemed relevant.
9. Selecting officials must keep records of the selection process including, but not limited to:
 - A. Pre-interview considerations that narrowed the pool of candidates being interviewed.
 - B. Questions asked during the interview.
 - C. Notes taken of responses from the candidates during the interview.
 - D. Scoring of interview results.
 - E. Comments from references (see #7)
10. Selecting officials are responsible for the consequences of their decisions regarding the selection process and ultimate decision. They must be able to articulate job-related reasons for the selection they made.



Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

POLICY NO. PPQ-DA-2004-04

SUBJECT: Policy for Reimbursement to Employees Participating in Health Club
Fitness Programs

TO: All Plant Protection and Quarantine (PPQ) Employees

Title 5, United States Code, Section 7901 (1988), authorizes federal agencies to establish preventative health programs. Employees may also refer to Departmental Regulation 4430-2 and to the USDA, MRP, APHIS Safety and Health Manual, Chapter 9.6 for additional information.

These regulations allow the federal government to establish preventative health programs to promote and maintain the physical and mental fitness of their employees through the payment of service or usage charges of authorized activities such as participation in a health or fitness program. Effective immediately, this policy establishes criteria for reimbursement to employees participating in health club fitness programs and is available to all PPQ employees nationwide. Please refer to previously established policy at the regional level which may outline additional requirements.

With this in mind, employees who participate in a program at a health facility may be entitled to a cost offset. After abiding by the guidelines established below, employee costs may be offset by reimbursement of up to one-half (1/2) the cost of a single membership, not to exceed \$25 per month. However, the determining factor on final reimbursement will be proof of utilization and certification of usage for the minimum time, not membership. Membership offset reimbursement does not include additional fees such as initial joining of club, membership fee, adding family members, use of the child care services, administrative fees, tanning, massage, etc. Offices that already have their own equipment must use these facilities. No additional equipment purchases are authorized to equip these centers.

According to a December 2001 U.S. Surgeon General report, less than one-third of all Americans meet federal recommendations of at least 30 minutes of moderate physical activity five or more days a week. Based upon these established guidelines, employees will be required to use the facility for a minimum of 150 minutes per week before reimbursement claims will be approved and processed.

Since appropriated funds are involved, authorizing individuals are held accountable for utilizing funds in the most effective and efficient manner; therefore, it will be a requirement to obtain prior approval. Managers are strongly encouraged to promote physical and mental wellness by supporting employees in a fitness program, when funding allows. The agreement should be submitted to your supervisor for approval and a copy of the Health Club Fitness Agreement must be kept on file. The agreement summarizes that you have completed the requested actions and specifies the amount you will be requesting. It is understood that employees are allowed to use only personal time, not government time, to participate in a fitness program and that each unit will be responsible for costs associated with funding this health fitness initiative.

Permission to participate in the Fitness Program is the first step. All employees are required to complete the "Participate in Fitness Program Subsidy" form. Employees who fall under the

Deputy Administrator's Office are required to submit the form through their immediate supervisor and Director for approval. Plant Health Program (PHP) headquarter employees are required to submit the form through their immediate supervisor and Assistant Director for approval. Assistant Director's requesting to participate will send their requests to the Director of PHP. Regional employees are required to submit the form through the Supervisor to the State Plant Health Director (SPHD) or Program Director for approval. SPHD's requesting to participate will send their requests through the appropriate Associate Regional Director. CPHST employees are required to submit the form through the Supervisor to the Laboratory Directors for approval. Laboratory Directors requesting to participate will send their requests to the Director of CPHST for approval.

Employees may submit claims for reimbursement on a quarterly basis using Standard Form-1164, Claim for Reimbursement for Expenditures on Official Business, within the first 10 days following the end of the previous quarter and will be paid via electronic funds transfer. Supporting documentation is required and must include, at a minimum, certification by the employee that they participated in an exercise program at a health facility for a minimum of 150 minutes per week. For the protection of the participating employee, reimbursement should be processed by an employee other than the individual requesting reimbursement. Proof of utilization and certification of usage for the minimum time must be attached to the SF-1164. Most health clubs require members to sign in when entering the facility and can provide them with copies or printouts of that information. If members are not required to sign out upon departure, employees will be required to certify they used the facility for a total of 150 minutes each week which will be subject to review. Reimbursement will be based on a report for the employee only, not family members. Supervisors must forward the approved SF-1164 and supporting documentation to the following individuals: Headquarter employees must send a copy of all approved forms to Juanita Whiting, Resource Management Staff; CPHST employees must send a copy of all approved forms to Doug Harris; and Regional employees should refer to their previously established policy memo for instructions. The Resource Management contact will review and submit for payment. Do NOT send approved forms to Minneapolis for payment.

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

Participation in Fitness Subsidy Program

I certify that I:

- Checked federal and military fitness facilities within the local area for availability and cost.
- Checked several local commercial fitness facilities for best price, equipment, and benefits for the cost.
 - My monthly cost will be \$ _____
 - Name of the facility: _____

- Will not use official government time, vehicles or equipment to participate in a subsidized fitness program.
- Will provide documentation of use at the fitness facility a minimum of 150 minutes per week on the correct form and if the facility provides a report of usage will also include that document.

And

- If on official travel I will indicate the dates TDY on the monthly usage report to avoid cancellation.

And

- Will provide Supervisor with prior knowledge for approval if the Fitness Facility subscribes to self certification.
- Will only claim subsidy reimbursement for actual usage within the guidelines established.
- Understand that this subsidy program may be cancelled by the program if funding is no longer available, or if I abuse the privilege.

Requester Printed Name and Signature

Date

Supervisor Printed Name and Signature

Date

Assistant Director or Director Name and Signature

Date



United States
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Service

Washington, DC
20250

PPQ Policy No. PPQ-DA-2005-02

SUBJECT: USDA-APHIS-PPQ Training Policy and Standards for Certifying
U.S. Customs and Border Protection Agriculture Specialists (Canine)

July 1, 2005

TO: All PPQ Managers and Supervisors

Purpose

This document outlines the policy and standards USDA-APHIS-PPQ will follow to certify U.S. Customs and Border Protection (CBP) Agriculture Specialists (Canine) who attend CBP Agriculture Specialist (Canine) Training at the National Detector Dog Training Center (NDDTC) in Orlando, Florida.

Background

In accordance with Section 421 (e) (2) (A) of the Homeland Security Act of 2002, the Department of Homeland Security (DHS) and the U.S. Department of Agriculture (USDA) agreed that USDA would "supervise and provide educational support and systems to ensure that DHS employees receive the training necessary to carry out the USDA functions transferred to DHS."

In preparation for the implementation of the new integrated CBP Agriculture Specialist (Canine) curriculum on May 31, 2005, NDDTC worked closely with training representatives from CBP to establish minimum training standards for the mandatory completion of Agriculture Specialist Canine Training. These standards are paramount in USDA's certification of CBP Agriculture Specialists (Canine) who are tasked with using canines to perform agricultural import and port-of-entry inspection functions transferred to DHS.

Policy and Standards

USDA-APHIS-PPQ and CBP requires that all new Agriculture Specialists (Canine) successfully complete Agriculture Specialist Canine Training and receive USDA certification prior to using canines to enforce agricultural import and port-of-entry inspection regulations. The enclosure to this memorandum outlines in detail the policy and standards for certifying CBP Agriculture Specialists (Canine).



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Responsibilities

APHIS-PPQ

The Director of the NDDTC is responsible for ensuring that the requirements of this policy and the training standards are met.

CBP

The CBP representative, consistent with CBP policy, is responsible for ensuring that CBP Agriculture Specialists (Canine), who do not meet the requirements of this policy, are removed from training and returned to their original port for determination of continued employment status.

Implementation

This policy was effective May 31, 2005.

Inquiries

If you have any questions requiring this policy, please contact the Director, NDDTC, at (407) 816-1221.

/s/ Richard L. Dunkle

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

Enclosure

cc:
W. Ron DeHaven, APHIS, Washington, DC
Bill Dickerson, National Plant Board, Raleigh, NC
Jeffrey Grode, CBP, Washington, DC
Monica Errico, PPQ, Orlando, FL
PDC Staff, PPQ, Frederick, MD
FLETC Staff, PPQ, Glynco, GA

Enclosure

United States Department of Agriculture (USDA)
Animal and Plant Health Inspection Service (APHIS)
Plant Protection and Quarantine (PPQ)
PPQ Policy No. PPQ-DA-2005-02

DATE:

SUBJECT: USDA-APHIS-PPQ Training Policy and Standards for Certifying U.S. Customs and Border Protection Agriculture Specialists (Canine)

1. Purpose

This policy establishes the minimum training standards for the mandatory successful completion of Agriculture Specialist Canine Training and USDA's certification of U.S. Customs and Border Protection (CBP) Agriculture Specialists (Canine) who are tasked with performing agricultural import and port-of-entry inspection functions transferred to the Department of Homeland Security (DHS). All CBP Agriculture Specialists (Canine) are required to successfully complete said training and receive USDA certification prior to using canines to enforce agricultural import and port-of-entry inspection regulations.

