

2018 Deputy Administrator's Safeguarding Award: Houston Interagency Agriculture Team

Members of the Houston Interagency Agriculture Team, upon inspection, extracted live pupa and larva specimens from the Wood Packing Material of two imported shipments of cold roll steel mills destined to Arkansas on open flatbed trucks. As a result, Emergency Action Notifications (EANs) were issued for safeguarding the shipment pending pest identification. Team members identified the specimens as timber pests. Therefore, additional EANs were issued requiring re-exportation. The importer challenged the decisions by the Agencies and the case was ultimately transferred to the United States Court for the Southern District of Texas, Houston Division. Members of the Team provided expert testimony allowing the court to weigh the facts involving the inspection processes and the molecular analysis conducted to identify the pests. The court denied the plaintiff's additional motions, and in light of the court's decision, the shipments were immediately re-exported. The vessel returned to the Houston Seaport a month later after fumigation in Mexico. After safety tests were conducted, the cargo was once again inspected and since no live pests were found, the shipments were released into U.S. commerce. The team proposed a \$39 million penalty against the importer under the authority of 19 USC 1595a(b); a penalty for aiding unlawful importation. The Houston Interagency Agriculture Team safeguarded U.S. agriculture against the establishment and spread of economically and environmentally significant pests protecting the \$18 billion timber industry along with 60,000 employees in Texas.

TEAM MEMBERS

Plant Protection and Quarantine

Matthew Farmer

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John Deveraux

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Leslie Fleming-Luczowski

Gregory Vawter

Kenneth Western

Heather Cook

Wilfred Gutierrez

John Lopez

Howard Adams

Jacob McDowell

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