

Emerald Ash Borer Pallet Regulation Guidelines

The Emerald Ash Borer Program regulates ash products and other articles posing a risk for movement of the emerald ash borer under the authority provided in 7 CFR 301.53, including wood packing material (WPM) that incorporates green ash lumber in the finished product. In accordance with 7 CFR § 301.53-2, if a product contains ash and is destined for interstate movement, then the product must be treated or mitigated. If a product can be determined to contain no ash or is not to be shipped interstate, no treatment or mitigation is necessary. However, mills within quarantined areas may seek to become compliant with federal regulations in order to satisfy customer-desired certification regardless of their products' final destination.

Responsibility for transport of compliant regulated material is borne by the individual or company who transports the product across a regulated boundary. This includes the inspection of shipments of WPM but would exclude inspection of unitized product from retailers or other commercial suppliers solely utilizing WPM as a vehicle for transport of another product.

Recycled pallets are outside the scope of the regulations if they are wholly composed of recycled wood material. However, if regulated ash lumber is used during the repair or recycling process, this lumber must be treated or mitigated prior to incorporation into the recycled WPM or the entire recycled article must be treated prior to movement out of an EAB quarantined area.

In certain circumstances, APHIS may ask to review customer lists and visit suppliers in order to verify statements pertaining to presence or absence of ash and final destination.

Therefore, in accordance with 7 CFR § 301.53:

- | | |
|---------------------------------------------------------------------|------------------------------------------------------|
| If a product contains no ash or will not be transported interstate: | No action is required |
| If a product contains ash but will not be transported interstate: | No action is required |
| If a product contains no ash but will be transported interstate: | No action is required |
| If a product contains ash and will be transported interstate: | APHIS PPQ requires mitigation or treatment action(s) |