2. Policy

Subject to the restrictions and conditions listed in this policy, all CBP employees who are appointed to the position of Agriculture Specialist (Canine) will be required to successfully complete Agriculture Specialist Training. In addition, they will also be required to successfully complete Agriculture Specialist Canine Training and receive USDA certification at the National Detector Dog Training Center (NDDTC), prior to using canines to enforce agricultural import and port-of-entry inspection regulations.

2.1 "Successful Completion" is defined in Section 6 and further elaborated in the Attachment to this policy. Furthermore, it is the policy of the USDA that CBP Agriculture Specialists (Canine) who do not successfully complete the mandatory Agriculture Specialist Canine Training, in compliance with this policy, not be certified by USDA to use canines to enforce agricultural import and port-of-entry inspection regulations.

2.2 Continuing employment status of CBP Agriculture Specialists (Canine), who do not successfully complete Agriculture Specialist Canine Training, will be determined by the appropriate CBP official.

3. Authorities/References

Sections 421 (a) and 421 (e) of the Homeland Security Act of 2002, and Articles 3 and 4 of the Memorandum of Agreement (BTS-03-0001) between DHS and USDA.

4. Responsibilities

4.1 The Director of the NDDTC is responsible for ensuring that the requirements of this policy are met.

4.2 The CBP representative, consistent with CBP policy, is responsible for ensuring that CBP Agriculture Specialists (Canine), who do not meet the requirements of this policy, are removed from training and returned to their port for determination of continued employment status.

5. Minimum Training Standards, Testing and Certification Procedures

Any CBP Agriculture Specialist (Canine) who fails to achieve a score of at least 80 percent on a written examination or the graded practical exercise will be provided an opportunity for remedial instruction and will be required to pass a remedial written examination or remedial graded practical exercise. CBP Agriculture Specialists (Canine) will be tested on courses presented by methods outlined below.

5.1 A remedial written examination or remedial graded practical exercise, testing all the objectives covered in the original course content or exercise, will be allowed in the following situations:

5.1.1 CBP Agriculture Specialists (Canine) who do not achieve the 80 percent minimum passing score for each written examination or the graded practical exercise will be retested no earlier than 3 working days after a failed test unless they request in writing to be retested earlier.

5.1.2 The minimum passing score on a remedial written examination or remedial graded practical exercise is 80 percent.

5.1.3 CBP Agriculture Specialists (Canine) will be permitted a total of three remedial examinations, not to exceed one per written examination or remedial graded practical exercise throughout the course.

5.1.4 The maximum score a CBP Agriculture Specialist (Canine) can receive on any remedial written examination or remedial graded practical exercise, for the purpose of academic standing, is 80 percent.

5.1.5 CBP Agriculture Specialists (Canine) who fail a third remedial examination will be considered to have not successfully completed the required training.

5.2 CBP Agriculture Specialists (Canine) who achieve the minimum 80 percent passing score on each written examination and the graded practical exercise will be considered to have successfully completed the required training and will receive certification by USDA. The fact that remedial written examinations or a remedial graded practical exercise may have been taken will not adversely affect successful completion as long as the requirements of this policy are satisfied.

5.3 CBP Agriculture Specialists (Canine) who do not successfully complete the required training will be immediately referred to the CBP representative for final disposition.

5.4 In order for the terms and conditions of this policy to be applicable to CBP Agriculture Specialists (Canine), the following preconditions must have been met:

5.4.1 If CBP Agriculture Specialists (Canine) are selected through competitive announcements, the announcement should contain the following or similar statement to inform applicants of the mandatory successful completion of Agriculture Specialist Canine Training:

“In addition to having successfully completed Agriculture Specialist Training at the Professional Development Center in Frederick, Maryland, you must also attend 10 – 13 weeks of paid training at the National Detector Dog Training Center in Orlando, Florida. This technical training must be successfully completed according to the standards of U.S. Customs and Border Protection. Failure to do so will be grounds for mandatory removal from the position. Such failure will result in reassignment to an Agriculture Specialist position with no canine duties at your assigned port.”

5.4.2 In addition, every effort should be made during the recruitment process or interviews to advise applicants of the existence of this policy.

5.4.3 The selectee must sign an employment agreement provided by CBP certifying that they understand the mandatory successful completion of Agriculture Specialist Canine Training requirement prior to entering the position covered by this policy. Failure or refusal by the selectee to sign the statement does not waive the requirement.

6. Measurement

“Successful Completion” of Agriculture Specialist Canine Training is defined as the following:

6.1 CBP Agriculture Specialists (Canine) attending training must comply with the following standards in order to be considered to have successfully completed the training:

6.1.1 Must meet or exceed 80 percent on each written examination and the graded practical exercise, as defined in Section 5 of this policy, to receive USDA certification.

6.2 The results of the written examinations and graded practical exercise will be used to determine the successful completion of Agriculture Specialist Canine Training. The student must receive at least the minimum percentage score on each written examination; scores will not be averaged. Retesting procedures are set forth in Section 5.1 of this policy.

**USDA-APHIS-PPQ Testing Standards and Policy
For New CBP Agriculture Specialists (Canine)**

There are two USDA-administered written examinations for Agriculture Specialist Canine Training and one Graded Practical Exercise (GPE). A student must achieve a minimum score of 80 percent on each written examination and the GPE. Any student who does not achieve a minimum score of 80 percent will be required to pass a remedial written examination or remedial GPE (as applicable). A student will be permitted a total of three remedial examinations not to exceed one per written examination or one per the GPE as listed below. If a student fails a written examination or the GPE he/she will be placed on academic probation and be given one final remedial attempt for that written examination or the GPE. A student who fails a third remedial examination will not be permitted to take a fourth remedial examination, will not receive a Certificate of Graduation, will be removed from training, and will be referred to the CBP representative for final disposition.

Written Examinations (2)

1. Canine Health
2. Canine Behavior

Graded Practical Exercise (2)



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

1400 Independence
Avenue, SW
Washington, DC
20250

Policy no.: PPQ-DA-2005-3

Subject: Ship Boarding Policy

August 26, 2005

To: DHS, CBP, AIPP
PPQ, PHP

Purpose:

This policy outlines the ship boarding activities to be conducted by Customs and Border Protection (CBP) Agriculture Specialists and which activities may be conducted by CBP officers.

Background:

A meeting was held between PPQ and CBP to discuss the CBP Vessel Boarding Plan. Specifically addressed were functions that should be retained by CBP Agriculture Specialists by virtue of their required specialized training and functions that can be accomplished by CBP officers. CBP officers would perform the functions following appropriate training. The discussion was prefaced with the following statement: AIPP staff will set direction/procedure on boarding vessels and is responsible for disseminating policy to the field consistent with the AMOM/MAC and established APHIS policy.

Policy:

CBP officers may conduct the following functions previously reserved for the Agriculture Specialist, once training has occurred:

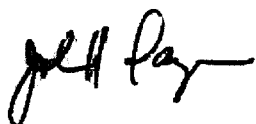
- Vessel monitoring/surveillance (the decision to board or monitor is reserved and made by the Agriculture Specialist).
- Garbage compliance, except civil penalties.
- Ensure compliance with MARPOL V requirements.
- Supervise garbage offloading.
- Physically mitigate garbage violation, then document garbage violations on the Ship Boarding Form 288 and contact a CBP Agriculture Specialist.
- Preparation and completion of Ship Boarding Form 288 for vessel monitoring and surveillance only.
- Subsequent port notification regarding vessels with issues or sealing requirements.
- Notification to CBP Agriculture Specialists, if pests are present.



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- Boarding of vessels known to carry all U.S. stores, such as certain cruise boats from the Caribbean, Mexico, Bermuda, and Canada.
- Seizure of all food/fruits/agricultural products/plants, etc. from passengers disembarking cruise boats where no regulatory decision is necessary.
- Notification to CBP Agriculture Specialists if animal (dead or alive) is aboard the vessel. If bird is to remain aboard, initiate Captain Statement on Form 288.
- Monitor vessels on the previous violators list, with full boarding if other issues exist with the vessel (e.g., sealing requirements) done by agriculture specialists.

CBP Agriculture Specialists will perform all other agriculture activities associated with ship boarding.



for

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine



United States
Department
of Agriculture

Animal and
Plant Health
Inspection
Service

1400
Independence
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Policy Number: PPQ-DA-2006-01

SUBJECT: Cargo Release (Identification) Authority Policy

Date: March 21, 2006

TO: DHS, CBP, AIPP, PPQ, PHP

PURPOSE:

This policy outlines the standard for managing identification authority for certain NONREPORTABLE organisms issued to the Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP), Agricultural Specialists (CBPAS) by the Animal and Plant Health Inspection Service, Plant Protection and Quarantine (PPQ) Identifier. The standard will allow CBPAS to identify only NONREPORTABLE organisms to facilitate the release of imported cargo as outlined in the below policy. This authority will be known as the Cargo Release Authority (CRA).

BACKGROUND:

Prior to the formation of DHS, PPQ inspection personnel were authorized by PPQ Identifiers to officially identify organisms intercepted during daily operations. Known as "Discard Authority" and later as "Identification Authority," the primary purpose for issuing this authority to inspectors was to prevent delay to imported cargo shipments when more readily recognizable organisms were intercepted. For months after the transfer of PPQ employees to DHS, CBPAS continued to use authority issued to them as if they were still PPQ employees. But, a new identification authority program tailored to the different but related roles of the two agencies was needed, as CBP hired hundreds of new inspectors. In November 2005, a workgroup consisting of PPQ and CBP headquarters and field employees began negotiating and drafting the policy described below. In early March 2006, the terms contained therein were agreed to by all parties.

