



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Division of Agricultural Resource Management
 Bureau of Plant Industry
 P.O. Box 8911, Madison WI 53708-8911
 Phone: (608) 224-4573 Fax: (608) 224-4656

Wisconsin Department of Agriculture, Trade and Consumer Protection
THOUSAND CANKERS DISEASE COMPLIANCE AGREEMENT

1. COMPANY NAME:		2. CONTACT NAME:	
3. MAILING ADDRESS:		4. E-MAIL:	
COUNTY:		5. TELEPHONE:	6. FAX:
7. DISPOSAL or PROCESSING YARD LOCATION and COUNTY (if different than mailing address above):			

Applicable to the Wisconsin State External Quarantine for the Thousand Cankers Disease pest complex pursuant to Wisconsin Administrative Code ATCP 21.21 and Wisconsin State Statutes Ch. 93.07 and Ch. 94.01.

This Thousand Cankers Disease Compliance Agreement between the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) and _____ (the Company) provides a limited exception for the Company to comply with the external Thousand Cankers Disease (TCD) quarantine established pursuant to s. ATCP 21.21, Wis. Admin. Code. Based upon the results of an annual inspection, the limited exception granted by this Agreement authorizes the Company to transport regulated articles from an infested area to a non-infested area within Wisconsin subject to the following conditions:

1. "Regulated articles" are defined as the following:
 - a. The TCD fungus (*Geosmithia morbida*) or Walnut Twig Beetle (*Pityophthorus juglandis*) in any living stage;
 - b. Walnut trees (*Juglans* spp.) of any size;
 - c. Walnut limbs, branches and roots;
 - d. Firewood from any species of tree;
 - e. Walnut chips and bark fragments;
 - f. Walnut logs, slabs or untreated ("green") lumber;
 - g. Any other item not listed here that presents a risk of spreading TCD, as determined by a DATCP official.
2. "Infested area" includes:
 - a. The states of Arizona, California, Colorado, Idaho, Indiana, Nevada, New Mexico, North Carolina, Ohio, Oregon, Pennsylvania, Tennessee, Utah, Virginia, and Washington (current map: <http://www.thousandcankers.com>); and
 - b. Any other delineated area within a state or country that the Wisconsin State Plant Regulatory Official has determined to be infested with TCD.
3. The Company acknowledges state regulations governing TCD and regulated articles. The Company agrees that all regulated articles imported from an infested area shall comply with the following stipulations:
 - a. Each shipment shall be accompanied by a phytosanitary certificate issued by a plant health official in the state of origin, describing the articles to be shipped, declaring the county of origin, and attesting to one of the following conditions:
 - i) The regulated articles originate from a county not known to be infested with TCD based on the results of an official state survey, OR
 - ii) The regulated articles were treated to mitigate the risk of TCD using either heat treatment (60 degrees C or 140 degrees F for 60 minutes at a depth of one inch of sapwood) or methyl bromide fumigation (USDA-APHIS standard T404-b-1-1).
 - b. DATCP shall be notified in writing at least 24 hours in advance of the arrival of each shipment.

Personal information you provide may be used for purposes other than that for which it was originally collected; completion of this form is voluntary (Wis. Stats. Ch. 15.04(1)(m)).

- c. Each shipment shall be quarantined at its destination in Wisconsin until released by DATCP. The quarantine area shall be separated from all other woody material, living or dead, by a distance of no less than 15 meters or 50 feet.
 - d. Each shipment must comply with all other applicable state or federal regulations while in transit.
4. The Company agrees to maintain all records pertaining to the import of walnut logs and regulated articles for no less than 36 months. DATCP retains the right to conduct inspections of regulated articles, to monitor inspection procedures and to examine shipment records at any time. Records shall include:
 - a. Name and address of the importer;
 - b. Type and volume of articles imported;
 - c. County and state from where the articles were harvested;
 - d. Names and addresses to where the articles are destined;
 - e. Means of conveyance by which the articles were imported; and
 - f. Date or time period for harvest and importation.
 5. The Company agrees to have a copy of this Agreement accompany any shipment of regulated articles outside of an infested area, or to write the Agreement number from Block 11 (below) on the scale ticket, bill of lading, invoice, or any other document associated with the shipment of regulated articles.
 6. The Company agrees to keep its employees informed about TCD infested areas and regulations and to instruct its employees on how to identify TCD and its signs. The Company also agrees to inform DATCP of any suspected TCD occurrences.
 7. Compliance Agreements are non-transferable. The Company must notify DATCP in the event that:
 - a. The designated signatory individual in Block 8 (below) changes, or
 - b. The applicant/company physically relocates, or
 - c. The company name or ownership changes, or
 - d. Any other event occurs which may affect the handling of regulated articles.
 8. DATCP reserves the right to revise or cancel this Agreement at any time. If the Company fails to comply with the provisions of this Agreement, the Agreement shall be revoked. DATCP may pursue additional penalties for violations, including forfeiture, fine or imprisonment, under Wis. Stats. Ch. 94.77. If DATCP takes an action against the Company for violation by the Company of this Agreement, the Company may request a hearing under s. ATCP 1.03(3), Wis. Adm. Code. A request for hearing shall be submitted in writing within ten days after service of the notice of violation. A request for hearing does not stay or modify any summary order issued by the department because of the violation. If granted, the Company's right of hearing will be limited to the issue of determining whether the terms of this Agreement have been materially violated.

The affixing of signatures below will validate this Agreement which shall remain in effect for one year from the date entered in Block 10 (below), but may be revised as necessary or revoked for noncompliance.

8. SIGNATURE (FOR COMPANY):	9. TITLE:	10. DATE:
11. COMPLIANCE AGREEMENT NUMBER:		
12. STATE AGENCY OFFICIAL (NAME & TITLE):		AGENCY CONTACT: 2811 Agriculture Drive P.O. Box 8911 Madison, WI 53708-8911 (608) 224-4573
13. SIGNATURE:		

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