

**APHIS Webinar Transcript**  
**December 19, 2015**  
**ACE Update**

>> Good afternoon, this is Steve Hill with the U.S. Customs and border protection. A couple of administrative issues as we look to get started with this webinar. There were some technical challenges with our Adobe functionality for the webinar this morning which is the result is we are still finalizing some of the technical issues on our side. The result being you will be meeting a new URL for the webinar to see the slides. We are in the process of mailing that to the e-mails supplied at the registration. I ask you please take a look for that in your e-mail and you we utilize that link in order to see the slides for the presentation today. In order to allow everyone the opportunity to do that, we are going to be delayed a few minutes here and getting started so I appreciate it and thank you for your patience and we will continue to update and get back with you shortly. Thank you.

>> [Captioner on stand by]

>> Thank you for your patience. We are going to begin in one minute. Thank you.

>> Good afternoon and thank you so much for joining us today. I'm with the U.S. Customs and border protection and -- the external engagement committee. Today we find ourselves here to do a webinar with our partners and our agency APHIS. We appreciate your time and for you to be able to participate. I'm going to introduce you to our moderator for today who will in turn introduce our speakers. Steve?

>> Thank you, good afternoon and good morning and thank you once again for joining us today and for your patience as we look to get this set up. I would like to start with one or two housekeeping items. All participants on the webinar, you are in listen only mode but we are interested in your questions. The opportunity and ability you have to do that is in the webinar on your computer screen in the Q&A section. We will be focusing on looking at those questions as we get to the end of the presentation and will answer as many as we can. Any questions we are unable to get to we will provide follow-up and capture those. Today, the focus and the topic of our webinar today is with our partner government agency APHIS and there core functionality. I will spend some time walking through the various programs and information. Our presenter with APHIS will be Sean blunts, the acting assistant assistant director for quarantine policy analysis and support. As we look to begin that part of our presentation, on behalf of customs and border protection I would like to take a minute to reemphasize the timelines and the deadlines we have in front of us that we are putting together this webinar along with a number of others to provide the information for you in the trade community. The next significant milestone we have coming up is February 28. February 28, that is when the transition from ACS to ACE will take place. What that means for the trade community is in the electronic filing of entry or -- transmissions or entry summary transitions will have to be done in ACE and will no longer be available to file electronically in ACS. When a cargo releases required the subsequent entry summary is required. And we have three of our partner government agencies impacted by that date as well. APHIS -- is one of the ways in which the information will be required to be submitted also with the ACE transmission. The other two agencies include FDA and [Indiscernible].

>> We are looking to provide in partnership across U.S. government information you as a trade community would need to make that transition happens. The last point I wish to reemphasize is the period of transition we are in at this time. Those of you following the program are aware we had a November 1st date for this transition to ACE but in consultation with the trade community and partner government agencies it was recognized and the knowledge there was more time needed for transition to make sure our policies were in place and we had time to test so that is the period of time we are in right now. I want to strongly identify at this time you should be working towards making this transition happen and understand what the impacts are to your business process as we move toward the February 27 switch over. With that, I like to turn this over to Sean and he will walk us of the slides. You will be a want to see under webinar in your computer.

>> Thank you, Steve. Good afternoon to everyone and good morning to some. My name is Sean blunts with USDA animal Plant health and inspection service or APHIS. Today we will be presenting one of five webinars regarding APHIS readiness updates. Joining me today will be a subject matter expert panel that consists of the following people. From the Lacey act program is Pamela Bennett. To my right, Don Hunter with veterinary services and Dr. Area and a Beamer with veterinarian services. Joining us remotely will be Brett Miller with the PGA message set and we have a host of USDA personnel in the room for support as well. We think we have our basis covered very well with USDA personnel.

>> We will go ahead and advance to the next slide.

>> The objectives of this presentation will consist of about seven objectives. The first were going to talk about APHIS piloting. From there we will discuss trade responsibilities. Information submissions, the impact and lessons learned and we're going to take that from a Lacey act perspective because Lacey started piloting ahead of us so they have been able to grab some lessons learned so we will discuss that in length. Then there will be a question and answer period at the end and that is where we are looking to interact and exchange with the trade industry and take advantage of these subject matter experts. With that being said let's move to the next slide. We are going to start with APHIS piloting. One of the benefits of APHIS piloting is an opportunity to troubleshoot your own processes. We want to interact with all of the partnering government agencies for your input and suggestions on ways to improve. We want to ensure the importers and filers are trained be it the initial experiences and then we want a complete testing in advance in full implementation. Lastly, we want to work directly with all of the PGA and CBP officials.

