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12 **UNITED STATES DISTRICT COURT**
 13 **EASTERN DISTRICT OF CALIFORNIA**
 14 **SACRAMENTO DIVISION**

15	SUNRISE FOODS INTERNATIONAL)	
16	INC.,)	
17)	
18	Plaintiff,)	
19)	Case No. 2:18-cv-00688-JAM-EFB
20	v.)	
21)	DECLARATION OF OSAMA EI-LISSY IN
22	SONNY PERDUE, in his official capacity)	SUPPORT OF DEFENDANTS'
23	as Secretary of Agriculture, <i>et al.</i> ,)	OPPOSITION TO PLAINTIFF'S
24)	MOTION FOR TEMPORARY
25	Defendants.)	RESTRAINING ORDER
26)	
27)	
28)	

DECLARATION OF OSAMA EL-LISSY

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I, Osama El-Lissy, hereby declare and certify as follows:

1. Since 2013, I have served as the Deputy Administrator for the United States Department of Agriculture Animal and Plant Health Inspection Services' (APHIS) Plant Protection and Quarantine (PPQ) program unit. In this position, I lead and direct a nationally dispersed staff that safeguards U.S. animal and plant resources from destructive pests and diseases.

2. For nearly two years before becoming PPQ's Deputy Administrator, I served as the Associate Deputy Administrator responsible for policy and financial management within PPQ. Before that, I directed PPQ's emergency management, providing national coordination in the preparedness, response, and recovery from plant health emergencies in the United States. This included working with Federal and State governments, industry stakeholders, and subject matter experts to develop and implement comprehensive plans designed to safeguard American agriculture against invasive pest outbreaks such as citrus black spot in Florida, European grapevine moth in California, and potato cyst nematode in Idaho.

3. From 2000 to 2005, I served as the APHIS National Coordinator for cotton pest programs. In that role, I provided the coordination for national cotton pest programs in the United States and Mexico, including the boll weevil and pink bollworm eradication programs.

4. I have previous career experience in the private sector that includes more than twelve years in managing large-scale pest control and eradication programs. As the director of the Texas boll weevil eradication program from 1994 through 2000, I led one of the largest pest eradication programs in the world, affecting approximately four million acres of cotton and providing services to several thousand cotton producers and landowners.

5. I earned a Master's Degree in international business administration from Georgetown University, a master's degree in public administration from American University, and a bachelor of science in agriculture production and entomology from Cairo University.

1 United States. 7 U.S.C. § 7712(c). The Secretary delegated that authority to APHIS, an agency
2 within USDA. 7 C.F.R. §§ 2.22(a), 280(a)(36). The Administrator of APHIS delegated that
3 authority to PPQ, a program within APHIS. 7 C.F.R. § 371.3. As noted *supra*, I exercise that
4 authority.

5 9. Section 7712 of the PPA provides that restrictions or prohibitions may be placed
6 on the importation of any plant or plant product if deemed necessary to prevent the introduction
7 of a plant pest or noxious weed into the United States, or the dissemination of a plant pest or
8 noxious weed within the United States.

9 10. *Noxious weed* is defined within the PPA as follows: “Any plant or plant product
10 that can directly or indirectly injure or cause damage to crops (including nursery stock or plant
11 products), livestock, poultry, or other interests of agriculture, irrigation, navigation, the natural
12 resources of the United States, the public health, or the environment.” 7 U.S.C. 7702(10)

13 11. *Plant pest* is defined within the PPA to include protozoans, parasitic plants,
14 bacteria, fungi, viruses and viroids, infectious diseases agents and other pathogens, and similar
15 articles. 7 U.S.C. § 7702(14)

16 12. The corn-related regulations at issue in this matter, in 7 C.F.R. § 319.24 *et seq.*,
17 “Subpart—Corn Diseases,” and 7 C.F.R. 319.41 *et seq.*, “Subpart—Indian Corn or Maize,
18 Broomcorn, and Related Plants,” were issued prior to the promulgation of the PPA under
19 statutory authorities repealed by the PPA. However, pursuant to § 7758 of the PPA, the repeal of
20 the previous authority did not affect the validity of those regulations or impact the restrictions
21 and prohibitions they contain.

