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0389

**UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
PLANT PROTECTION AND QUARANTINE**

COMPLIANCE AGREEMENT

1. NAME AND MAILING ADDRESS OF PERSON OR FIRM

Company Name **HMI Hardwoods LLC**
Company Representative **John Biniger, Vice President**
Address **430 Division Street PO Box 620
Clinton, MI 49236-9702**
Phone **517 456-7431**

2. LOCATION

Company Name **HMI Hardwoods LLC**
Physical Address **430 Division Street
Clinton, MI 49236-9702**

3. REGULATED ARTICLE(S) (Articles to be covered under the agreement will be described here, subject to APHIS PPQ approval when agreement is finalized and signed).

Kiln-dried Lumber shipments destined to China, Vietnam, United Arab Emirates, Hong Kong or Malaysia.

4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS

7 CFR Part 353 – Export Certification
50 CFR Part 23 – Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
USDA APHIS KD/HT Lumber Export Certification Policy

5.1 / WE AGREE TO THE FOLLOWING:

1. The Compliance Agreement Holder is the facility responsible for complying with all parts of this agreement, and is the facility responsible for treatment, production, and/or packaging of the regulated article for export internationally.
2. Applications must be submitted using the Phytosanitary Certification Issuance and Tracking Program (PCIT) prior to inspection and certification. All applications must be approved by an Authorized Certification Official (ACO) prior to loading of a shipment for export including any requirements identified by an ACO based on country requirements in PExD or on a valid Import Permit (IP). If a specific export shipment does not meet all conditions of this agreement, the shipment may still be certified if an inspection of the shipment is conducted following applicable procedures and protocols, and all phytosanitary requirements of the importing country are met.
3. Company representatives shall visually inspect each shipment or a representative sample of each shipment prior to, or at time of loading to verify the shipment is free from soil, bark (if required by the importing country quarantine requirements), and visually detectible pests/diseases of quarantine significance to the importing country. Date of inspection for phytosanitary certification will be the date of inspection by the company. The ACO and/or APHIS reserves the right to deny certification based on inspections not conducted using approved protocols and procedures or inspections that do not meet all requirements of a valid IP or other official communication presented in association with an export shipment. The ACO retains the authority to inspect any export shipment to verify that all phytosanitary quarantine requirements have been met.
4. Compliance Agreement holder, after inspection, may submit an application with date of inspection and signature of company representative. It is the compliance agreement holder's responsibility to provide all documentation that may be required under this agreement to any other entity requesting certification of a shipment produced, treated, and/or packaged for export by the compliance agreement holder under this agreement.
5. Compliance Agreement Holder shall submit a copy of the current compliance agreement cover page with the application as verification that the company is an active program participant in good standing.
6. Authorized Certification Officials (ACOs) may conduct routine phytosanitary inspection of all Lumber / Wood Products designated for export every thirty (30) days at a minimum. It is the responsibility of the compliance agreement holder to maintain inspection records at the facility. Inspections will include review of treatment and inspection records maintained by the participating facility, and any other documentation required to meet phytosanitary quarantine requirements of the importing country.
7. Company representatives will access the Phytosanitary Export Database (PExD) within PCIT or present a valid Import Permit (IP) including complete translation where necessary to determine current phytosanitary requirements for the importing country specified on the application. Any IPs or official communication will be reviewed and validated by the ACO or APHIS PPQ prior to use in certification of export shipments.
8. All Heat Treating of Lumber and Wood Products, or Kiln Drying of Lumber under this agreement will be conducted following the current APHIS PPQ policy for certification of KD/HT lumber (Attachment 1). All lumber/wood products certified under this agreement must be stored on a surface adequate to prevent contamination with soil.
9. All Lumber / Wood Products certified under this agreement will have a moisture content of less than 18%.
10. All records associated with certification of export shipments under this agreement must be maintained by the company for a period of three (3) years and made available to certification officials upon request.
11. Training in proper inspection of export shipments must be completed by compliance agreement holder personnel prior to inspection of export shipments under this agreement. Training will be provided by MDARD PPPMD ACO and/or APHIS PPQ personnel.
12. Audit inspections to verify compliance with this agreement will be conducted annually during normal business hours and will not be scheduled.
13. This Compliance Agreement is intended for phytosanitary certification of export shipments to foreign countries as defined in the USDA APHIS PPQ Export Program Manual. Requirements for domestic movement of regulated articles must be met separately and outside the scope of this agreement.
14. Failure to meet the terms of this agreement may result in cancellation of the agreement.

6. SIGNATURE <i>John E. Berger</i>	7. TITLE VP OPERATIONS	8. DATE SIGNED 6-4-15'
The affixing of the signatures below will validate this agreement, which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.		9. AGREEMENT NO. KD-CA-362-01
		10. DATE OF AGREEMENT 6-9-15
11. PPQ/CBP OFFICIAL (NAME AND TITLE) Stanley H. Kuchta MDARD ACO	12. ADDRESS 525 West Allegan St. LANSING, MI 48909	
13. SIGNATURE <i>Stanley H. Kuchta</i>		
14. U.S. GOVERNMENT/STATE AGENCY OFFICIAL (NAME AND TITLE)	15. ADDRESS	
16. SIGNATURE		