



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Division of Agricultural Resource Management
 Bureau of Plant Industry
 P.O. Box 8911, Madison WI 53708-8911
 Phone: (608) 224-4573 Fax: (608) 224-4656

**Wisconsin Department of Agriculture, Trade and Consumer Protection
 GYPSY MOTH COMPLIANCE AGREEMENT**

1. COMPANY NAME:		2. CONTACT NAME:	
3. MAILING ADDRESS:		4. E-MAIL:	
COUNTY:		5. TELEPHONE:	6. FAX:
7. DISPOSAL or PROCESSING YARD LOCATION and COUNTY (if different than mailing address above):			

Applicable to State or Federal Cooperative Domestic Quarantines for the Gypsy Moth (*Lymantria dispar*) pursuant to Wisconsin Administrative Code ATCP 21.10(1)(b), Wisconsin State Statutes Ch. 93.07(12) and 94.01.

(_____) (Company) and the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) based upon their mutual promises and other good and valuable consideration agree as follows:

This Gypsy Moth Compliance Agreement provides a limited exception for the Company to the Gypsy Moth (GM) quarantine established pursuant to s. ATCP 21.10, Wis. Adm. Code, and 7 CFR 301.45. Based upon the results of an annual DATCP inspection, the limited exception granted by this Agreement authorizes the Company to transport or receive regulated articles intrastate from a quarantined area to a non-quarantined area subject to the following conditions:

1. "Regulated Articles" are defined as the following:
 - a) The gypsy moth (*Lymantria dispar*) in any living stage;
 - b) Woody shrubs or trees of any size;
 - c) Any cut non-coniferous firewood;
 - d) Wood chips and bark fragments (both composted and uncomposted);
 - e) Logs, slabs or untreated lumber with bark attached;
 - f) Any other item or substance not listed here that may be designated as a regulated item if a DATCP official determines that it presents a risk of spreading gypsy moth and notifies the person in possession of the item or substance that it is subject to the restrictions of the regulations.

2. The Company acknowledges State and Federal regulations governing the Gypsy Moth (GM) and regulated articles. When working within and near a gypsy moth quarantine area, the Company agrees to supply records that may be required for inspection. The Company agrees that the regulated items to which this Compliance Agreement applies are produced, processed, stored, handled or used under conditions, as described in this Agreement, that effectively preclude the transmission of gypsy moth;

3. The Company agrees to treat regulated articles using the following approved process (select all applicable treatments – see attached Addendum Form ARM-PI-500 for specific treatment requirements):
 - 1. Transport safeguards for sawlogs and veneer logs from the GM quarantine.
 - 2. Transport safeguards for pulpwood or other regulated articles from the GM quarantine
 - 3. Annual Christmas tree field and perimeter inspections and / or pesticide treatment
 - 4. Mulch
 - 5. Approved receiving facility outside of GM quarantine area
 - 6. Alternate authorized procedure

This form is authorized under Wisc. Adm. Code ATCP 21.10(1)(b), Wisc. Stats. Ch. 93.07(12) and Ch. 94.01. Personal information you provide may be used for purposes other than that for which it was originally collected; completion of this form is voluntary (Wis. Stats. Ch. 15.04(1)(m)).

4. WDATCP will have unlimited access to holding areas for the regulated articles in order to conduct GM detection surveys, inspect shipments or documentation, and monitor compliance.