>> Again, I will run over quickly to troubleshoot your processes, again were looking for input and suggestions in regards to improvement. We want to ensure everyone is trained via this initial experience and a complete testing in advance important limitation. We encourage you to work directly with the PBA and CBP officials.

>> Although APHIS core consists of four core programs. Currently we have two available for immediate piloting. Those two will consist of PPQ and veterinarian services. In regards to the piloting process, PPQ is to test such products such as vegetables, fruit, Lance, cut flowers, etc.. We mentioned frozen broccoli. All the other commodities are those you currently import on a regular basis. For live animals we're looking in live animals animals, embryos and semen and anything within that realm in which import live animals. We are encouraging you to test as soon as possible. For animal products we are looking for byproducts, organisms, vectors and veterinarian Biologics. We encourage you to participate those commodities if you are ready to start testing. The other two part of the aphis Corporation but will not be

testing will be biotechnology regulatory service and animal care which we anticipate will come on board in the future.

>> Next is the trade responsibilities. Currently there are seven requirements for APHIS core piloting. The first is regarding the software that must be built and certified. An important note here is for software that requires an FDA prior notice role, your software needs to be built and certified as well so that is important in regards to FDA prior notice world. We encourage you to contact clients and representatives to ensure -- [Audio Cutting In/Out]. If those steps have been successfully completed you will have to have your [Audio Cutting In/Out]. The last three requirements, you would need to submit that data to ensure coding and transmission issues have been identified. We ask you to contact APHIS before committing the CERT so we can ensure appropriate personnel will be available to assist during the piloting phase. For the APHIS core programs we would like to know the commodities you often import as well as the port locations. These are the seven important requirements we are asking for in order to move forward.

>> I want to talk about information submission. Currently we have three different methods for information submission. The first one being the message set which is a harmonizing set of information that will be used to be collected. The next is document imaging system or DIS and allows the trade members to supply images of need to documents electronically during the import and export process. Finally paper collection which is government to government forms as well as some VS forms that will be submitted via the paper collection and we will go in a little more depth as we move on down this presentation.

>> For the message set again there are going to be decision makers whether it be CBP or APHIS that require key information to make decisions regarding admissibility of the commodities you are importing. From the message set perspective we're going to be glean key information from those required documents and will convert electronically. We will get more into that in my PowerPoint as you see we are going to bring up some forms and we will show you the information that will be highlighted on how that will look.

>> The second will be the document imaging system. Because there is no perfect fit for some of the documents we use, this is another method to be able to submit these required documents for the importing process. For the DIS you will see such documents like invoices, packing slips, manufacturing statements and from VS the veterinarian biological permit. A declaration of importation which is the VS 1729 and the VS 1732 which is an application for inspection. These are key forms that have been approved to be part of the DIS system at this point.

>> Paper collection. Because of the government to government relationship, not all countries are ready to be on board with the single environment concept so OMB has given away for a waiver for us to use some forms by way paper collection. Until those countries are on board in the future we have been given that waiver to use or continue to use paper collection. Such forms from paper collections consist of -- certificates, health certificates, foreign sanitary certificates, meat inspection or mean inspection certificates, live animal supporting documents. Then there is an agreement of pet bird owners. This is some of the forms that was to be used and submitted in a paper to 20 20 -- paper for them. As I mentioned in regards to the message said, would you see before you are the data sets we're glean from these required documents. They have the labeled with unique identifiers that this is the information decision-makers will use in regards to decision of admissibility of products and commodity.

We highlighted a key information such as looking at this first slide the name of the agency. The type of permit, the name of the permittee, the permit number, the date it expires, the designated port of entry where the product will make entry as well as the article and its intended use. These are the data sets we currently look at now. We are grabbing those data sets and electronically converting them over.

>> This is a continuation showing what I showed a few seconds ago in regards to the continued gleaned from information from the VS side regarding live animals. We have gone over each section of key information that are decision-makers will be looking for whether they be CBP or APHIS or any component of USDA. These are the things they are looking for in their forms.

>> The last form is another example of that. Grabbing the key information and we want to highlight where the information is coming from. This particular document is addressing the animal products.