22 **Applicable Regulations And Manuals**

23 13. The importation of corn is subject to regulation. 7 C.F.R. § 319.41 contains a
24 general prohibition on the importation of all raw or unmanufactured plant parts of corn (*Zea*
25 *mays*), due to the risk of dissemination of a plant pest, European corn borer (*Ostrinia nubilalis*)
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1 Hubn.), as well as “other dangerous insects, as well as plant diseases, not heretofore widely
2 distributed in the United States.”

3 14. 7 C.F.R. §§ 319.41-1 through 319.41-3 collectively provide that a permit must be
4 obtained for the importation of any raw unmanufactured corn seed into the United States, unless
5 the seed is from New Zealand. Permits issued pursuant to these sections restrict importation of
6 raw unmanufactured corn seed for purposes other than planting to the following countries:
7 Argentina, Paraguay, Romania, Turkey, Uruguay, and Canada. Importation of raw
8 unmanufactured corn seed from all other countries is prohibited.

9 15. 7 C.F.R. § 319.24 also regulates the import of raw unmanufactured corn seed due
10 to its ability to serve as a host for several injurious diseases including downy mildews including
11 but not limited to *Peronospora maydis* and *Sclerospora sacchari*, and the Physoderma diseases
12 of maize, *P. zea-maydis* and *P. maydis*. To prevent the entry and spread of these and similar
13 diseases raw unmanufactured corn seed and other plant parts are prohibited from all countries
14 where those diseases were known to occur when the regulation was enacted, including but not
15 limited to Asia, Oceania, Malaysia, and the Philippines. Taken together, 7 C.F.R. §§ 319.41 and
16 319.24 collectively act as a blanket prohibition, with limited exceptions, regarding the
17 importation of raw unmanufactured corn products, and those of corn relatives, into the United
18 States. As discussed below, these prohibitions are warranted given the plant pest risk that may
19 be associated with raw unmanufactured corn and corn products, and APHIS has a lengthy and
20 rigorous process for proposing to lift them.

21 22 16. To implement 7 C.F.R §§ 319.41 and 319.24 and enforce the relevant permitting
23 requirements and restrictions on entry, APHIS and CBP rely upon two USDA-issued manuals.
24 The Seeds Not for Planting Manual (SNFP) provides the background, procedures and reference
25 tables for the importation of raw unmanufactured corn seed for purposes other than planting or
26 growing. The SNFP also provides guidance on appropriate remedial measures when raw
27 unmanufactured corn seed contaminants are discovered in a shipment of other agricultural
28 products. In contrast, the Miscellaneous and Processed Products Manual (MPPM) provides the

1 background, procedures, and reference tables for regulating processed products that might serve
2 to introduce plant pests.

3 17. Pursuant to the MPPM, certain material may be eligible for importation, even
4 though it would be prohibited in its raw form, if it has undergone some form of processing such
5 as milling, cooking, or heating that eliminates the risk of pest and disease on that product. The
6 MPPM specifies the degree of processing needed to qualify as exempt from restrictions outlined
7 in the regulations.

8 18. If during the inspection and clearing of cargo manifested as a processed product
9 (e.g. cracked corn), CBP determines the product is not fully processed per APHIS standards, the
10 product would be regulated per the requirements in the appropriate APHIS manual for
11 unprocessed material: in the case of raw unmanufactured corn seed the SNFP manual.

12 19. Within the MPPM, Table 3-36 provides that cracked corn does not need a permit
13 in order to be imported, but must be inspected before it is released by CBP. Similarly, Table 3-
14 153 in the MPPM specifies that corn or corn relatives must be inspected and deemed “so
15 thoroughly processed that all pests and pathogens would have been destroyed” before being
16 released by CBP. Operationally, if during inspection, CPB determines the consignment does not
17 meet entry requirements due to insufficient processing, infestation with pests or diseased
18 material, or has a contaminant; it may be rejected or destroyed. A footnote to another table,
19 footnote 2 of Table 3-136, clarifies that all milled corn products, including cracked corn, are
20 admissible without a permit, but are subject to inspection. It further specifies that, if more than
21 28 unhulled kernels (raw unmanufactured corn seed) per quart are discovered in a shipment of
22 milled corn, the shipment must be prohibited entry. Twenty-nine unhulled kernels of raw
23 unmanufactured corn seed in a quart of sampled corn represents approximately 1 percent of the
24 kernels in that quart, and provides the inspector with approximately 95 percent confidence
25 regarding the presence of raw unmanufactured corn seed within the rest of the shipment. If more
26 than 28 kernels of raw unmanufactured corn seed per quart are present, the consignment is no
27 longer a processed product subject to the MPPM, and therefore disposition is based on the SNFP
28 manual.

