

Southern Currents



Notice to the Area Port of New Orleans Trade Community

Date: December 5, 2011

No.: 12-004

SUBJECT: Regulated Garbage

Per Title 9 CFR Part 95, garbage is defined as all waste material that is derived in whole or in part from fruits, vegetables, meats, or other plant or animal (including poultry) material, and other refuse of any character whatsoever that has been associated with any such material. Furthermore, garbage that is commingled with regulated garbage is also regulated garbage.

Because garbage may contain prohibited items or foreign animal and plant diseases and pests, controlling and disposing of garbage is an essential aspect of protecting American agriculture. Importation of regulated garbage into the United States from all foreign countries except Canada is prohibited pursuant to 9 CFR 95.5 (c) (2), when the garbage is on or removed from a conveyance that has been outside the United States and Canada within the previous 2-year period.

This applies to any conveyance, rigs, ships, OSVs, etc. that arrive from foreign and onto the Outer Continental Shelf (OCS) without meeting one of the two following exceptions: 1) The conveyance has a certificate from an Inspector that states it has been cleared of all garbage and all fresh fruits and vegetables or 2) that since being cleaned and disinfected the conveyance has not been in a non-Canadian foreign port within the last 2 years.

Where facilities exist and are approved by USDA at a port, garbage may be removed from a vessel for approved disposal either by sterilization or incineration. Arrangements for disposal of the garbage must be made in advance with the local U.S. Customs and Border Protection (CBP) office. The removal and disposal of the garbage may be done under direct CBP supervision. The removal and disposal of the garbage may also be done by a facility that has been approved by the U.S. Department of Agriculture (USDA) to handle regulated garbage and that has also signed a compliance agreement approved by the Animal and Plant Health Inspection Service (APHIS) division of USDA.

Questions regarding this notice should be directed to Supervisory Agriculture Specialist Joe Carter at (504) 623-6639 in New Orleans or to the local port director of other ports in Louisiana.

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