>> The impact. What challenges will the industry see? The impact for the trade industry, much of the information submitted on paper is that required electronically and can change the business process. The procedures, custom brokers including express couriers must now operate in a one-to-one environment. From a programming perspective software vendors must adhere to guidelines and from a support standpoint CBP and APHIS will work with trade to understand that all systems and requirements --

>> From lessons learned, I mentioned at the early part of this presentation these lessons mainly come from the Lacey act program. At this time I will go over the 10 lessons learned and I'm glad I have my Lacey act person beside me but let's talk about that for a minute. [Audio Cutting In/Out]. That is important [Audio Cutting In/Out] as well as the PGA personnel. We want to add complexity to the test system many more species to be used. We want to anticipate the rush between December 15th and early January 2016. Some of the areas Lacey has observed in causing delay in shipment releases have been input error. In some cases, server issues.

>> The Lacey act program requires at least one successful submission before agreeing with CBP on independent filing in which case the filer must provide CBP client reps in the PGA with the number for each entry filed independently. Pilot early and pilot often. It's important to test system fully. We strongly encourage large data input to fully test your system. Again from a Lacey perspective they are going to continue with outreach and education. Look for some of the APHIS webinars and related events. I happen to have a few dates in regards to some of those upcoming outreach and education events with our next webinar scheduled to happen around January 6 which would have a Lacey act focus. From there we are looking at January 13th for an express courier focus which will be led by veterinarian services. January 20th we would do live animals in February 3rd we would do animal products. Just make a note to mark your calendar, those are some of our future dates for webinars. Lastly, APHIS can tailor any event industry and filer needs.

>> That was just a brief introduction on what we are doing. Again, this is one of five webinars. We wanted to put this information out early and get you guys involved and engaged. The part I think most people are waiting for is a question and answer period. We do have our subject matter experts joining us. We have a couple on the phone joining us remotely. We are ready for any questions and answers, just questions you may have regarding APHIS piloting or any overall general questions for the APHIS core programs.

>> Again, through the Q&A section on the webinar, we ask if you have questions for our subject matter experts with APHIS that you submit it through the Q&A box. Some of the questions from a technical standpoint we have gotten from the webinar, these slides and this webinar will be available and will be posted. The initial posting location will be on this CBP's inner agency executive Council website or CBP.gov/BIEC. We have a section on that page for webinars and outreach and we will post it and have it available to link to our ACE page. That will be this recorded webinar as well as the slides that were just presented.

>> We also apologize in that we do not for this particular webinar have transcription available because of the technical difficulties. We were unable to set up transcription but we will have this recorded webinar available as well as the slides here could.

>> Steve, I wanted to mention all my last slide and I thought it would be important to mention that APHIS has a website for questions that those who may not think of their question now, we ask you submit those questions to us directly. If you don't get it opportunity to get them up to us today at [Indiscernible]

>> The address is on the last slide.

>> We have our first question. We are situated across the room from where the questions are.

>> The question is to confirm do brokers still have to upload through DIS for any permits or forms, etc.? Is that correct?

>> Can you repeat that?

>> Will brokers have to upload permits or forms, etc.? Maybe a little walk-through for forms -- versus paper. Perhaps a little time clarifying those processes might be helpful.

>> Okay here.

>> This is Dr. Hunter with APHIS veterinary services. Regarding permits, permit numbers will be provided to the PG message set. They want no longer be submitted by paper nor submitted to the document imaging system. The documents that will be submitted for the document imaging system as scanned PDF documents our producer manufacturers statements, invoices, packing slips. The APHIS 2006 is one exception to the permits. For veterinary biologic products only will still be submitted to the document imaging system, that is the only one. The VS 1729 will be submitted through the document imaging system, the declaration of importation for live animals. Is a live animal document if you are bringing in products, it is not necessary. The VS 1732 is a live animal document and application for inspection and dipping. Those are the documents that go through the DIS. Any permit except for the APHIS 2006 will come into the PG message sets, you just give the permit number.

>> Okay. Animal questions?

>> I like to make one comment on that. The APHIS Lacey act program [Background Noise]. That is not to be submitted through DIS. The entry for Lacey is either ACE or our own system or through paper.

>> For PPQ the final sanitary certificates and additional declarations will still be submitted through DIS as well. Again, maybe Steve can probably add to in this with other countries start to get on board with the single window environment, I know there have been talks with Mexico and other countries in

regards to what happens to those forms that are coming in government to government and how that is going to look when other countries get on board.

>> The key issue is to get to the electronic certification programs that some countries have and others don't. The one exception you will see across the single window are some of the international agreement document papers. They will be the exception. It's going to be a much smaller universe than we have today but it will depend. Everybody needs to keep their eye out for that but that would be down the road.

>> Okay. Thank you.

>> Will APHIS eventually accept message -- images of permits using DIS?

>> Again, they only permit that will be coming through the document imaging system is the APHIS 2006 veterinary Biologics. All other permit types will be coming in through the PG message sets, not the document imaging system.

