

**From:** Matt Nicoletti <Matt@penny-newman.com>  
**Sent:** Friday, March 16, 2018 8:37 AM  
**To:** Michael Corbett  
**Subject:** FW: Grinding Capability

Sorry for the delay.. here you go.

**From:** "Mullaly, Norman A - APHIS" <Norm.Mullaly@aphis.usda.gov>  
**Date:** March 16, 2018 at 7:22:03 AM PDT  
**To:** Mike Nicoletti <MNicoletti@penny-newman.com>  
**Subject:** RE: Grinding Capability

The issue with the corn has been resolved, at least from USDA perspective . . . It's **prohibited** from entry.

Unprocessed raw corn grain of Russia, Kazakhstan, and Moldova **production origin** is prohibited entry into the U.S.

The product conveyed via M/V Mountpark is therefore not compliant with 7 CFR 319.24 and 7 CFR 319.41.

In order to be enterable, the **entire** shipment would have needed to be processed (cracked). There can be **NO WHOLE KERNELS**.

We do not allow processing after the fact. This shipment is at least 50% whole kernals, so although it may meet the FGIS definition of "cracked corn" it does NOT meet USDA requirements for entry. Since it also did not meet the APHIS entry requirements for 'processed product' at the time of importation, the corn is not enterable into the U.S.

**Norm Mullaly**  
**State Operations Coordinator**  
**650 Capitol Mall, Suite 6-400**  
**Sacramento, CA 95814**  
**PH: (916) 930-5510**  
**Fax: (916) 930-5539**

---

**From:** Mike Nicoletti [mailto:MNicoletti@penny-newman.com]  
**Sent:** Thursday, March 15, 2018 3:45 PM  
**To:** Mullaly, Norman A - APHIS <Norm.Mullaly@aphis.usda.gov>  
**Subject:** RE: Grinding Capability

Norm:

The M/V Moorpark has some soybean meal on it. I'm not certain of the exact tonnage but I believe it's around 7,000 MT or so. We're estimating we will complete the discharge of the soybean meal by tomorrow. The balance of the cargo is the cracked corn. We will not touch the corn until we have been given the ok to do so.