POLICY:

1. PPQ Identifiers may issue CRA to CBPAS to identify certain NONREPORTABLE organisms found in association with cargo.
 - 1.1. The CBPAS will have CRA identify NONREPORTABLE organisms once a PPQ Identifier has issued authority.
 - 1.2. CBPAS will submit all interceptions to the appropriate PPQ Identifier, except those in which CBPAS has received CRA for the organism(s) intercepted.

2. A CBPAS WILL NOT be issued authority to identify:
 - 2.1. Organisms not easily discernable using either a 10X-magnifying lens or the dissecting microscope;
 - 2.2. Organisms requiring verification by slide mounting or dissection and examination under the compound microscope;
 - 2.3. Organisms requiring the use of a complicated and prolonged taxonomic key; or
 - 2.4. Organisms requiring comparison to similar identified specimens.
3. The PPQ Identifier will maintain a copy of the list of CRA eligible organisms.
 - 3.1. Sources of the eligible list of NONREPORTABLE organisms include:
 - 3.1.1. A list created and augmented from the National Identification Services;
 - 3.1.2. A list maintained in the PPQ Manual for Agricultural Clearance, Appendix K, p. K-1-1, Entomology List E1, NONREPORTABLE Interceptions; and
 - 3.1.3. Organisms recommended by port pest risk committees.
 - 3.2. CRA Authority may be issued for organisms including:
 - 3.2.1. Insects,
 - 3.2.2. Mollusks,
 - 3.2.3. Plant diseases, and/or
 - 3.2.4. Weed seeds.
4. A CBPAS may apply for CRA after at least three to five consecutively correct identifications of the organism.
 - 4.1. Elapsed time between the consecutively correct identifications will not be considered a limiting factor.
 - 4.2. The PPQ Identifier may require additional identifications (more than 3) if previous mistakes are recorded.
 - 4.3. The PPQ Identifier may consider training exercises using specimen test kits to issue CRA only if they comply with the conditions listed in Paragraph 2.

Policy No.: PPQ-DA-2006-01
Cargo Release (Identification) Authority Policy

3

5. The CBPAS will request authority to identify on PPQ Form 371, or its equivalent.
6. The CBPAS is responsible for maintaining records confirming identifications and CRA.
 - 6.1. The PPQ Form 309 or 309A will document tentative and final identifications.
 - 6.2. The CBPAS will retain the PPQ Form 309 or 309A until the PPQ Identifier approves CRA.
 - 6.3. The CBPAS will submit interceptions records (PPQ Form 309 or 309A) confirming identifications with requests for CRA.
 - 6.4. The CBPAS will retain records of CRA issued by the PPQ Identifier.
 - 6.5. Once CRA is issued to the CBPAS, the authority will stay with the CBPAS regardless of his/her assigned duty station.
 - 6.6. When reassigned and upon reporting to the new duty station, the CBPAS will submit records of all issued authority (PPQ Form 371) to the PPQ Identifier(s) supporting the assigned duty station.
7. The PPQ Identifier is responsible for maintaining and retaining records confirming CBPAS submitted/issued CRA.
8. The PPQ Identifier will identify as "Prompt" priority all CRA eligible cargo interceptions not processed as an Urgent.
9. The PPQ Identifier will ensure timely return of identified interception records to CBPAS on PPQ Form 309 or 309A

PPQ and CBP will develop a subsequent policy for managing the renewal or recertification of CRA.

/s/ Jane Levy for

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine



United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Plant Protection
and Quarantine

Washington, DC
20250

PPQ Policy No. PPQ-DA-2006-02

SUBJECT: Certification of Pesticide Applicators

June 9, 2006

TO: All Plant Protection and Quarantine Employees

Purpose

This document outlines the changes to the Plant Protection and Quarantine (PPQ) policy regarding the certification of pesticide applicators.

Background

PPQ's current policy (PPQ-DA-2000-1 dated April 14, 2000) for Certification of Pesticide Applicators requires the successful completion of a self-study program and Fumigation Training. All employees who, in the performance of their official duties, directly supervise, use, recommend, or monitor the use of any pesticide must be certified.

Since the issuance of the April 2000 policy, PPQ has re-engineered its workforce and has created new professional positions that better meet the needs of our organization. Examples of these positions include Pest Survey Specialists, Plant Health Safeguarding Specialists, and Domestic Program Coordinators. In addition, some States have become more stringent with regards to safety and the monitoring of both State and Federal employees, regardless of whether the employees are categorized as professional or otherwise. Many of these employees apply, monitor, or supervise the application of general- or restricted-use pesticides other than fumigants for regulatory pest control. However, PPQ's current policy has no provisions for certification without employees completing Fumigation Training.

In January 2004, the PPQ Executive Team (PPQET) approved a recommendation to revise the policy to reflect an EPA-approved core certification training program and certification in job-specific areas. Subsequently, the Professional Development Center (PDC) has developed a tailored pesticide applicator certification process and training to reflect the specific duties of those employees engaged in the application, monitoring, or supervision of general- and restricted-use pesticides.



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Policy

Employees described below must obtain a Regulatory Pesticide Applicator's License by successfully completing PPQ's Pesticide Certification Training (PCT) and subsequent recertification training:

1. All entry- and journeyman-level employees in a professional series, or employees identified by members of the PPQET (or their designee), who in the performance of official duties, directly supervise, use, or monitor the use of any pesticide whether classified for general or restricted use, must complete PCT within 1 year of their entrance-on-duty (EOD) date. Intermittent employees identified by members of the PPQET (or their designee) must complete PCT before they are assigned any pesticide-related duties.
2. The above employees include Plant Health Safeguarding Specialists, Pest Survey Specialists, Domestic Program Coordinators, Identifiers, Export Certification Specialists and Officers, and Pilots. In addition, rehired annuitants, Regional, Headquarters, Center for Plant Health Science (CPHST), and PDC employees must be certified, if their assigned duties relate to pesticide uses in emergency, domestic or training programs.

General

Initial certification includes the completion of the PCT self-study pesticide applicator course, herein referred to as the "core training program," and a simulation workshop designed to reflect program-specific pesticide activities. PPQ employees will be certified as regulatory pesticide applicators in either fumigation, general use or both (if required of their job). The core training program consists of 20 hours of self-study instruction and an examination. The simulation workshop in either fumigation or general-use pesticides consists of a minimum of 16 hours of classroom instruction, hands-on simulations and a written examination.

Recertification involves self-study and an examination every 3 years. The recertification examination consists of questions from the core training program and the certification category (i.e., fumigation or general use).

In addition, employees must use pesticides in accordance with the product labeling, exemption instructions, and the appropriate PPQ Manuals. Each certified employee must also meet local jurisdictional certification requirements (e.g., State, county, municipality, territory, or Tribal Lands) in which the employee performs pesticide-related duties.

State and local certification requirements vary widely with some only requiring certification of supervisors, while others require full certification of all employees. If the local jurisdiction requires personnel using pesticides to be certified, then employees must abide by the local jurisdiction's requirement. The State Plant Health Director or other Regional designee will negotiate State certification requirements for PPQ in a Memorandum of Agreement or letter of acceptance with each State's appropriate certification agency.

Employees not certified in accordance with this policy and the approved APHIS plan, employees allowing their certification to expire, or employees waiting for examination results will not apply (unless supervised by a licensed applicator), supervise, or monitor the use of pesticides.

New Employees

New entry-level employees who, in the performance of their official duties, directly supervise, use, or monitor the use of any pesticide, whether classified for general or restricted use, will complete the core training program before attending Basic Agricultural Safeguarding Training (BAST) in Frederick, Maryland. Employees will take the core certification examination and a simulation workshop in Frederick in order to obtain a Regulatory Pesticide Applicator's License. To be certified, employees must score 80 percent or higher on each examination covering both the core training program and the simulation workshop. Employees failing the core examination or the workshop examination must retake the examination(s) as described under the Section, "Retesting" on page 5.

Previously Certified or Current PPQ Employees

PPQ employees whose Regulatory Pesticide Applicator's License has expired may become recertified by passing a certification pretest in the applicable certification category (as defined by their job). The pretest will include questions from the core training program and the applicable certification category. Employees scoring less than 80 percent on their first attempt taking the certification pretest will be required to fulfill the initial certification requirements.

Current PPQ employees, who have never been certified, may become certified. The employee must complete the initial certification requirements as described under the Section, "General" on page 2. Employees failing the core examination must retake the examination as described under the Section, "Retesting" on page 5. The employee's supervisor will determine which workshop(s) the employee will attend based on the employee's current duties and responsibilities. If the employee fails to score an 80 percent or higher on the workshop examination, the employee must retake the examination as described under the Section, "Retesting" on page 5.

Intermittent Program Employees

Temporary, part time, summer hires, letter of authorities (LA's), or other intermittent PPQ employees normally receive close supervision from a certified applicator. They are not required to complete PCT unless a member of the PPQET (or their designee) or local jurisdictions require such certification.

If local jurisdictions require more stringent employee certification, then the State Plant Health Director or other Regional designee should contact the responsible local official(s) and attempt to resolve any requirements which unduly restrict program activity. For example, when a State requires that any employee applying pesticides be certified, the State Plant Health Director or Regional designee will confer with the State and seek State acceptance of certification of the contracting officer's representative, project officer, or other responsible program official as sufficient to meet the State's certification requirements. If the issue(s) cannot be resolved, then PPQ personnel must meet any certification requirements imposed by the local jurisdiction.

Exemptions

Exemptions may be granted by PPQ Regional Directors, the Executive Director of PPQ Plant Health Programs (PHP), the Assistant Deputy Administrator for PPQ Emergency and Domestic Programs (EDP), the Director of CPHST, and the Director of the PDC, to employees with valid, medical reasons explaining why the employee cannot work with pesticides. To apply for an exemption, the employee must submit a request (in writing) along with medical documentation to the appropriate official above. The applicable official will determine who will be granted an exemption on a case-by-case basis. The official or designee will notify the PDC of all employees who have been granted exemptions. If an employee has been granted an exemption, and then decides to become certified, the same policy applies as explained in the Section, "Previously Certified or Current PPQ Employees" on page 3.

Retesting

Certification and Recertification

Employees must score 80 percent or higher on each examination (i.e., the core training program, simulation workshop, and recertification examinations).

Employees failing an examination on their **first attempt** must retake the applicable examination within 30 days of notification of the failure. ***New entry-level employees attending BAST must retake the applicable examination while attending training at the PDC. Participants attending PDC-sponsored workshops (that are not a part of BAST), must retake the applicable examination while attending the workshop.***

Employees failing an examination on their **second attempt** will receive a written notice from the Pesticide Program Manager, informing them that unless they pass the applicable examination on the third attempt, the Agency will take appropriate administrative action to remove them from their current job series and/or Federal service, or will take other administrative actions as deemed appropriate. The notice will provide an additional 30-day period for the employee to study and request assistance from supervisory personnel to prepare for the examination. This may include designating study time, answering questions, and providing other remedial assistance. ***New entry-level employees attending BAST must retake the applicable examination while attending training at the PDC. Participants attending PDC-sponsored workshops (that are not part of BAST), must attend a second PDC-sponsored workshop and retake the applicable examination.***

If an employee fails an examination on the **third attempt**, the employee's continued supervision, use, or monitoring the use of any pesticide, whether classified for general or restricted use, may present a hazard to the employee, other employees, or the environment. Therefore, the Pesticide Program Manager will immediately prohibit the employee from performing such duties. In addition, the Pesticide Program Manager will notify the Deputy Administrator of the intent to initiate appropriate administrative action to remove the employee from their current job series and/or from Federal service, or to take other administrative actions as deemed appropriate.

It is important to note that no one is allowed to assist any employee during an examination.

Pesticide Misuse

Employees must use pesticides in accordance with all product labeling, exemption instructions, appropriate PPQ Manuals, and appropriate State and Federal regulations. The APHIS Certification Plan states that “any certificate applied for or issued to any person under this plan may be denied, suspended, or revoked for misusing a pesticide (using a pesticide inconsistently with its labeling) or falsifying any record or report required to be kept under this plan.” Furthermore, disciplinary action may result. The plan also states that, “the appropriate Deputy Administrator has authority to review any certificate issued under this plan for possible denial, suspension, or revocation of any person who has been penalized under Section 14 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).”

Responsibilities

Regional Directors, the Executive Director of PHP, the Assistant Deputy Administrator for EDP, the Director of CPHST, and the Director of PDC will designate a Pesticide Program Manager for their respective organizations.

Pesticide Program Managers

- Inform supervisors of employees requiring recertification during the upcoming quarter.
- Initiate appropriate administrative actions when employees fail to meet certification or recertification requirements.

PPQ Supervisors

- Provide appropriate study materials to employees including product labeling, Material Safety Data Sheets, exemption instructions, and the PPQ Treatment Manual.
- Ensure that employees, as required, complete PCT before attending BAST in Frederick, Maryland.
- Authorize 20 hours of official duty time for new employees to study the self-instructional course material. For those previously certified, authorize 22 hours for study prior to each recertification examination. Study time for both should be in increments not exceeding 4 hours per day and on consecutive days where practical. An appropriate study environment will be provided, e.g., privacy, no disruptions, and quiet.
- Ensure that employees maintain local jurisdiction certification requirements.
- Notify employees who require recertification and ensure the recertification examination is taken before their current certification expires.
- Ensure that all employees attend and complete a job-specific workshop as part of their initial PCT.

PPQ Supervisors (continued)

- Initiate appropriate administrative actions regarding employees who fail the certification or recertification examination three consecutive times, who refuse to take the examination in a timely manner, who refuse to attend a PDC-sponsored workshop when required, or who intentionally disregard this policy memorandum. Administrative actions could include no promotions; no overtime assignments; no domestic or foreign assignments; removal from job series; and/or removal from Federal service.
- Issue the employee a written notice upon the second consecutive failure of the certification or recertification examination informing them that unless the test is passed on the next attempt, appropriate administrative action will be taken to remove the employee from Federal service, or to take other appropriate action. The notice will provide an additional 30-day period for the employee to study for and request assistance from supervisory personnel to prepare for the examination. This may include designating study time, answering questions, and providing other remedial assistance.

APHIS Business Services (ABS), Minneapolis, Minnesota

- Will include completion of PCT within 12 months of the employee's EOD date as a condition of employment in vacancy announcements for employees who have pesticide responsibilities as described in their position descriptions.
- Will ensure that collateral duty agreements, which require the employee to supervise, monitor, or use restricted- or general-use pesticides; mandate that the employee obtain a Regulatory Pesticide Applicator's License, as outlined in this policy.

Professional Development Center

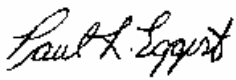
- Ensure that new employees are notified of their obligation to complete the PCT before attending BAST and provide all of the necessary training and study materials.
- Provide PPQ management with quarterly reports on the status of certification for all organizational units.
- Develop and maintain an Administrative Guide for Managers and Supervisors to clarify pesticide certification policies and procedures.

Implementation

This policy supersedes PPQ Policy No. PPQ-DA-2000-1 dated April 14, 2000, and is effective June 9, 2006.

Inquiries

If you have any questions regarding this policy or the administration of PCT, please contact the PDC Pesticide Program Manager at 240-629-1900.

A handwritten signature in black ink, appearing to read "Richard L. Dunkle".

for Richard L. Dunkle

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine



United States
Department of
Agriculture

Marketing and
Regulatory
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Animal and
Plant Health
Inspection
Service

Plant Protection
and Quarantine

Washington, DC
20250

PPQ Policy No. PPQ-DA-2006-03

SUBJECT: Plant Protection and Quarantine Travel Review and Approval Policy

TO: Plant Protection and Quarantine (PPQ) Executive Team

April 6, 2006

Purpose

This document outlines the new travel review and approval policy that is being implemented in PPQ.

Background

The direct and indirect costs of travel, both international and domestic, continue to increase. With limited resources being projected for the foreseeable future, the increasing travel burden is impacting PPQ programs and therefore must be evaluated and controlled.

Given these factors, PPQ will implement a new travel review and approval policy effective June 1, 2006. Travel covered by the requirements of this policy must be reviewed and approved before resource commitments are made.

Policy

PPQ travel requirements will differentiate between international and domestic.

International Travel—for the application of this policy, travel from the continental United States (the 48 contiguous States) to Hawaii, Alaska, Puerto Rico, Guam, and all foreign countries is considered international travel.

Except for travel approved directly by PPQ's Phytosanitary Issuances Management (PIM) Staff, all PPQ personnel must have their international travel request reviewed and approved by the PPQ Deputy Administrator's (DA's) office before costs can be incurred, including the purchase of airline tickets. This policy does not impact the processes currently being used by the PIM staff to request, schedule, and process international travel requests for PIM personnel.



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Domestic Travel—for the application of this policy, travel to any location within the continental United States (the 48 contiguous States) is considered domestic travel.

For travel initiated by PPQ, approval is not based on the review of individual travel requests, but is required for the following situations:

- More than ten PPQ employees are traveling to the same event such as a meeting, conference, or training session, and
- The total travel cost (airline fare, train fare, lodging, per diem, and miscellaneous expenses) is projected to exceed \$15,000.

The originator/sponsor of the PPQ event, i.e., a Regional Director, Staff Director, or State Plant Health Director, is responsible for developing the travel requests using the enclosed Travel Request and Approval Form and for obtaining approval from the DA's office.

The following routine, occurring events are exempt from the PPQ travel review and approval policy:

- Regional Plant Board meetings (four per fiscal year)
- Annual National Plant Board meeting
- National Association of Plant Protection and Quarantine Managers annual convention (costs are not charged to Federal resources)
- National Association of Agriculture Employees annual convention (costs are not charged to Federal resources)
- Annual North American Plant Protection Organization meeting
- Regional State Plant Health Director meetings (one per fiscal year with each Region alternating fiscal years)
- PPQ Executive Team meetings and workshops
- All training events sponsored by the Professional Development Center

All other domestic travel events are not exempt from the travel review and approval policy.