>> And a follow-on question regarding the need for hard copy 9540 form?

>> That form is an FSI form, the food safety inspection service and you will have to discuss that with the food safety inspection service.

>> So we will capture that and share that with them.

>> This is Cindy, could I make a point of clarification, as is Cindy Walters, the APHIS coordinator. Maybe one of the pieces of the puzzle we are missing is for the permits to be submitted the way CBP will be viewing those. Dr. Hunter has been helpful in explaining the differentiation. The way this will work is trade will be required to submit a few data elements that were outlined in the documents that were per trade meaning the importer and the port of origin and things like that, those things are unique identifiers used within the system along with the permit number four CBP to pull those permits up and view them so they are no longer required in a paper form. The other forms that will be coming in paper or anything that is certified by another government so that would be health certificates or sanitary certificates, any certification coming from another government. I know we went through it quickly but within the body of this slide you will be able to see some examples that might clarify that and I hope the explanation of the permits is a little helpful.

>> Thank you, Cindy.

>> A question regarding importers interest in filing interest for cut flowers when they go to ACE cargo privies will they be able to electronically transfer PPQ data set only or do the need to sign up for the pilot for PPQ?

>> We do want to encourage starting with the pilot.

>> Again for the pilot, you walked over the process, the first step is for the broker virus to reach out to client representatives who will support the conversation with your agency with the broker filer and CBP and the software vendor.

>> A question regarding the three programs, and I interpret this to be available for pilot now. If you can just reaffirm with those are.

>> Those programs radio available will be PPQ veterinarian services and I believe the Lacey act is in the midst of piloting now.

>> If our importers are impacted by other programs, what they should be doing now is testing and certification and that type of work?

>> We are running into in the Lacey program and we are encouraging, FDA as also in pilot. We received a multiple agency -- which we encourage and try to get as many as possible because it tests ACE and it tests our systems on data retrieval. That is probably what will be next is going along with the other agencies that come online with pilot.

>> The next question is the Lacey act question. There will be a follow-on in depth the webinar in January on Lacey but a quick question just asking about what kind of change her impact on what they do today, is there much change her impact between information that is going to be required?

>> This is [Indiscernible] I am the Lacey act person for today. The difference between filing ACE and ACS is we are strict on the codes being used. If you have an HTS code that is Lacey enforceable you will have to file Lacey. That is probably the big change between ACS and ACE. In ACE we also require a confirmation of the signature and that gets down into the weeds. I can talk about that later.

>> [Indiscernible].

>> There are no documents to upload [Background Noise]. It is a straight entry PGA message set.

>> A question regarding -- certificates regarding coming online for example not to require paper submissions.

>> This is Dr. Beamer with veterinary services. I know we are working towards that. I don't know we have an exact date for that rollout but it has something that is been in progress, at least for the live animal side.

>> So stay tuned, developments are coming, but not right now.

>> We have reached the end of the questions that have been submitted so far. We will provide folks a little more time to submit questions. I don't know if there are of the questions you perhaps have heard you maybe want to --

>> I do want to say for point of clarification, it might have been a slip of the tongue that a sanitary certificate would be DIS but that is a government to government document.

>> At this point, we haven't received any more. Again, we will be posting the webinar sides. We will post those to CBP.gov/BIEC and provide links to the appropriate folks that need to link towards that. If folks haven't had an opportunity to join the webinar today, you can point them to that. We will obviously make that available on our website and to point towards this. If I could ask you to give the dates again of the upcoming webinars. We will also put that up on our website as well under the outreach calendar. You will see a number of webinars for different agencies. While you do that and we have more questions coming we will look through those.

>> For the next APHIS webinar dates we have set for January 6 which would cover Lacey act. On January 13th, expressed carriers which will be led to veterinary services. January 20th will be live animals and February 3rd will be animal products by veterinary services.

>> We did get a question someone said they thought they had seen a schematic a document that talked about the forms and what format they would be submitted. That is what we call our PGA forms list. CBP has that on her website. If you look at [CBP.dove.com/APHIS](http://CBP.dove.com/APHIS) you're looking for the PGA forms list. That is a list of documents by the government agency that identifies as we move into ACE the submission information will be the PG message sent, document imaging system, there are some instances which you will perhaps do both. You may have to submit a number and then follow-up with a subsequent document image but that is the PGA forms list. It is an excellent resource and reference I would --  
[Indiscernible]

>> I apologize if this has been asked before, but the permit to import plant and plant products. They have to present copies [Indiscernible]

>> That is one we will take back and take a look at it to make sure we have the right folks respond. We can provide the answer back.