1 20. This is consistent with Tables 2-8 and 2-10 of the SNFP, which collectively
2 provide that if prohibited raw unmanufactured corn seed is discovered as a contaminant of a
3 shipment, unless the shipment can be cleaned or treated, it must be refused entry. Cleaning and
4 treatment must be done in accordance with APHIS-approved methods. For reasons set forth later
5 in this document, APHIS cannot consider the grinding proposed by the Plaintiff either cleaning
6 or treatment.

7 21. Through the authority in the PPA and as stated in 7 C.F.R. § 352.3 Plant
8 Quarantine Safeguard Regulations, Enforcement and Administration: “(a) Plants, plant products,
9 plant pests, noxious weeds, soil, and other products and articles subject to the regulations in this
10 part that are unloaded, landed, or otherwise brought or moved into or through the United States
11 in violation of this part may be seized, destroyed, or otherwise disposed of in accordance with
12 section 414 of the Plant Protection Act (7 U.S.C. § 7714).” APHIS uses this authority to enforce
13 decisions on the disposition of commodities that do not meet APHIS requirements.

14 22. APHIS cooperates with CBP in enforcing these requirements. Section 421(a) of
15 the Homeland Security Act of 2002 transfers certain agricultural import and inspection functions
16 to the Secretary of Homeland Security from the Secretary of Agriculture. The 2003
17 “Memorandum of Agreement Between the United States Department of Homeland Security and
18 the United States Department of Agriculture” (hereafter the “MOA”) and Appendices, outline
19 the delegation of authority to CBP to conduct inspections on APHIS’s behalf and issue an
20 Emergency Action Notification (EAN) if cargo is determined by CBP to be non-compliant.
21 Under Article 4 of the MOA, APHIS agrees to provide training to CBP on specific agricultural
22 import and entry inspection functions transferred to CBP. In this capacity, APHIS provides
23 training to CPB officers on the use of APHIS Manuals, inspection procedures, and on the
24 clearance of agricultural cargo.

25 **APHIS’ Process for Authorizing Imports from New Countries**

26 23. As noted above in paragraph 13, under 7 C.F.R §§ 319.24 and 319.41
27 collectively, the importation of raw unmanufactured corn seed is prohibited from most countries.
28 APHIS utilizes a rigorous risk-based process to evaluate whether a prohibited plant product can

1 be authorized importation into the United States, in other words, whether the product may be
2 granted “market access.” 7 C.F.R. § 319.5, “Subpart—Requests to Amend the Regulations,”
3 provides that, if a country wishes to export a plant or plant product not authorized importation
4 under the conditions in 7 C.F.R. part 319, it must formally request such authorization, and
5 provide information needed in order for APHIS to conduct a pest risk analysis. The minimum
6 categories of information are specified in § 319.5, with the caveat that APHIS may request any
7 additional information from the requesting country if APHIS deems it necessary to complete the
8 pest risk analysis.

9 24. Upon receipt of such a request, APHIS reviews the information for completeness.
10 If it is determined to be complete, APHIS conducts a pest risk assessment (PRA). This
11 assessment follows international standards that APHIS has agreed to adhere to as a member
12 country of the International Plant Protection Convention (hereafter IPPC). *See* International
13 Standards for Phytosanitary Measures (ISPM) No. 2, issued by the IPPC. It includes: A list of
14 the plant pests known to exist in the exporting country; an assessment of whether these plant are
15 quarantine pests (defined in ISPM No. 5 as “a pest of potential economic importance to the area
16 endangered by it and not yet present there, or present but not widely disseminated and being
17 officially controlled”), and an assessment whether the pest is likely to “follow the pathway” (that
18 is, be present on the commodity when it is shipped to the United States). If a pest is identified as
19 being a quarantine pest and likely to follow the pathway, the PRA assesses its likelihood of its
20 introduction into the United States, the likelihood of establishment within the United States, and
21 the consequences of such establishment.