For travel initiated by organizations other than PPQ (non-PPQ sponsored), approval is required for the following conditions:

- More than five PPQ employees traveling to the same event such as a meeting, conference, or training session, and
- The total travel cost (airline fare, train fare, lodging, per diem, and miscellaneous expenses) is projected to exceed \$10,000.

For non-PPQ-sponsored events, the Director of the primary PPQ unit participating in the event (e.g., Plant Health Programs, Center for Plant Health Science and Technology, Emergency and Domestic Programs, Regional Office, Professional Development Center, etc.) is responsible for developing the travel request using the enclosed Travel Request and Approval Form and for obtaining approval from the DA's office.

All travel requests, as described in this policy, must be submitted 14 days in advance of the planned travel. Any request received less than 14 days in advance will not be approved.

Travel requests can be submitted by email or fax using the enclosed Travel Request and Approval Form to Paul R. Eggert, PPQ's Associate DA, with a copy to Ms. Terri D. Burrell, PPQ's Director of Resource Management Staff (RMS). The fax number for Paul Eggert is (202) 690-0472, and the fax number for Terri Burrell is (301) 734-8434.

Responsibilities

All PPQ Executive Team members are responsible for ensuring that the requirements of this policy are met.

Future Planning

As a means of saving costs and for future planning, PPQ has designated the following three locations as the primary, non-headquarters' sites for meetings, conferences, and training:

Raleigh, NC—PPQ Eastern Regional Office
Fort Collins, CO—PPQ Western Regional Office
Frederick, MD—PPQ Professional Development Center

In planning such events, you are to first consider these locations to see if they can accommodate your needs.

Implementation

The PPQ travel review and approval policy is effective June 1, 2006.

Inquiries

If you have questions regarding this policy, contact Terri Burrell at (301) 734-5575.

/s/ Paul R. Eggert

Paul R. Eggert
Associate Deputy Administrator
Plant Protection and Quarantine

Enclosure

Enclosure

PPQ TRAVEL REQUEST & APPROVAL FORM						DATE OF REQUEST	
ORGANIZATIONAL UNIT				LOCATION OF UNIT			
NAME OF EVENT				PPQ-SPONSORED EVENT? <input type="checkbox"/> YES <input type="checkbox"/> NO		SPONSOR OF EVENT IF <u>NOT</u> PPQ	
DATES OF EVENT		LOCATION OF EVENT					
NUMBER OF PPQ ATTENDEES				TOTAL ESTIMATED COST OF EVENT			
PURPOSE/JUSTIFICATION FOR ATTENDING EVENT							
SIGNATURE AND TITLE OF REQUESTING OFFICIAL							
ACTION <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved <input type="checkbox"/> Provide additional information below:							
SIGNATURE AND TITLE OF APPROVING OFFICIAL						DATE	
Associate Deputy Administrator, Plant Protection and Quarantine							
ADDITIONAL INFORMATION (<i>if required by Approving Official</i>)							
IF FAXING REQUEST, FAX TO PAUL R. EGGERT, ASSOCIATE DA, PPQ @ (202) 690-0472							
WITH A FAXED COPY TO TERRI BURRELL, DIRECTOR, RMS, PPO @ (301) 734-8434							

November 2, 2005

MEMORANDUM FOR: OFFICE OF FIELD OPERATIONS

FROM: Assistant Commissioner
Office of Field Operations

SUBJECT: Communication Plan – USDA and C8P

This national protocol standardizes how USDA will communicate through local CBP management and headquarters. Establishing a protocol is important so that all entities at every level of management are fully informed and given an opportunity to assess local impact and available resources. USDA and CBP are responsible for communicating relevant and important information up and down its chain of command, as needed.

USDA Initiated Communication:

- USDA will initiate communication with Agriculture Programs and Liaison (APL) CBP OFO if the subject of the communication concerns a national issue. Contact can be made in person, electronically, or telephonically.
- USDA may initiate communication with the Assistant Director, Field Office, Trade in the CFO office if the subject of communication concerns only a local or DFO wide issue. Contact be made in person, electronically, or telephonically.
- USDA Port of Entry contacts may initiate contact with the CBP Port Director of designee.
- CBP DFO will be responsible for communicating any local issues of national consequence raised by USDA to APL.

CBP Initiated Communication:

- CBP APL will initiate communication with USDA headquarters if the subject of the communication concerns a national issue. Contact can be made in person, electronically, or telephonically.
- CBP OFO **or** designee may initiate communication with the applicable regional person or whomever USDA designates as the point of contact. Contact can be made in person, electronically, or telephonically.

Communication within Pest Risk Committees:

- CBP and USDA have instituted joint Pest Risk Committees that include personnel from both agencies as well as relevant state officials. The committee should include representatives from CBP Management, CBP Agriculture Specialists, CBPO (ATU, PAU, Trade), USDA Identifier, the area USDA APHIS Veterinary Medical Officer, USDA APHIS Smuggling Interdiction and Trade Compliance, State Plant Regulatory Official and the USDA APHIS State Plant Health Director. The USDA State Plant Health Director may choose to involve other USDA organizations that can contribute to the work of this committee.
- Pest Risk Committees offer a variety of technical skills honed to the particular port or pathway. This committee will identify targeted interests and pathways, work on cargo selectivity and establish working relationships with the trade community. For example, port committees should identify high-risk commodities and associated pathways, and develop risk assessments. They can also develop targeting and compliance methodologies for high-risk importers. They can assist in the implementation of special action plans and special operations as well as evaluation of procedures. These committees can also suggest adjustments in inspectional processes and pathways as needed because of past incidences and seasonality. These committees also serve as pipelines to importers for information sharing and other local outreach programs.
- Communication within the committee should be encouraged and the entire committee should clearly define how such communications should flow,

If you have questions regarding this Plan, please contact Lucinda Riley, Director, Agriculture Policy, **at** (202) 344-2433.

/s/ William S. Heffelfinger for
Jayson P. Ahern



**United States
Department
of Agriculture**

Animal and
Plant Health
Inspection
Service

Plant
Protection and
Quarantine

1400
Independence
Avenue SW
Washington
DC 20250

SUBJECT: Communication Protocol between USDA, Animal and Plant Health Inspection Service (APHIS), Plant Protection and Quarantine (PPQ) and the Department of Homeland Security (DHS), Customs and Border Protection (CPB)

Date: February 21, 2007

TO: All PPQ Employees

PURPOSE

This Protocol is designed to give all USDA, APHIS, PPQ personnel guidance on communicating with DHS. This document will demonstrate the proper communication channels between PPQ and CBP which will be used for resolving issues.

BACKGROUND

In order to maintain efficiency and to resolve issues through the rapid movement of information, it is crucial that lines of communication be maintained between the two Agencies. PPQ and CBP must receive and transmit such information rapidly, discuss and resolve issues, and disseminate the results as quickly as possible through the chains of command.

POLICY AND STANDARDS

CBP Communication Plan:

A Communication Plan, distributed by CBP, Office of Field Operations (OFO), Agriculture Programs and Liaison (APL) to their Field on November 2, 2005, standardizes the protocol by which USDA will communicate through local CBP management and Headquarters. That protocol is adopted as PPQ policy in this document. The Plan states that USDA and CBP are responsible for communicating relevant and important information using the chains of command as needed. Additionally, communication within the joint USDA/CBP Port Pest Risk Committees is outlined in this protocol. (See the attached CBP Communications Plan.)

Current Lines of Communication for resolving issues between PPQ and CBP:

Field Level (Local Level):

- PPQ Field personnel may contact CBP directly on the local level through the CBP Agriculture Liaison or his/her designee. All USDA Field personnel should establish a working relationship with CBP to resolve issues at the local

- level. If an issue cannot be resolved through the Director of Field Operations (DFO) level, then it must be referred through the Regional Office to USDA Headquarters, Quarantine Policy Analysis and Support (QPAS) Staff or the Veterinary Regulatory Support (VRS) Staff;
- Local level communication occurs informally on a daily basis. In addition, there are other meetings, including those of the Port Pest Risk Committees that occur on a regular basis;
- **Special Note:** “Local Level” for PPQ may include the field officer, First Line Supervisor, State Plant Health Director, Agriculture Quarantine and Inspection Veterinary Medical Officer (AQIVMO), Regional Program Manager and/or the Regional Director or Assistant Regional Director. CBP’s command structure is very different from PPQ’s. The PPQ field office may communicate directly with the Agriculture Liaison at the DFO level. Because CBP does not have a regional structure, unresolved issues are referred directly from the DFO to CBP Headquarters OFO, APL. Thus, it is vital that issues that cannot be resolved on the local level be forwarded to the QPAS or VRS Staffs.

