

U.S. DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE

**IMPORTED TOBACCO PESTICIDE RESIDUES
 AND END USER(S) CERTIFICATION**
(Flue-Cured and Burley Tobacco)

This certification is needed to: (1) determine if the tobacco offered for importation into the U.S. conforms with the pesticide residue requirements, and (2) identify any and all end users/purchasers of imported flue-cured and burley tobacco. Response is mandatory (7 U.S.C. 5111). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0056. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC, 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

INSTRUCTIONS ARE ON REVERSE OF PINK COPY

1. INSPECTION CERTIFICATE NUMBER *(Obtain number from TB-92)*

PART I - IDENTIFICATION OF TOBACCO: Information in this part identifies the original import shipment of tobacco. The SAME identifying information shall be included for ALL subsequent transfers (to end users or purchasers) until the entire quantity originally imported *(Item 5)* is accounted for by transfer(s) to end user(s).

2. KIND OF TOBACCO <input type="checkbox"/> Flue-Cured <input type="checkbox"/> Flue-Cured Stems <input type="checkbox"/> Burley <input type="checkbox"/> Burley Stems	3. CUSTOMS ENTRY NUMBER	4. HTS NUMBER	5. NET WEIGHT <i>(kilograms)</i>	6. PACKAGE MARKS	7. COUNTRY OF ORIGIN	8. CROP YEAR
--	-------------------------	---------------	----------------------------------	------------------	----------------------	--------------

PART II - IMPORTER CERTIFICATION

9. NAME AND ADDRESS OF IMPORTER *(Street or P.O. Box No., City, State, ZIP)*

Enter your E-Mail Address:

10. CERTIFICATION *(Mark "X" in one block only)*
 I certify under the penalties provided by law (18 U.S.C. 1001; 19 U.S.C. 1592) that the tobacco identified above does NOT contain prohibited pesticide residues as specified in 7 CFR 29.427. I further certify, under the above mentioned penalties, that the tobacco will be kept in the original packages, and will NOT be mixed, blended, manipulated, or altered in any manner, or be moved, shipped, or transported from the point of entry until it has been determined that the tobacco does not contain prohibited pesticide residues and the tobacco has been released by the Deputy Administrator, Tobacco Programs, Agricultural Marketing Service, U.S. Department of Agriculture.

I certify under the penalties provided by law (18 U.S.C. 1001; 19 U.S.C. 1592) that the tobacco identified above will be kept in the original packages, and will NOT be mixed, blended, manipulated, or altered in any manner, or be moved, shipped, or transported from the point of entry until it has been determined whether the tobacco contains prohibited pesticide residues and the tobacco has been released by the Deputy Administrator, Tobacco Programs, Agricultural Marketing Service, U.S. Department of Agriculture.

DATE	SIGNATURE OF PERSON COMPLETING THE IMPORTER CERTIFICATION
	TITLE

14. REMARKS *(Use for any part of form, attach additional documentation as needed)*

PART III - END USER(S) CERTIFICATION: This Part will be used to account for each sale and transfer until the entire quantity of the original import shipment of tobacco identified *(Item 5)* is sold to end user(s) or re-exported.

11. NAME AND ADDRESS OF FIRM TRANSFERRING THE TOBACCO *(Street or P.O. Box No., City, State, ZIP--If same as Item 9, indicate "same")*

NOTE: If the tobacco identified above *(Item 5)* is apportioned, indicate the kilograms sold or transferred to each end user/purchaser in item 12.

12a. End User *(MFG Products)* End User *(Re-export)* Purchaser Unknown

_____ kg Flue-cured Burley Flue-Cured Stems Burley Stems
 Other *(explain in remarks)*

_____ kg Flue-cured Burley Flue-Cured Stems Burley Stems
 Other *(explain in remarks)*

NAME AND ADDRESS *(Street or P.O. Box No., City, State, ZIP)*

12b. End User *(MFG Products)* End User *(Re-export)* Purchaser Unknown

_____ kg Flue-cured Burley Flue-Cured Stems Burley Stems
 Other *(explain in remarks)*

_____ kg Flue-cured Burley Flue-Cured Stems Burley Stems
 Other *(explain in remarks)*

NAME AND ADDRESS *(Street or P.O. Box No., City, State, ZIP)*

12c. End User *(MFG Products)* End User *(Re-export)* Purchaser Unknown

_____ kg Flue-cured Burley Flue-Cured Stems Burley Stems
 Other *(explain in remarks)*

_____ kg Flue-cured Burley Flue-Cured Stems Burley Stems
 Other *(explain in remarks)*

NAME AND ADDRESS *(Street or P.O. Box No., City, State, ZIP)*

13. CERTIFICATION: I certify under the penalties provided by law (18 U.S.C. 1001; 19 U.S.C. 1592) that the information above is true, complete, and correct to the best of my knowledge and belief.

