

**U.S. CUSTOMS AND BORDER PROTECTION**  
**Department of Homeland Security**

Area Port of Dallas/Fort Worth

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**PUBLIC INFORMATION NOTICE**

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**DATE: 02/25/2008**

**NUMBER: 08-05-  
Amended**

**FOR FURTHER INFORMATION  
CALL: Morris Bigham  
Chief Agriculture Specialist  
972-870-7463**

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**SUBJECT: BACK-CATERING OF AIRCRAFT AND VESSELS**

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U.S. Customs and Border Protection (CBP) is responsible for ensuring the welfare of American agriculture by preventing the introduction of animal and plant pests and diseases into the United States. The U.S. Department of Agriculture (USDA) has determined that the spread of animal and plant pests and diseases occurs through several pathways, including regulated garbage. Regulated garbage arriving from any place outside the United States, except Canada, is subject to USDA regulations for handling once in the United States. In accordance with Title 7 *Code of Federal Regulations* (CFR), Part 330.401(b) and 9 CFR 94.5(c)(2), garbage that is on or removed from a means of conveyance is defined as regulated garbage if the means of conveyance has been outside of the United States or Canada in the previous two years.

Based upon a determination by USDA, all food and unconsumed meals on such means of conveyances are considered regulated garbage [7 CFR 330.401(a) and 9 CFR 94.5(c)(1)]. As regulated garbage, unconsumed meals are subject to the disposal measures required by the regulations in order to prevent the introduction and dissemination of plant and animal pests and diseases [7 CFR 330.401(d)(2) and 9 CFR 94.5(c)(4)]. Therefore, back-catering, which is the practice of allowing unconsumed food and meals to remain onboard conveyances for the return trip will no longer be permitted, and requests for approval to back-cater international flights will be denied.

USDA has determined that the immediate implementation of this new procedure may result in a hardship for those airlines that received prior approval to back-cater. Therefore, a grace period, beginning December 1, 2007 and ending August 1, 2008, will be provided to airlines that currently have existing back-catering agreements.

By August 1, 2008 all back-catering requests will be cancelled and foreign garbage will be disposed of appropriately as per policy PPQ-DA-2008-02.

*DISCLAIMER: This information has been prepared for your convenience by the CBP officers at the Port of (name of port). This material is intended to provide guidance. Recognizing that many complicated factors are involved in Customs and Border Protection matters, an importer may wish to obtain a binding ruling under 19 CFR Part 177. Reliance solely on this information may not be considered reasonable care. Importers are referred to Treasury Decision 97-96, which was published in the Federal Register of December 4, 1997, and in the Customs Bulletin of December 17, 1997, for in-depth information on the concept of reasonable care.*

*Insert Port Address*  
*Please visit our website at [www.cbp.gov](http://www.cbp.gov)*

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CBP Compliance Officers will work with airlines to facilitate compliance of this transitional period by August 1, 2008. No back-catering will be authorized after this date. Please contact CBP Agriculture Specialist Johnnie Brinson at 972-973-9768 for assistance regarding back-catering procedures at the Port of Dallas/Fort Worth.

USDA will be updating their Manual for Agriculture Clearance in the near future to reflect this new policy. Questions or concerns regarding USDA's back catering policy or background information regarding the change in policy may also be directed to Dr. Terry A. Morris, DVM, USDA, APHIS, PPQ-VRS, at (301)-734-7633.



Ana B. Hinojosa  
Area Port Director