22 25. Once the PRA is completed, APHIS makes it available to the general public for
23 review and comment through an informal stakeholder consultation process. This helps ensure
24 that the PRA has correctly identified and assessed the plant pest risk associated with the
25 importation of the commodity. APHIS then drafts a document that recommends mitigations to
26 address the plant pest risks identified by the PRA. Depending on length or degree of complexity,
27 this document is referred to as a risk management document (RMD) or commodity import
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1 evaluation document (CIED). If the RMD or CIED recommends that the risk can be adequately
2 mitigated, APHIS prepares a *Federal Register* document (usually a proposed rule, on certain
3 occasions as provided for within 7 C.F.R. part 319, a notice), based on the recommendation of
4 the RMD or CIED, that proposes to authorize the importation of the commodity. In the course of
5 preparing the *Federal Register* document, APHIS fulfills all other requirements associated with
6 Agency regulatory decisions, including but not limited to those imposed by the National
7 Environmental Policy Act, the Regulatory Flexibility Act, the Paperwork Reduction Act, and
8 Executive Orders 12866 and 12988. APHIS publishes the proposal in the *Federal Register*,
9 accepts public comment for no less than 60 days, and then evaluates the comments received, in
10 accordance with our obligations under the Administrative Procedures Act. APHIS then responds
11 to the comments in a final rule or notice that authorizes the importation of the commodity.

12 **Evolving Pest Status and Unassessed Risk**

13 26. As noted above, the International Plant Protection Convention (IPPC) definition
14 of a *quarantine pest*, which APHIS adheres to, hinges on whether the pest is known to exist in
15 the United States, and, if so, whether it is widely disseminated or under official control. Implicit
16 within this definition is the idea that a pest that was once not present in a country may be
17 introduced, and a pest that was once present in limited distribution may become widespread.
18 This introduction or dissemination may be a result of natural spread (e.g., the gradual movement
19 of the pest throughout its ecological range) or artificial spread (the human-assisted movement of
20 the pest into the country). Examples of artificial spread include importation of infested or
21 infected commercial shipments of an agricultural commodity, the presence of infested or infected
22 plant products in passenger baggage, and hitchhikers on non-agricultural commodities. Because
23 of the realities of both natural and artificial spread, the pest status of a country is considered
24 dynamic, rather than static.

25 27. This reality guides the market access process outlined above: An exporting
26 country provides APHIS with current information regarding a commodity for which market
27 access is requested, and APHIS evaluates that information and all available scientific
28 information regarding the plant pest risk associated with the importation of that commodity

1 based on the best available current scientific information. In the absence of up-to-date
2 information, APHIS may unintentionally assign insufficient mitigations to the importation of the
3 commodity, and jeopardize American agriculture. To address this risk, APHIS provides the
4 public with multiple opportunities to supply the Agency with additional information relative to
5 its assessment of risk, first through informal stakeholder review of the draft PRA, then during the
6 comment period for the rule or notice.

7 28. The dynamic nature of the pest status of a country is also one of the reasons why
8 APHIS and CBP inspect agricultural commodities presented for entry into the United States, and
9 why APHIS monitors international publications on an ongoing basis for evidence of a new
10 detection of a quarantine pest in an exporting country.

11 29. If APHIS has not conducted a PRA regarding the importation of a prohibited
12 agricultural commodity, the Agency does not allow the importation of the commodity until the
13 risk is sufficiently understood by APHIS and appropriate mitigations established.

14 **Raw Corn Can Present a Plant Pest Risk**

15 30. 7 C.F.R. §§ 319.41 and 319.24, APHIS' prohibitions on raw unmanufactured corn
16 seed, are vital to protect American agriculture because quarantine pests of raw unmanufactured
17 corn seed are known to exist in foreign countries. To cite a few examples within one genus of
18 plant pathogen, *Peronosclerospora maydis*, or downy mildew, is a quarantine pest that is not
19 present in the United States. This pathogen is endemic to Australia, Asia, and several countries
20 in South America, and was identified in a recently completed (but not yet publicly available)
21 APHIS PRA as existing in the Ukraine and potentially following the pathway on raw
22 unmanufactured corn seed. *Peronosclerospora sacchari*, another mildew, is similarly endemic
23 to Australia and Asia. Finally, *Peronosclerospora philippinensis*, or Philippines downy mildew,
24 is not as widely distributed, but is designated by USDA as a select agent under the Agricultural
25 Bioterrorism Act, 7 U.S.C. 8401 *et seq.*, because of its severity. See 7 C.F.R. § 331.3.