SIGNATURE OF PERSON COMPLETING THE END USER/PURCHASER CERTIFICATION	DATE
TITLE	

INSTRUCTIONS

PART I--IDENTIFICATION OF TOBACCO (*Items 1-8*)

This part is completed by the original importer and the information must be included for all subsequent purchasers.

- Item 1.** During the initial inspection, the U.S. Department of Agriculture (USDA) inspector will enter the 4 digit number from the Inspection Certificate Form (TB-92) used to certify the inspection of the shipment. This number becomes the main identification for the shipment and must be noted in all future updates or correspondence.
- Item 2.** Check the appropriate box to identify whether the tobacco is in leaf form, stems, or both.
- Item 3.** Enter the complete Customs Entry Number identifying this shipment including any letters.
- Item 4.** Enter the complete 11 digit number from the Harmonized Tariff Schedules of the United States that became effective January 1, 1989.
- Item 5.** Enter the total net weight in kilograms associated with the Customs Entry Number in Item 3. This number must agree with the total compiled by the USDA inspection and entered on the Inspection Certificate associated with this shipment (*Item 1*).
- Item 6.** Enter the package marks associated with the Customs Entry Number in Item 3.
- Item 7.** Enter the country where the tobacco was produced, not the country shipping the tobacco into the United States. Original importers should also complete this block for the first purchaser(s) and they in turn should continue for the benefit of subsequent purchasers. If the proper country cannot be determined, explain the situation in Item 14 (*Remarks*).
- Item 8.** Enter the year in which the tobacco was produced.

PART II--IMPORTER CERTIFICATION (*Items 9 and 10*)

This part is concerned with pesticide residue levels and is completed only by the original importer.

- Item 9.** The name and address of the firm importing the tobacco into the United States.
- Item 10.** This Section must be completed by the original importing firm at the time of inspection by USDA personnel. It does not apply to updates.

PART III--END USER(S) CERTIFICATION (*Items 11-13*)

Section 29.401(v) of 7 CFR defines End User as "A domestic manufacturer of cigarettes or other tobacco products; an entity that mixes, blends, processes, alters in any manner, or stores imported tobacco for export; or any individual that the Secretary may identify as making use of imported tobacco for the manufacture of tobacco products." The purpose of this part is to identify the ultimate disposition of the imported tobacco identified in Part I. This tobacco will eventually either be manufactured into tobacco products, re-exported, or disposed of in some other manner such as processing loss, fire, theft, or other destruction. An importer can be a manufacturer, dealer, broker, or any individual meeting Customs requirements. A manufacturer can be an End User (MFG products), End User (Re-export), or a purchaser. A dealer would either be an End User (Re-export) or a purchaser. Any manufacturer or dealer that mixes, blends, processes, or alters imported tobacco in such a manner that the identity of individual certificates cannot be determined must explain the process in Item 14 (*Remarks*). Tobacco remaining in the inventory of any firm or individual for which no disposition has yet been arranged will be reported as "Unknown."

- Item 11.** The name and address of the firm completing Blocks 12a, 12b, and 12c. This may also be the same firm listed in Item 9.
- Item 12.** These blocks identify the disposition of the shipment identified in Items 1 and 3. Enter the number of kilograms, check the appropriate boxes, and identify the end user or purchaser. Each subsection has room for two entries to accommodate shipments containing both flue-cured and burley. Weight or moisture loss associated with processing should be reported under "other" and so explained in Item 14 (*Remarks*). Other examples of "other" disposition include loss due to fire or theft, damage in transit, destruction under Customs supervision or where tobacco is blended in such manner that individual certificates can no longer be identified. If Item 14 is insufficient, attach additional documentation. Report tobacco as "End User (Re-export)" only upon actual exportation of the tobacco as confirmed by Customs.
- Item 13.** The name and title of the individual representing the firm listed in Item 11.

Time and Manner of Reporting--Original Importer

A TB-87 must be completed for each incoming shipment of flue-cured or burley tobacco and presented to the USDA inspector at the time of inspection. The law requires an update report within 30 days if any portion of the shipment is identified as "unknown". Subsequent updates are required when there is any change in the disposition of the certificate such as re-export, end use, sale to another firm, or determination of weight/moisture loss, etc. If several certificates are processed together a combined weight/moisture loss may be reported so long as the individual certificates are identified. Additional updates should be made at least every 90 days even if the tobacco remains "unknown."

Time and Manner of Reporting--Purchaser

The same reporting requirements apply to purchasers as the original importer with the exception of Items 9 and 10. If tobacco is sold to yet another firm, Items 1-8 must be completed as completely as possible.

Disposition of Copies:

The original copy, showing all transactions, must be returned to the Deputy Administrator of the Tobacco Programs, AMS, USDA, whose address appears below. The second copy (blue) is for the purchaser, and the third copy (pink) is for the firm completing the form.

Deputy Administrator, Tobacco Programs
USDA, AMS
1400 Independence Avenue, SW, Stop 0280
Washington, DC 20250-0280