

# **FLASH CARGO, Inc.**

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**REMINDER**

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## **SOLID WOOD PACKAGING MATERIAL (WPM)**

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

The regulation requires regulated WPM used in international trade to be treated to kill harmful insects that may be present. WPM must be marked with the International Plant Protection Convention (IPPC) logo, the two-letter International Organization for Standardization (ISO) code for the country that treated the WPM, the treatment facility number assigned by the national plant protection organization, and either the abbreviation HT (heat treatment) or MB (methyl bromide). The rule states that regulated wood packaging materials must be marked in a visible location on each article, preferably on at least two opposite sides of the article, with a legible and permanent mark that indicates that the article meets the new requirements. Paper treatment certificates will no longer be required or accepted.

The regulation restricts the importation of many types of wood articles, including wooden packaging materials such as pallets, crates, boxes, and pieces of wood used to support or brace cargo. The regulations currently refer to these types of wood packaging materials as solid wood packing materials, defined as "wood packing material other than loose wood packing material, used or for use with cargo to prevent damage, including, but not limited to, dunnage, crating, pallets, packing blocks, drums, cases, and skids." Effective September 16, 2005, the

U.S. regulation allows non-compliant regulated WPM to be re-exported. CBP recognizes that the usage of this term may be confusing. For purposes of CBP implementation of the USDA regulation, "re-export" will refer to the immediate exportation (IE) or transportation and exportation (T&E) of violative WPM under bond and, where the violative WPM cannot be separated from the accompanying merchandise, the IE or T&E of the violative WPM and any accompanying merchandise. By regulation, no treatment options for WPM being imported into the United States are available. For the purposes of this rule, WPM imported as cargo, such as a container or truckload of new or unused pallets, will still be considered WPM and subject to the rule. Its status as merchandise is irrelevant.

### **Non-regulated and Exempt Wood and Wood Products:**

Regulated WPM do not include any manufactured items, such as worked wood items, even if those items are used to contain other non-regulated merchandise. Examples of such non-regulated manufactured items might include such things as carved or formed wooden bottle stoppers, ammo crates, wooden boxes built to house fuel gauges or armaments, *etc.* Wine crates for any vintage year prior to 2006, are also non-regulated; wine crates for vintage year 2006 and beyond are regulated.

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Regulated WPM do not include any manufactured wood, such as fiberboard, plywood, polywood, whisky and wine barrels, strand board, and veneers, nor do they include "loose wood packing materials" as defined in 7 CFR § 319.40-1. Examples of loose wood packing materials include excelsior (wood wool), sawdust, and wood shavings, produced as a result of sawing or shaving wood into small, slender, and curved pieces. Dunnage is not always loose wood packing materials; when it is not, it is regulated.

The regulation allows importation without marking of otherwise-regulated WPM used by the U.S. Department of Defense to package non-regulated articles, including commercial shipments pursuant to a DOD contract.

By reciprocal regulations, WPM made from Canadian origin wood or U.S. origin wood (or a combination of Canadian origin wood and U.S. origin wood) will be exempt from treatment and marking under this regulation when used in trade between these two countries. For purposes of enforcement of this exception, and absent acceptable proof to the contrary, U.S. Customs and Border Protection (CBP) will consider the country of origin of merchandise coming from Canada to be the country of origin of the accompanying WPM.

The only remaining exemption for imports from Mexico permits importation of unmarked firewood mesquite wood for cooking, and small, noncommercial packages of un-manufactured wood for personal cooking or personal medicinal purposes as long as these items arrive directly from Mexican Border States.

**XX – represents the ISO Country Code.**

**000 – represents the unique number assigned by the national plant protection organization.**

**YY – represents either HT for heat treatment or MB for Methyl Bromide fumigation.**



For further and more detailed information, please visit the USDA web site at:

[http://www.aphis.usda.gov/import\\_export/plants/plant\\_imports/wood\\_packaging\\_materials.shtml](http://www.aphis.usda.gov/import_export/plants/plant_imports/wood_packaging_materials.shtml)