26 **Cracked Corn Is Not as High Risk As Raw Corn**

27 31. Unlike raw unmanufactured corn seed, cracked corn is not a high-risk pathway for
28 the introduction of quarantine pests. The milling used to produce cracked corn cracks the corn

1 kernel and exposes the endosperm, which reduces the ability of the kernel to germinate.
2 Scientific research suggests that cracking and propagative capacity are inversely correlated (that
3 is, the more cracked the corn kernel is, the less likely it is to germinate). APHIS generally
4 considers propagative material to present a greater risk of introducing plant pests than non-
5 propagative material because the former is far more likely to persist in the environment.

6 32. Milling also reduces the life of the kernel, and, in so doing, makes the corn kernel
7 a less commodious host for pathogenic fungi, which tend to be biotrophic (that is, dependent on a
8 living host to survive).

9
10 **Milling Corn Overseas Presents Less of a Risk of Disseminating Plant Pests than**
11 **Processing Within the United States**

12 33. Milling presents some risks, however. Milling can release spores from an
13 infected kernel onto the processing equipment, as well as into the air of the processing facility.
14 This presents a risk of contamination of the processing equipment, cross-contamination of other
15 corn products processed at the facility, and possible aerosol-borne contamination of any
16 unprocessed products stored in the same facility (as well as aerosol-borne recontamination of the
17 processed product). Additionally, if the facility is not adequately safeguarded, airborne spores
18 could escape the facility and establish in the surrounding environment. If the size of the
19 shipment exceeds the capacity of the facility, and raw unmanufactured corn is stored outside of
20 the facility pending processing, this also increases the risk of dissemination of plant pests,
21 particularly if the raw unmanufactured corn is stored for an extended period of time. Finally, the
22 movement of the raw unmanufactured corn from port environs to the processing facility also
23 carries with it the risk of spillage and breach of safeguards. For all of these reasons, milling a
24 potentially infected shipment of raw unmanufactured corn outside of the United States presents
25 less of a risk of introducing plant pests into the United States than milling within the United
26 States.

27 **Plaintiff's Shipment Contains Impermissible Raw Corn Prohibited from Entry**

28 34. According to the information provided by CBP to APHIS, Plaintiff's shipment
was manifested with Turkey as the country of origin. Through information provided to APHIS

1 by the Agricultural Marketing Service (AMS) National Organic Program (NOP), APHIS
2 possesses material evidence that the corn in the shipment actually originated from Russia,
3 Kazakhstan, and Moldova. APHIS has not assessed the plant pest risk associated with the
4 importation of raw unmanufactured corn from these three countries, and APHIS prohibits entry
5 of raw unmanufactured corn from these three countries pursuant to 7 C.F.R §319.41.

6 35. CBP identified a significant number of raw unmanufactured corn kernels during
7 their inspection of the shipment. CBP provided APHIS with visual documentation (two photos)
8 of the raw unmanufactured corn identified in the shipment. APHIS reviewed the photos and
9 determined that the shipment was not admissible, and instructed CBP to issue Emergency Action
10 Notifications (EANs) regarding the shipment. Based on the number of raw unmanufactured corn
11 kernels in the photos, APHIS does not consider the corn sufficiently processed to mitigate plant
12 pest risk.

13 36. The Plaintiff requested to grind the corn at Penny Newman, a processing facility
14 in Stockton, as a remedial measure. Grinding is a form of milling in which the resulting product
15 is meal. In the SNFP manual Table 2.1, APHIS allows for the cleaning or grinding of shipments
16 containing contaminants, including raw unmanufactured corn as a contaminant, *if* the cleaning or
17 grinding will address plant pest risk and is operationally feasible. APHIS took into account a
18 number of factors in our determination that grinding at Penny Newman was not an acceptable
19 remedy. As referred to above, Table 2.1 addresses contaminants in shipments of *authorized*
20 material where APHIS is familiar with the plant pest risks associated with that commodity and
21 country of origin. The shipment in question did not originate from an authorized country, but
22 originated from Russia, Kazakhstan, and Moldova. As a result, APHIS can only speculate about
23 what plant pests are associated with the shipment. APHIS can only authorize cleaning and
24 grinding if APHIS determines it can adequately safeguard the shipment throughout the process:
25 Unloading, storage, milling, and disinfection of milling equipment, which can become
26 contaminated with diseased material. For the reasons cited below, APHIS does not have
27 confidence we will be able to provide adequate safeguards to protect domestic stakeholders
28 including but not limited to: Grain processors, producers, and grain exporters who rely on

1 freedom from quarantine pests to maintain export markets. In addition, significant USDA and
2 CBP resources would be required to ensure that the corn is processed without risk of
3 contamination, diverting resources from the Agency's other risk mitigation duties.