>> This is Cindy, I couldn't to the question.

>> We will read it again. Are we still going to have to present copies of the permit to import plant and plant products at the physical inspection of fresh products -- I'm sorry, fresh produce?

>> Those permits would be handled in the same way we spoke about with the VS side of the world and the unique identifiers from that permit would be submitted to the message set. The permit having been issued thrice system during system will be available for CBP to view through ACE. The additional documents that might come into play would be if there is any sort of government to government certification and that would continue to come and paper. If it is just something that comes in under or permit that would be visible to CBP through ACE.

>> Thank you.

>> Please explain responsibility of signature certification.

>> The Lacey act requires the importer to sign and certify they understand the declaration is correct with the penalty of perjury if you import incorrectly. This goes to the original PPQ form -- declaration where there is a physical signature, and that is required. When we moved to ACE, we don't have an actual signature in the quantity or volume of entries will preclude a physical signature. In one of the PGA message lines we used a signifier flag to indicate they understand. The person who is signing or importing the American presence of that importer is who is supposed to sign. If a broker is taking responsibility for the import, they can sign for it otherwise it is the importer. This is often incorrectly thought of as the importer of record who may be an exporter. The importer American presence is the one who signs the documents.

>> For veterinary services if you are referring to our permits that previously had to have the signature verification by customs, if you look at your newly issued permits, they no longer require that signature. By use of the permit you are essentially having the same regulatory oversight as when you submitted it with the signature. For veterinary services and permits issued, they no longer require a signature.

>> Thank you. A question asking if participation in the pilots are limited?

>> No.

>> So the three you have going for open to anyone who is interested.

>> Currently for Lacey, until you successfully pilot, the ports are locked. You can't file ACE until you successfully pass pilot. Right now we are going for independent filing that most ports following a successful pilot.

>> If you are interested, refresher interest and you are in.

>> Some -- they may be restricted well they go through that process.

>> The importer or the broker states which port they are bringing the entry in. That port is been opened for that broker for that one event. After that is when the rest of the ports can be open.

>> [Indiscernible]

>> No limitations. The world is your oyster.

>> Next question is trying to clarify [Audio Cutting In/Out] or how to best describe that.

>> The Lacey act was the first up so we developed our message set prior to everybody else. Hours is fairly straightforward to the limited data requested on the declaration. APHIS core is developing a larger and more complex path. The differences we are first, simple and straightforward.

>> But they are different message sets --

>> The Lacey IIG does have separate instructions.

>> If you are importing a product that requires information for APHIS core but also under the jurisdiction of [Indiscernible]

>> But those two message sets can be submitted on a single same transmission through ACE so you're not doing multiple submissions. You are doing one submission with information appropriate for your importation. That is the benefit we are looking at with a single window and the partner integration. As all the agencies went through this, looking to see what information is required. Our we already getting the information and if we are let's not ask for it again or if we need the information we are not asking for it from multiple suppliers in the -- that has the best and most accurate knowledge so the vision is a single window. One submission, all your requirements one time reducing the duplication and delay and creating better efficiencies and reducing the requirement for paper submissions.

>> As I look at the question board, we have been very efficient getting to the questions. I would anticipate there would be more in the future that again I refer back to the webinars. The APHIS one will be of great interest to folks [Audio Cutting In/Out]

>> I'm stalling for just a minute to see if we have any more. Here was what I would like to offer to you. If anyone wishes to make some final statements as we look to close this out, I'd like to welcome you to do that. Hold on one second.

>> We did have one question regarding HTS numbers for Lacey act.

>> The easiest way to understand what is required for Lacey act is to visit the USDA APHIS Lacey act webpage. On there we have several documents which can be downloaded in a PDF form, one of which is our current -- it is easy to understand.

>> If anyone is interested in memorizing that list, that's the place they can go to. The references are available. Please go to the website. There is a lot of great information and we will be following up with the webinar focused on Lacey right after the beginning of the year.

>> As I look, we are good on our end. Sean, anything you want to do to close out?

>> I just want to encourage everyone to pilot early and often. We want to test the systems fully. Look for your upcoming webinars and events and again if you come up with some future questions please submit them to our website. Or contact your client reps if you have any questions or any of your subject matter experts.

>> With that, thank you, very much. Thank you for coming over and taking this time and sharing the information with less. [CBP.go/ACE](http://CBP.go/ACE) or [CBP.gov/BIEC](http://CBP.gov/BIEC). With that, I wish you all a good day and thank you for joining u s.

>> [Event Conclude