



**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**  
**MOUNTAIN PINE BEETLE COMPLIANCE AGREEMENT**

<b>1. COMPANY NAME:</b>		<b>4. CONTACT NAME:</b>	
<b>2. MAILING ADDRESS:</b>	<b>3. COUNTY:</b>	<b>5. E-MAIL:</b>	
		<b>6. TELEPHONE:</b>	<b>7. FAX:</b>
<b>8. DISPOSAL or PROCESSING YARD LOCATION and COUNTY (if different than mailing address above):</b>			

**Applicable to State Exterior Quarantines for the Mountain Pine Beetle (*Dendroctonus ponderosae*) pursuant to Wisconsin Administrative Code ATCP 21.22, Wisconsin State Statutes Ch. 93.07(12) and 94.01.**

This Mountain Pine Beetle Compliance Agreement between the Wisconsin Department of Agriculture, Trade and Consumer Protection "DATCP" and \_\_\_\_\_ "the Company" provides a limited exception for the Company to the Mountain Pine Beetle (MPB) quarantine established pursuant to Wis. Admin. Code § ATCP 21.22. Based upon the results of an annual DATCP inspection, the limited exception granted by this Compliance Agreement "CA" authorizes the Company to transport or receive regulated articles interstate from an infested area to a non-infested area subject to the following conditions:

1. "Regulated Articles" are defined as the following:
  - a) The Mountain Pine Beetle (*Dendroctonus ponderosae*) in any living stage;
  - b) Firewood from any species of tree;
  - c) Pine (*Pinus*) logs, slabs or untreated lumber with bark attached;
  - d) 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 MPB and notifies the person in possession of the item or substance that it is subject to the restrictions of the regulations.
  
2. "Infested area" means all of the following:
  - a) The states of Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, South Dakota, Utah, Washington, Wyoming and the Canadian provinces of Alberta, British Columbia, and Saskatchewan;
  - b) Any state or province, or any delineated area within a state or nation that the Wisconsin State Plant Regulatory Official has determined to be infested with MPB.
  
3. The Company acknowledges state regulations governing the MPB and regulated articles. When importing products from areas with MPB, the Company agrees to supply records that may be required for inspection.
  
4. The Company agrees to treat regulated articles using the following approved process (select all applicable treatments – see attached Addendum Form ARM-PI-xxx for specific treatment requirements):
  - 1. Processing safeguards for pine logs - Debarking
  - 2. Processing safeguards for pine logs - Heat Treatment
  - 3. Processing safeguards for pine logs – Kiln Sterilization or Fumigation
  - 4. Transport safeguards
  - 5. Approved receiving facility
  - 6. Alternate authorized procedure.

*This form is authorized under Wis. Admin. Code ATCP 21.22, Wis. Stat. §§ 93.07(12) and 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. Stat. § 15.04(1)(m)).*

5. DATCP will have unlimited access to holding areas for the regulated articles in order to conduct MPB detection surveys, inspect shipments or documentation, and monitor compliance.
6. The Company agrees to write 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.
7. 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.
8. The Company agrees to keep its employees informed about the MPB exterior quarantine regulations. The Company also agrees to inform DATCP of any suspected MPB introductions.
9. Compliance Agreements are non-transferable. The Company must notify DATCP in the event that:
  - a) The designated signatory individual in Block 8 (below) changes,
  - b) The applicant/company physically relocates,
  - c) The company name or ownership changes, or
  - d) Any other event occurs that may affect the handling of regulated articles.
10. 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. Stat. § 94.77. If DATCP takes an action against the Company for a violation of this CA, the Company may request a hearing under Wis. Admin. Code § ATCP 1.03(3). 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.

<b>9. SIGNATURE (FOR COMPANY):</b>	<b>10. TITLE:</b>	<b>11. DATE:</b>
<b>12. COMPLIANCE AGREEMENT NUMBER:</b> WI-MPB-CA- ____		
<b>13. STATE AGENCY OFFICIAL (NAME &amp; TITLE):</b>	<b>AGENCY CONTACT:</b> Wisconsin DATCP 2811 Agriculture Drive PO Box 8911 Madison, WI 53708-8911	
<b>14. SIGNATURE:</b>		

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## Addendum to DATCP Mountain Pine Beetle Compliance Agreement

Compliance Agreement # WI-MPB-CA-\_\_\_\_

### **1. Processing safeguards for pine logs – Debarking** \_\_\_\_\_ (initials / date)

Pine logs or other regulated articles that have been completely debarked shall be allowed into Wisconsin provided that they are delivered to a mill or processing yard that holds a valid DATCP MPB compliance agreement as an approved receiving facility.

### **2. Processing safeguards for pine logs – Heat Treatment** \_\_\_\_\_ (initials / date)

Pine logs or other regulated articles that have been effectively heat treated shall be allowed into Wisconsin provided that they are delivered to a mill or processing yard that holds a valid DATCP MPB compliance agreement. Effective heat treatments shall raise the temperature of the regulated articles to at least 160 degrees F for at least 75 minutes (USDA Treatment Schedule T314-c *Various Wood Pests*).

Shipments of heat treated articles shall be accompanied by records of the heat treatment including the following information: date of treatment, location of treatment, temperature and duration of treatment, description and count of the articles treated. Heat treatment records shall be verified by a state plant health official prior to export.

### **3. Processing safeguards for pine logs – Kiln Sterilization or Fumigation** \_\_\_\_\_ (initials / date)

Shipments of kiln sterilized or fumigated articles shall be accompanied by records of the treatment schedule and include the following information: date of treatment, location of treatment, treatment schedule, description and count of the articles treated. Kiln sterilization or fumigation record shall be verified by a plant health official from the state where the treatment occurred.

### **4. Transport safeguards** \_\_\_\_\_ (initials / date)

Any company transporting pine products from regulated areas agrees to transport only to facilities that hold a valid DATCP MPB compliance agreement.

Any company transporting regulated pine products agrees to maintain a current DATCP MPB transport compliance agreement. Transporting company agrees to notify DATCP at least 24 hours prior to shipping regulated articles into Wisconsin.

### **5. Approved receiving facility** \_\_\_\_\_ (initials / date)

Mills and or processing yards receiving pine logs or chips from regulated areas shall hold a valid MPB compliance agreement. Receiving facility agrees to accept only properly processed articles. Imported articles not meeting one of the approved processing options shall be made compliant immediately, destroyed or removed from the state. If logs are debarked in Wisconsin, the bark shall be burned or buried in a timely manner and DATCP shall be immediately notified.

### **6. Alternate approved procedure** \_\_\_\_\_ (initials / date)

Facilities that receive regulated pine may only accept material under a valid DATCP Compliance Agreement. The company agrees to the following processing requirements, which have been deemed by DATCP to reasonably preclude the transmission of Mountain Pine Beetle: