



United States
Department of
Agriculture

Grain Inspection,
Packers and Stockyards
Administration

Stop 3604
1400 Independence Ave., SW
Washington, DC 20250-3604

INFORMATION FOR EXPORTING U.S. GRAIN IN CONTAINERS

We are providing the following guidelines to clarify and educate participants in the containerized grain export market. Persons engaged in the business of exporting, handling, weighing, or transporting grain exported in containers, must comply with three basic requirements of the United States Grain Standards Act (USGSA).

- (1) All grain exported, with a few exceptions, from the U.S. must be officially inspected and weighed by authorized agents of the Department of Agriculture.
- (2) All corn exported from the U.S. must be tested for aflatoxin unless the buyer and seller agree contractually to forego testing or have another entity provide the testing.
- (3) All persons engaged in the business of buying grain for sale in foreign commerce, and in the business of handling, weighing, or transporting grain for sale in foreign commerce must annually register with the Grain Inspection, Packers and Stockyards Administration (GIPSA).

The USGSA regulations define foreign commerce grain business as persons who regularly engage in buying for sale, handling, weighing, or transporting grain for sale in foreign commerce, totaling 15,000 metric tons or more during the preceding or current calendar year.

The regulations under the USGSA (7 CFR 800.18) provide provisions to waive the mandatory inspection and weighing requirements. In particular, two specific provisions apply to grain exported in containers that waive the mandatory inspection and weighing requirements for exporters and individual elevator operators who:

15,000 Metric-Ton Waiver – On an “**individual facility basis**” exported less than 15,000 metric tons of grain during the preceding calendar year, and plan to export less than 15,000 metric tons during the current year. (Entities who meet this requirement must notify GIPSA, Compliance Division, Regulatory Branch, in writing each calendar year prior to exporting grain of their intent to export under this provision).

High Quality Specialty Grain Shipped In Containers Waiver – Official inspection and weighing requirements do not apply to grain shipments sold under contract terms that specify quality better than the grade limits for **U.S. No. 1 grain**, except for the factor **test weight**, or specify “**organic**” as defined by 7 CFR Part 205.

Additional Waiver Requirements

- Exporters and individual elevator operators are required to maintain records generated during the normal course of business representing grain exported under these provisions for a period of 3 years and make the records available to GIPSA upon request.
- When the export sales contract between the buyer and seller requires official inspection and/or weighing, you are required to contact your service provider and request the appropriate services.
- These waiver provisions are applicable to inspection and weighing services and do not eliminate “**aflatoxin**” testing requirements.
- Exporters or individual elevators operating under the “15,000 Metric-Ton Waiver” are required to obtain mandatory inspection and weighing services when the “**individual facility**” exceeds the 15,000 metric-ton limit during the calendar year.
- Exporters and individual elevators operating under either provision are required to register with GIPSA when their facility has exported, handled, weighed, or transported grain exceeding 15,000 metric tons during the current calendar year.

For more detailed information concerning exporting grain, registration applications, waiver provisions, inspection, weighing and aflatoxin testing requirements, and a list of official service providers visit the GIPSA website at: <http://www.gipsa.usda.gov/>

For questions regarding registration and exemption requirements, please contact the Regulatory Branch of GIPSA’s Compliance Division at (202) 720-8262 or by fax at (202) 690-2755.

Registration applications along with the required fee and/or notifications of intent to export under the 15,000 Metric-Ton Waiver provision shall be sent to:

USDA, GIPSA, FGIS, CP
Regulatory Branch, STOP 3604
1400 Independence Ave., SW, Room 1647-S
Washington, DC 20250-3604

For your information, the USGSA 7 U.S.C. 87c provides that any person who violates provisions set forth in the USGSA may be subject to imprisonment for not more than 5 years or a fine of not more than \$20,000 or both.

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