4
5 **Grinding at a Domestic Facility Would Present Unacceptable Risks**

6 37. According to information provided to APHIS by CBP, Plaintiff's shipment is
7 25,000 metric tons. Penny Newman informed APHIS that grinding the shipment at their facility
8 could take an estimated 3-4 months given the grinding capacity at the facility.

9 38. Storage bins at Penny Newman containing the raw unmanufactured corn could be
10 as close as 30 feet to the grinder, and would not exceed approximately 150 feet from the grinder.
11 In other words, any grinding of Plaintiff's shipment could present significant risks of spreading
12 quarantine pests to unground corn stored nearby.

13 39. As discussed, Plaintiff's shipment contains a significant volume of raw
14 unmanufactured corn. The shipment originated from Russia, Kazakhstan, and Moldova. APHIS
15 has not assessed the plant pest risk associated with the importation of raw unmanufactured corn
16 from these countries. APHIS does know that quarantine pests of corn exist in foreign countries,
17 including a country, the Ukraine, that neighbors Russia and Moldova. Without ample time to
18 assess the pest complex in the country(s) of origin, APHIS cannot develop a mitigation strategy
19 to address potential pest risk from the point of unloading the bulk shipment through processing.
20 Any safeguards APHIS proposes would be based on incomplete information and conjectural.
21 This increases the risk of entry and dissemination of quarantine pests and diseases.

22 40. Beyond risks of spreading quarantine pests to unground corn at Penny Newman,
23 this is also a bulk shipment, meaning the raw unmanufactured corn is not stored in self-contained
24 bags, but is open in the hold of the ship. Even if the corn is removed directly from the hold of
25 the ship into Penny Newman's facility, the fact that it is open introduces risk of spillage during
26 the unloading process.

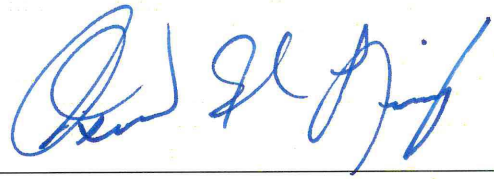
27 41. Moreover, the volume of the shipment proportionally increases the likelihood of
28 inadvertent spillage or breach of safeguarding at some point during unloading the raw
unmanufactured corn at Penny Newman.

1 42. For all of the foregoing reasons, APHIS does not have adequate assurances that
2 allowing the raw unmanufactured corn to be ground at Penny Newman’s facility will not result
3 in the dissemination of plant pests of corn into the surrounding environment. As a result, I
4 cannot consider it the least drastic action that is “feasible and adequate to prevent the
5 dissemination of plant pests into the United States.” See 7 U.S.C. § 7714(c).

6 43. APHIS regulations in the form of import requirements are an effective measure to
7 mitigate the entry of quarantine pests into the United States. APHIS develops these import
8 requirements in collaboration with trading partners through a regulatory process that evaluates
9 plant pest risk and invites public comment on regulatory actions. Deviations from this process in
10 order to facilitate international trade are for low-risk material that has undergone an acceptable
11 level of processing prior to importation to eliminate plant pest risk. APHIS also accepts a base
12 level of risk on all imports through the establishment of tolerances for contaminants; however,
13 this allowance in no way precludes APHIS from exercising its statutory authority at ports of
14 entry to prevent the possible introduction of plant pests and noxious weeds within the United
15 States. For prohibited material such as raw unprocessed corn from Russia, Kazakhstan, and
16 Moldova, APHIS must be allowed to exercise its authority in refusing entry for commodities that
17 do not meet import requirements. Authorizing import of this shipment under the condition of
18 further processing in the United States would set a dangerous precedent. If APHIS allows
19 domestic processing of this shipment, we would set a precedent by which any prohibited material
20 would gain entry if there was the option to process domestically. This would significantly
21 increase the risk of introducing pest and diseases threatening U.S. agriculture and natural
22 resources. It would also undermine the lengthy market access process that we employ and
23 consider necessary in order to assess the risk associated with the importation of plants and plant
24 products accurately.

25 44. I declare under penalty of perjury under the laws of the United States of America
26 that the foregoing is true and correct.

1 Executed on the 11th day of April, 2018.



Osama El-Lissy
Deputy Administrator
Plant Protection and Quarantine
Animal and Plant Health Inspection Service
United States Department of Agriculture

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