Headquarters Level:

- Any issue that cannot be resolved on the local level and that has been referred to the QPAS or VRS level may be discussed directly by any QPAS/VRS staff members with CBP, APL. Communication between these staffs occurs daily on an informal basis, and frequently throughout each month on a formal basis via meetings, teleconferences, etc.;
- Any issue that cannot be resolved by the Staff Officers must be referred to the QPAS Director or the VRS Director, who will discuss the issue with the appropriate CBP/APL Staff Director. Informal communication between these Directors occurs almost daily, and both QPAS and VRS have weekly meetings via teleconference;
- Any issue that cannot be resolved between the QPAS/VRS and APL Directors will be referred to the USDA Executive Director of Plant Health Programs (PHP) and will be discussed with the Executive Director of CBP, APL. Communication between these Executive Directors occurs as needed on an informal basis and monthly on a formal basis. Every effort will be made to resolve all issues at this level, before elevating to a higher level
- Any issue that cannot be resolved between the Executive Directors of PHP and CBP/APL will be referred to the Deputy Administrator of PPQ (DA PPQ) and the Associate Commissioner, Office of Field Operations (AC OFO) CBP. Communication between the DA, PPQ and the AC, OFO, CBP occurs as needed on an informal basis and quarterly on a formal basis through meetings;
- Any issue that cannot be resolved between the DA, PPQ and the AC, OFO, CBP will be referred to the APHIS Administrator and the CBP Commissioner (CBP, CO). Communication between the APHIS Administrator and the CBP

CO occurs as needed on an informal basis and quarterly on a formal basis through meetings.

IMPLEMENTATION

This policy takes effect on February 21, 2007.

INQUIRIES

If you have any questions regarding this policy, please contact the Quarantine, Policy, and Analysis Staff at (301) 734-8295.

Paul R. Eggert for

Richard L. Dunkle
Deputy Administrator

November 2, 2005

MEMORANDUM FOR: OFFICE OF FIELD OPERATIONS

FROM: Assistant Commissioner
Office of Field Operations

SUBJECT: Communication Plan – USDA and C8P

This national protocol standardizes how USDA will communicate through local CBP management and headquarters. Establishing a protocol is important so that all entities at every level of management are fully informed and given an opportunity to assess local impact and available resources. USDA and CBP are responsible for communicating relevant and important information up and down its chain of command, as needed.

USDA Initiated Communication:

- USDA will initiate communication with Agriculture Programs and Liaison (APL) CBP OFO if the subject of the communication concerns a national issue. Contact can be made in person, electronically, or telephonically.
- USDA may initiate communication with the Assistant Director, Field Office, Trade in the CFO office if the subject of communication concerns only a local or DFO wide issue. Contact be made in person, electronically, or telephonically.
- USDA Port of Entry contacts may initiate contact with the CBP Port Director of designee.
- CBP DFO will be responsible for communicating any local issues of national consequence raised by USDA to APL.

CBP Initiated Communication:

- CBP APL will initiate communication with USDA headquarters if the subject of the communication concerns a national issue. Contact can be made in person, electronically, or telephonically.
- CBP OFO **or** designee may initiate communication with the applicable regional person or whomever USDA designates as the point of contact. Contact can be made in person, electronically, or telephonically.

Communication within Pest Risk Committees:

- CBP and USDA have instituted joint Pest Risk Committees that include personnel from both agencies as well as relevant state officials. The committee should include representatives from CBP Management, CBP Agriculture Specialists, CBPO (ATU, PAU, Trade), USDA Identifier, the area USDA APHIS Veterinary Medical Officer, USDA APHIS Smuggling Interdiction and Trade Compliance, State Plant Regulatory Official and the USDA APHIS State Plant Health Director. The USDA State Plant Health Director may choose to involve other USDA organizations that can contribute to the work of this committee.
- Pest Risk Committees offer a variety of technical skills honed to the particular port or pathway. This committee will identify targeted interests and pathways, work on cargo selectivity and establish working relationships with the trade community. For example, port committees should identify high-risk commodities and associated pathways, and develop risk assessments. They can also develop targeting and compliance methodologies for high-risk importers. They can assist in the implementation of special action plans and special operations as well as evaluation of procedures. These committees can also suggest adjustments in inspectional processes and pathways as needed because of past incidences and seasonality. These committees also serve as pipelines to importers for information sharing and other local outreach programs.
- Communication within the committee should be encouraged and the entire committee should clearly define how such communications should flow,

If you have questions regarding this Plan, please contact Lucinda Riley, Director, Agriculture Policy, **at** (202) 344-2433.

/s/ William S. Heffelfinger for
Jayson P. Ahern

SUBJECT: Plant Pest Samples Submitted for PPQ (Federal) Identification

TO: All Plant Protection and Quarantine Employees

PURPOSE

This document describes the workflow of plant pest samples submitted for identification, diagnostic information and status, and final identification results within PPQ as recommended in the “Safeguarding American Plant Resources” (Safeguarding Review).

BACKGROUND

National Identification Services (NIS) in the Plant Safeguarding and Pest Identification staff of PPQ’s Plant Health Programs has the role of coordinating the identification of plant pests in support of USDA’s regulatory programs. NIS’ responsibilities include accurate and timely identifications that provide the foundation for quarantine action decisions at ports of entry and domestically.

In the Safeguarding Review, it was recommended to establish a National Invasive Plant Pest Information Center with two functional entities—the National Invasive Plant Pest Laboratory and the National Invasive Plant Pest Database. As recommended, NIS is a national clearinghouse of pest interceptions through the final determination and now includes morphological as well as biochemical and molecular diagnostics.

Currently in the implementation stage, one of the recommendations outlined in D-36, 37, and 43 thru 46 of the Safeguarding Review is the establishment of a national Domestic Diagnostics Coordinator (DDC) in NIS to coordinate domestic identifications, provide diagnostic status and results to appropriate staffs, and to serve as a one-stop-shop for information or questions about identification issues, much like the NIS Urgent Team already does with AQI identification activities. That position has been approved and expected to be filled by August 2007.

The DDC will ensure that diagnostic samples are routed to specialists and that the appropriate PPQ staff will receive diagnostic results in a timely manner. The DDC will also support Incident Command System structure in new domestic emergency programs, serve as liaison with cooperating diagnostic

laboratories, and be the source of information status regarding ongoing domestic identification activities.

NIS is staffed with national specialists in entomology, botany, malacology, mycology, bacteriology, and other plant pathogens who are responsible for providing final identifications of organisms intercepted at ports of entry and from domestic and emergency programs. Additionally, NIS contracts identification services and expertise for some groups of organisms and has cooperative relationships with many experts throughout the United States and the world. NIS also supports and has access to the services of over 70 port and survey identifiers with a great deal of experience in exotic pest identification. In headquarters, NIS has a team of specialists (Urgent Team) experienced in entomology, botany, acarology, nematology, plant pathology and database management that coordinate the diagnostics flow within the virtual laboratory comprised of national identifiers, field identifiers and cooperating national identification specialists. The DDC will join that team in headquarters to effectively centralize the domestic diagnostics and related data flow.

For effective coordination of Agency diagnostics by NIS, standard procedures for submitting, processing and reporting results of samples or specimens requiring identification must be developed and utilized. The following procedures and reporting structure were discussed by the PPQ Executive Team and a decision was made to implement the policy/procedures outlined below.

POLICY

The following outlines standard procedures for submitting unknown samples/specimens requiring PPQ identification. Suspect samples submitted to NIS (Molecular Diagnostic Lab, national identifiers, or ARS cooperators contracted by NIS) are to be accompanied by a completed PPQ Form 309A (AQI) or PPQ Form 391 (domestic).

1. For domestic submissions:

- (a) For samples that require PPQ confirmation, a copy of PPQ Form 391 should be submitted to NIS by fax or other approved means prior to delivery of the sample. The submitter should contact the DDC or Urgent Team for guidance when unsure where or to whom the sample should be delivered. The DDC will direct the sample to the appropriate laboratory for processing. In cases where a sample must but cannot be definitively identified in-house, NIS will determine if and/or where diagnostic expertise and protocols exist and attempt to procure needed services, often in consultation with ARS or CPHST. If needed services or protocols cannot be obtained, NIS will request

support from CPHST; e.g., to develop or modify existing molecular diagnostic protocols to achieve desired diagnostic resolutions.

(b) Upon completion of the identification process, the laboratories or personnel receiving the samples and accompanying pest interception forms will report the finding back to the DDC/Urgent Team.

(c) NIS will coordinate the sample testing and sample custody. When appropriate, NIS will review the data by keeping a close liaison with CPHST and other subject matter specialists.

(d) The DDC will disseminate the information to the appropriate personnel at appropriate stages of the sample flow process, taking adequate measures for protecting the sensitivity and confidentiality of such information (Table 1, attached).

2. For AQI submissions:

The existing sample and data flow is retained (Table 2, attached); Quarantine Policy, Analysis and Support and Emergency and Domestic Programs are included for significant interceptions.

All samples that require morphological confirmation will be submitted to the appropriate specialist/laboratory as indicated in the PPQ Manual for Agricultural Clearance, Appendix G (http://www.aphis.usda.gov/import_export/plants/manuals/ports/downloads/mac_pdf/g_appendix_identifiers.pdf).

All samples that require PPQ confirmation by molecular diagnostics will be sent to PPQ's Molecular Diagnostic Laboratory; Building 580, BARC-EAST; Powder Mill Road; Beltsville, MD 20705; telephone (301) 504-7154.

To contact the DDC or Urgent Team, call (301) 734-5312; fax number to fax a copy of PPQ Form 391 to the DDC or Urgent Team is (301) 734-5276.

INQUIRIES

Murali Bandla (Murali.Bandla@aphis.usda.gov), PSPI Director, (301) 734-5409; or Joe Cavey (Joseph.Cavey@aphis.usda.gov), NIS Branch Chief, (301) 734-8547.