5. The Company agrees to write the inspector's name, the date of inspection and the compliance agreement number on the scale ticket, bill of lading, invoice, manifest or any other shipping document accompanying the transport of any regulated materials;

6. The Company agrees to maintain all records pertaining to the movement of regulated articles for a period of at least 36 months. To ensure compliance, DATCP retains the right to conduct audit inspections of regulated articles, to monitor inspection procedures and to examine shipment records at any time;

7. The Company agrees to keep its employees informed about the GM quarantine borders and about GM quarantine regulations. The Company also agrees to instruct its employees in the identification of GM life stages, and to inform DATCP of any suspected GM infestation;

8. Compliance Agreements are non-transferable. The Company must notify DATCP in the event that:

- a) The designated signatory individual in Block 8 (below) changes, or
- b) The applicant/company physically relocates, or
- c) The company name or ownership changes, or
- d) Any other event occurs which may affect the handling of regulated articles;

9. DATCP reserves the right to revise or cancel the CA at any time. If the Company fails to comply with the provisions of this CA, this CA shall be revoked. DATCP may pursue additional penalties for violations, including forfeiture, fine or imprisonment, under Wis. Stats. Ch. 94.77. If DATCP takes an action against the Company for violation by the Company of this CA, the Company may request a hearing under s. ATCP 1.03(3), Wis. Adm. Code. A request for hearing shall be submitted in writing within ten days after service of the notice of violation. A request for hearing does not stay or modify any summary order issued by the department because of the violation. If granted, the Company's right of hearing will be limited to the issue of determining whether the terms of this CA have been materially violated.

The affixing of signatures below will validate this Agreement which shall remain in effect for one year from the date entered in Block 10 (below), but may be revised as necessary or revoked for noncompliance. One original signed CA to be maintained at DATCP and a second original signed CA to be maintained at the Company office.

8. SIGNATURE (FOR COMPANY):	9. TITLE:	10. DATE:
11. COMPLIANCE AGREEMENT NUMBER:		
12. STATE AGENCY OFFICIAL (NAME & TITLE):	AGENCY CONTACT: Wisconsin DATCP 2811 Agriculture Drive PO Box 8911 Madison, WI 53708-8911	
13. SIGNATURE:		

This form is authorized under Wisc. Adm. Code ATCP 21.10(1)(b), Wisc. Stats. Ch. 93.07(12) and Ch. 94.01. Personal information you provide may be used for purposes other than that for which it was originally collected; completion of this form is voluntary (Wis. Stats. Ch. 15.04(1)(m)).



Addendum to DATCP Gypsy Moth Compliance Agreement

Compliance Agreement # _____

1. Transport of sawlogs and veneer logs from the GM quarantine _____ (initials / date)

Logs will only be moved to mills authorized by a WDATCP compliance agreement to receive logs from areas regulated for gypsy moth. Contact DATCP Forest Pest Program Coordinator to see if receiving mills have a compliance agreement.

Only logs that are free of gypsy moth life stages may be moved out of the GM quarantine. Shipments from the quarantine must be accompanied by either a **DATCP Inspection Statement, an accurate statement, or USDA permit (PPQ 540)**. Log inspections must be conducted with 5 days of shipping if shipped from May 1 through August 31. For shipments from September 1 through April 30, inspections must be done no more than 14 days prior to shipment. Logs shall be protected from re-infestation following inspection by storing them in a building or container or other effective cover, or by keeping logs at least 100 feet from surrounding vegetation until the logs leave the quarantine area.

The Company agrees to write the inspector's name, ID #, the date of inspection (and the compliance agreement #, if applicable) on the DATCP Inspection Statement as well as scale ticket, bill of lading, invoice, manifest or any other shipping document accompanying the transport of any regulated materials. After receiving training from WDATCP, employees of and/or contractors for the Company will be authorized to complete Inspection Statements. It is the Company's responsibility to ensure that only individuals trained by WDATCP complete and sign Inspection Statements.

2. Transport of pulpwood or other regulated articles from the GM quarantine _____ (initials / date)

Pulpwood and other regulated articles will only be moved to approved facilities or staging yards authorized by a USDA or WDATCP compliance agreement to receive pulpwood and other regulated articles from the GM quarantine. Pulpwood shipments or other regulated articles (woody biomass, bark, chips, etc.) from the quarantine must be accompanied by a **DATCP Inspection Statement or USDA Limited Permit (PPQ 530)**.

The Company agrees to write the inspector's name, ID #, the date of inspection (and the compliance agreement #, if applicable) on the DATCP Inspection Statement as well as scale ticket, bill of lading, invoice, manifest or any other shipping document accompanying the transport of any regulated materials. After receiving training from WDATCP, employees of and/or contractors for the Company will be authorized to complete Inspection Statements. It is the Companies' responsibility to ensure that only individuals trained by WDATCP complete and sign Inspection Statements.

3. Christmas trees _____ (initials / date)

Only trees determined to be free of gypsy moth life stages may be shipped from the Gypsy Moth quarantine area. Determination shall be based on either an annual visual survey or an annual effective treatment of the environs and/or Christmas trees. If gypsy moth life stages are found within 100 feet of Christmas trees, those trees are prohibited from leaving the Gypsy Moth quarantine area. All intrastate shipment of Christmas trees out of the Gypsy Moth quarantine area shall be accompanied by paperwork that includes the following declaration: *These Christmas trees have been inspected by an authorized individual and are apparently free of gypsy moth life stages. Signed: (signature), Date: (x/x/20xx), Compliance Agreement No: WI-GM-NU-xxxx).*

This form is authorized under Wisc. Adm. Code ATCP 21.10(1)(b), Wisc. Stats. Ch. 93.07(12) and Ch. 94.01. Personal information you provide may be used for purposes other than that for which it was originally collected; completion of this form is voluntary (Wis. Stats. Ch. 15.04(1)(m)).

4. Mulch _____ (initials / date)

The Company will segregate regulated wood from non-regulated wood in a designated holding area (or other area authorized by DATCP in writing) located at least 100 feet from woody vegetation. The Company agrees to process all regulated articles (wood waste, bark, chips with bark, etc.) within 5 days of arrival between May 1 and June 30; or in a timely manner and no later than April 30, between July 1 and April 30, using the following composting treatment procedure adapted from the Gypsy Moth program manual:

Start with a pile that is at least 200 cubic yards. Leave the pile undisturbed until the internal temperature reaches at least 120 degrees for 4 days (or 100 degrees for 6 days if 120 degrees is not possible). Then remove the outer layer of the pile to a depth of 3 feet. Start a second pile with this removed material. Move the bulk of the core material from the first pile to the top of the second pile. Leave the second pile undisturbed until the internal temperature reaches at least 120 degrees for 4 days (or 100 degrees for 6 days if 120 degrees is not possible). Remove the second pile as fully composted material. The residual material from the original pile can serve as "inoculum" for subsequent piles.

5. Approved receiving facility outside of GM quarantine area _____ (initials / date)

Mills, staging yards, and other approved facilities receiving logs, pulpwood, or other regulated forest products agree to accept logs or other regulated forest products from the GM quarantine that are free of gypsy moth life stages and are accompanied by proper documentation. Proper documentation may include a **DATCP Inspection Statement, USDA permit (PPQ 530 or PPQ 540), or accurate statement.**

Approved facilities that receive undocumented logs or regulated forest products shall inform DATCP in a timely manner so the requisite training can be provided. Uninspected logs and/or regulated forest products shall be segregated and stored at least 100 feet from surrounding vegetation and non-quarantined forest products until such time as they can be processed, treated, or found to be free of gypsy moth life stages.

Staging yards agree to segregate regulated wood from non-regulated wood and store it at least 100 feet from surrounding vegetation. Wood received between May 1 and June 30 shall be forwarded to a compliant pulpmill or returned to the quarantine within 5 days. Wood received during other times shall be processed in a timely manner and no later than April 30th.

6. Alternate approved procedure _____ (initials / date)

Facilities outside the GM quarantine area may only accept material under an appropriate DATCP Compliance Agreement. The company agrees to the following processing requirements, which have been deemed to reasonably preclude the transmission of gypsy moth life stages:

USDA Gypsy Moth Program Manual can be found here:

https://www.aphis.usda.gov/import_export/plants/manuals/domestic/downloads/gypsy_moth.pdf