Richard L. Dunkle

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

2 Attachments

Table 1. Pest Identification – Sample and diagnostic information flow for domestic submissions (PPQ Form 391):

STEP	ACTIVITY FOR SIGNIFICANT PESTS THAT REQUIRE PPQ CONFIRMATION	EXTERNAL			INTERNAL								EXTERNAL			
		First Detector	Triage Lab	NPDN/State Lab	NIS	EDP staff	CPHST staff	SPHD	PPQ DA	PPQ ET	WR staff	ER staff	SPRO	NPB	NPDN NPL	Industry
1	Send original sample for ID	From	To													
2	Send sample to NPDN/State Lab if suspect		From	To												
3	Notify sample ID is TBD by NPDN/State lab			From	To											
4	Notify sample ID is TBD by NPDN/State lab				From	To										
5	Notify sample ID is TBD by NPDN/State lab					From	To	To	To	To	To	To	To			
6	Conduct 1st screen ID and share result		From	To												
7	Notify result of 1st screen ID			From	To											
8	Notify result of 1st screen ID				From	To										
9	Notify result of 1st screen ID					From	To	To	To	To	To	To	To			
10	Send sample to NIS for confirmatory ID if PASS			From	To											
11	Notify PASS is at NIS				From	To										
12	Notify PASS is at NIS					From	To	To	To	To	To	To	To			
13	Notify confirmatory status of PASS				From	To										
14	Notify confirmatory status of PASS					From	To	To	To	To	To	To	To			
15	Notify confirmatory results when				From	To										

	final															
16	Notify confirmatory results when final			To		From	To	To	To	To	To	To	To	To	To	To
17	Take steps to decide regulatory response				To	From	To	To	To	To	To	To	To	To	To	To

To Automate notifications of multiple recipients

Table 2. Pest Identification – Sample and diagnostic information flow for AQI submissions (PPQ Form 309A)

Step	Activity for Significant Pests	CBP	PPQ Identifier	NIS	QPAS	PEST-ID database	EDP (OPIS)
1	Send original sample for ID	From	To				
2	Sample ID results	To	From			To	
3	Send original sample for ID for NIS confirmation		From	To			
4	Sample ID results		To	From	To	To	
5	Sample ID results (significant)			From			To

To Automate notifications of multiple recipients



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

1400 Independence
Avenue, SW
Washington, DC
20250

Policy No.: PPQ-DA-2010-1
January 27, 2010

SUBJECT: SITC TDY Policy Change

TO: PPQ Employees

Purpose:

This policy describes the eligibility of PPQ Smuggling Interdiction and Trade Compliance (SITC) employees for TDY assignments within PPQ.

Background:

In January 2005, the PPQ Executive Team issued a statement that in the absence of an emergency or another acute critical need, SITC employees will spend all their time on SITC work only and would not be eligible for TDY assignments.

Policy:

At a recent meeting, the PPQ Executive Team reversed part of the 2005 decision regarding SITC employees eligibility for TDY assignments: SITC employees will now be eligible for all PPQ TDY's. This decision was necessary due to the increasing number of PPQ emergency programs, but also provides the opportunity for SITC employees to expand their knowledge, skills and abilities. SITC employees will now follow the same procedures in effect for all PPQ employees regarding TDY assignments.

If there is a viable reason for an employee not to participate in a TDY, such as a scheduled SITC operation or recall, due consideration will given by the employee's supervisor. This policy is effective immediately.

Rebecca Bech
Deputy Administrator
Plant Protection and Quarantine

PPQ Policy No. PPQ-DA-2008-01
April 22, 2009

SUBJECT: Policy for International Capacity Building and Foreign Visitor Requests

TO: All Plant Protection and Quarantine (PPQ) Employees

PURPOSE

This document describes the process for obtaining authorization to commit PPQ resources to perform international capacity building activities and host foreign visitors.

BACKGROUND

Capacity building activities are ones in which PPQ is requested to commit PPQ resources to assist another country. Examples of capacity building activities are consultancies for international organizations, disease/pest investigations, research trips, training of foreign officials, and meetings with PPQ personnel. Collaboration and activities associated with core PPQ program responsibilities that require or mandate participation between PPQ and its foreign counterparts is generally not considered capacity building and shall be reviewed on a case by case basis. Requests for PPQ to meet with foreign visitors are not inherently linked to PPQ core program activities or capacity building, therefore, for the purposes of this policy, foreign visitor requests will be considered capacity building.

PPQ is frequently called upon to engage in capacity building activities in the form of technical assistance related to risk analysis, phytosanitary treatments, and issues related to international trade and the World Trade Organization's Agreement on the Application of Sanitary and Phytosanitary Measures. PPQ's support of foreign visitors has also been a significant element of capacity and relationship building requests.

Capacity building may also be used as a tool to further PPQ strategic goals. The APHIS strategic plan calls on APHIS to work "with counterparts in other countries to target our resources on projects that will yield the most protection for U.S. resources, since helping those countries build capacity for their own systems of agricultural and natural resource protection provides greater protection for the United States." (APHIS Strategic Plan, Revised July 2007)

Capacity building requests come from multiple sources, have different objectives, and often have unique sets of issues associated with them. The key challenge for PPQ in managing the volume of these requests is deciding whether PPQ's participation is appropriate and meets PPQ's strategic

objectives and priorities. Some of the many factors that must be taken into consideration when evaluating requests are:

- Ensuring that the expected outcome of the assistance would support APHIS' mission,
- Complying with Departmental and agency commitments, and
- Ensuring that APHIS resources are not overly burdened or that program operations are not negatively impacted.

The US government may be party to international agreements which may include obligations under which parties should provide technical assistance. Requests for PPQ assistance, based on an international agreement, will be reviewed pursuant to the specific agreement, in addition to the criteria to which all requests are subjected.

In 2007, APHIS established the International Technical and Regulatory Capacity Building Center (ITRCB) to assist in managing requests for capacity building. The goal of the ITRCB is to coordinate, prioritize, track, and document all capacity building activities in APHIS to maximize the return on the agency's investment in these efforts.

The APHIS Management Team notified all APHIS personnel that beginning May 14, 2007, all capacity building proposals must be submitted to ITRCB for approval.

ITRCB reviews each request from a broad perspective, ensuring requests:

- Meet Presidential, USDA, and APHIS policies;
- Contain clearly stated goals and objectives; and
- Provide a list of participants with country and organization affiliation, job title, and description of official National Plant Protection Organization (NPPO) responsibilities.

After ITRCB determines that a plant health request is appropriate, ITRCB will forward the request to the PPQ point of contact (POC). The POC will work with the appropriate PPQ staff to evaluate requests for real or potential benefits to PPQ, prioritize requests based on PPQ strategic goals, determine whether the request should be approved and if so, the most effective manner to meet the request, and facilitate communication and coordination between ITRCB and PPQ.

It is important to recognize that PPQ cannot fulfill all capacity building requests. Some requests must be denied. Requiring all such requests to be managed through the PPQ POC will ensure that PPQ resources are used strategically to support PPQ priorities.

Policy—Proposals for capacity building, regardless of the source, shall be evaluated and authorized by the PPQ POC in accordance with the following policy.

- 1) All requests for capacity building must be reviewed and approved by ITRCB and the PPQ POC.
- 2) The PPQ POC must be given 30 days to review and approve requests, develop an agenda to meet the goals and objectives of each request, and determine dates of availability. Dates requested are not final until the PPQ POC approves the request and confirms availability.
- 3) Anyone wanting to submit a request should email ITRCB at the following address: ITRCBrequests@aphis.usda.gov.
 - (a) The subject line of the email should be in the following format: “Plant Request: (insert a brief description of the request)”.
 - (b) The email must include the following information in order to be considered:
 - Contact information for person submitting request,
 - Goals and objectives and expected outcomes, and
 - Participants’ title, organizational and country affiliation, and a description of their role within their NPPO.
 - (c) See attached flow chart
- 4) ITRCB will review the initial request and send the requestor a formal application form to complete. Failure to provide all required information will result in the request being denied.
- 5) Capacity building requests that do not involve the use of PPQ resources should be shared with the PPQ POC for information only.
- 6) Capacity building activities, that involve the use of PPQ personnel or other types of PPQ resources, must be approved by the PPQ POC. They will also be reviewed by PIM for trade implications.
- 7) If any unit of PPQ is contacted directly to participate in or develop a capacity building initiative, the request should be referred to the ITRCB.
- 8) The PPQ POC will assess and evaluate the priority of each request and collaborate with PPQ staff as appropriate.
- 9) The PPQ POC will notify the ITRCB and appropriate work unit heads of PPQ’s decision on whether or not the request is approved.
- 10) Similar requests will be combined whenever possible to more efficiently use PPQ resources.
- 11) PPQ will give priority to requests from foreign NPPOs. Requests to assist other entities, such as foreign importers or exporters, will be handled on a case-by-case basis.
- 12) ITRCB will process the necessary documentation with the Department of Homeland Security (DHS) for all requests to take foreign officials to U.S. ports of entry. DHS requires a minimum of 30 days to process these requests.
- 13) Capacity building requests should be evaluated strategically and provide long-term solutions to objectives. Each plan should include clearly stated

goals and objectives and procedures for evaluating the outcome of the plan to ensure accountability for the use of PPQ resources in capacity building activities and to ensure that programs can adapt and improve to changing circumstances.

- 14) Each request utilizing PPQ resources must include a detailed estimated budget for the total cost for PPQ participation in the activity including PPQ salaries, credit hours and travel compensatory time. Responsibility for developing the budget will depend on the specifics of a request. When appropriate the PPQ POC will determine who is responsible for providing the estimated budget.
- 15) A written report must be prepared and submitted to the PPQ POC for each activity that is approved and carried out.

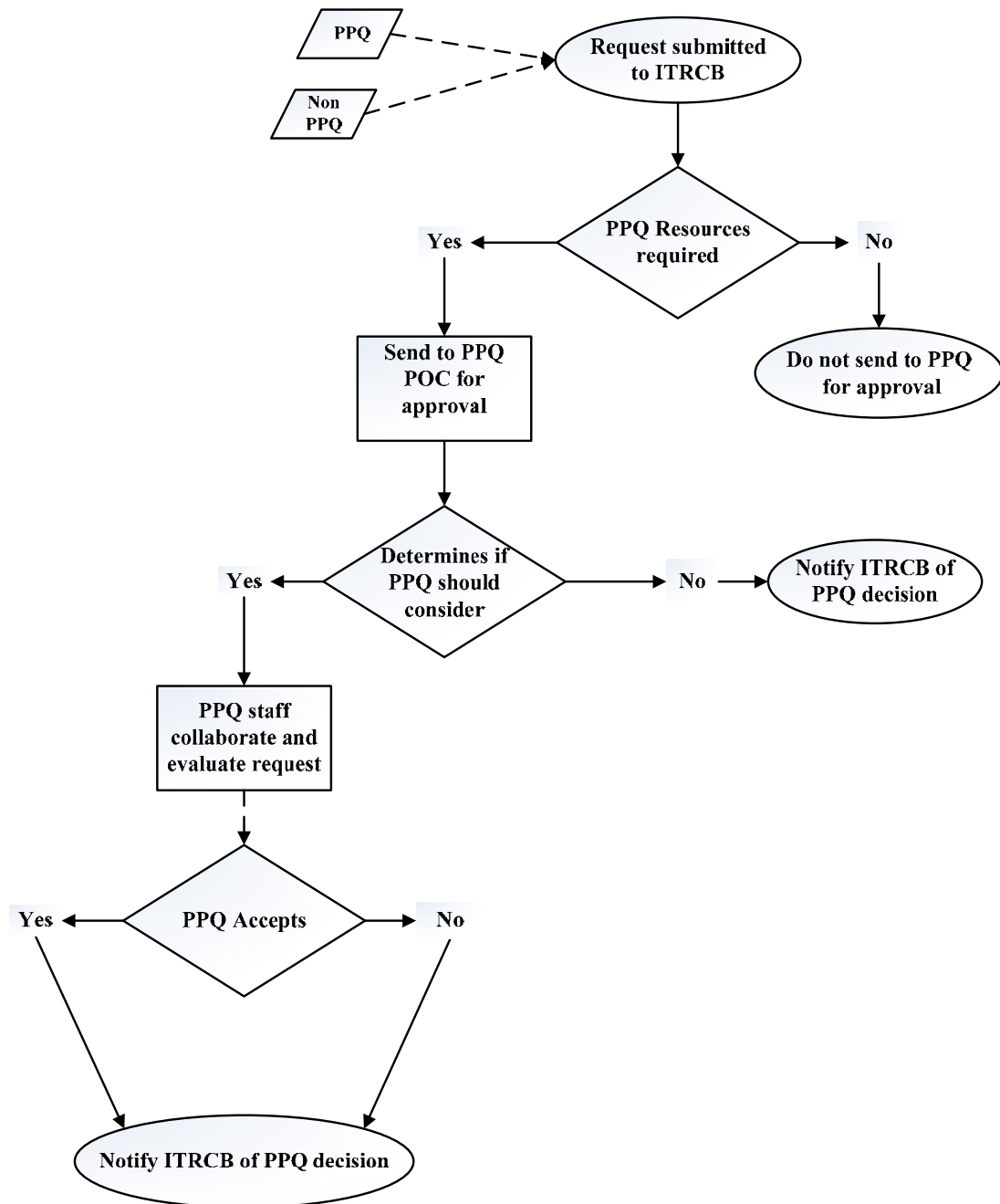
INQUIRIES

Karen Bedigian (Karen.J.Bedigian@aphis.usda.gov), PIM Trade Director for Capacity Building, PPQ POC for Capacity Building, (301) 734-5712; or backup Craig Fedchock (Craig.Fedchock@aphis.usda.gov), Associate Executive Director of PHP, (301) 734-8786

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

PPQ Process for Capacity Building Requests

April 8, 2009



SUBJECT: Recruitment of Supervisory and Managerial Positions

TO: All PPQ Employees

Purpose:

To utilize a career ladder when recruiting for positions GS-12 and above.

Background:

Prior to 1999, it was PPQ's practice to recruit Supervisory PPQ Officer positions, grade GS-12, at the full performance level only. In 1999, PPQ issued a policy requiring all positions grade GS-12 and higher to be announced utilizing a career ladder of one grade or more (a career ladder is defined as a range of grades in an occupational series to which an employee can be noncompetitively promoted until the person reaches the full promotion potential of the position).

Policy:

This policy hereby replaces PPQ Policy PPQ-DA-99-01.

PPQ vacancy announcements for all permanent positions grade GS-12 or higher, whether supervisory or nonsupervisory, must include a career ladder. For example, a position with a full performance level of GS-12 minimally must be announced grades GS-11/12; and a position with a full performance level of grade GS-13 minimally must be announced grades GS-12/13.

Special circumstances may warrant the request of an exception to this policy, i.e., the need to recruit for specific career qualifications and experience. When seeking to recruit at a single grade level for a permanent position graded GS-12 or higher, a written justification must be submitted prior to the start of the recruitment process.

Justifications, as well as questions, can be directed to PPQ's Resource Management Headquarters staff via email address: PPQ.RM.Position.Requests.

/s/ Paul R. Eggert /for

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine



United States
Department of
Agriculture

Animal and Plant
Health Inspection
Service

Washington, DC
20250

Policy No.: PPQ-DA-2009-2
December 2, 2009

SUBJECT: Interviews of Applicants and Selections

TO: PPQ Supervisors and Managers

Purpose:

This policy reaffirms expectations regarding filling all positions from internal or external sources, regardless of grade. This policy rescinds PPQ-DA-94-2, PPQ-DA-2000-4 and PPQ-DA-2002-1, as well as all other previous Deputy Administrator policies and PPQ memoranda regarding how candidates for positions will be interviewed and ultimately selected for positions in PPQ.

Background:

PPQ has examined ways to streamline and expedite the interview process and resulting selections. This policy is aligned with The Supervisor's Recruitment, Selection and Retention Handbook (this document will be available in electronic format soon).

Policy:

1. Selecting officials will consider merit promotion and case exam certificates expeditiously. The USDA Hiring Model instituted a 28-day timeframe, with the intent that the interview and selection process average 17 business days. Case exam certificates are initially issued for a 30-day period, but can be extended up to 90 days total, if necessary. Merit promotion certificates are initially issued for a 45-day period, but can be extended up to 120-days total, if necessary. For more information, visit the Office of Personnel Management's (OPM) website:
http://www.opm.gov/hcaaf_resource_center/assets/Tal_tool3.pdf

Selecting officials are strongly encouraged to complete the selection process in accordance with the USDA Hiring Model. If additional time is needed to complete the selection process, requests for extensions must be made prior to the expiration date of the certificate(s). Selecting officials must make every effort to ensure certificates are processed prior to their expiration date.

2. Once a certificate is received, the selecting official must determine the most appropriate method for interviewing the applicants. In accordance with the Departmental Merit Promotion Plan,



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http://www.aphis.usda.gov/mrpbs/publications/hr_desk_guide/4335/downloads/4335_1att.pdf , selecting officials are not required to interview every applicant

referenced on a certificate. However, selecting officials must participate in the selection process and should consider the following criteria when making a selection:

- A. The written application/résumé, including written responses;
- B. Interview responses;
- C. Panel notes, if a paper panel was conducted;
- D. Reference checks;
- E. Performance ratings;
- F. Awards; and
- G. Other relevant factors.

Interview options include: one-on-one interviews, panel interviews, behavioral event interviews, and etc. Travel costs should be factored into the decision concerning how to conduct interviews.

3. Selecting officials must keep thorough records documenting their reasons for both selection(s) and non-selection(s). Per the APHIS Records Management protocol, these records may be destroyed after 3 years.

- A. Pre-interview considerations that narrowed the pool of candidates to be interviewed;
- B. Questions asked during the interviews;
- C. Notes taken indicating responses from the candidates during the interviews;
- D. Scores of the interview results; and
- E. Comments from references.

Questions can be directed to the servicing HR Staffing Specialist, or to PPQ's Resource Management Headquarters staff via email address: PPQ.RM.Position.Requests.

/s/ Rebecca A. Bech

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine