

COMMUNIQUE EMERGENCY PROTOCOLS IN RESPONSE TO FLOOD SITUATION IN BRITISH COLOMBIA, CANADA

Due to extreme weather conditions in British Columbia, Canada that have caused flooding, landslides, road closures, and other supply chain disruptions Canadian domestic truck carriers may need to transit through the U.S. to reach destinations in Canada.

Carriers that regularly travel between Canada and the United States (U.S.), should follow the standard procedures in order to facilitate and reduce delays in border crossings. CBSA guidance on the in-transit movement of Canadian goods through U.S. territory can be found here Departmental [Memorandum D3-4-2, Highway Pre-Arrival and Reporting Requirements](#), paragraphs 59-66.

For more information on USCBP electronic manifesting and bonds, please see the following links: <https://www.cbp.gov/document/technical-documentation/ace-bond-guide-electronic-truck-manifest> <https://www.cbp.gov/document/guides/truck-manifest-create-manifest> and <https://www.cbp.gov/document/guides/truck-manifest-create-manifest-french>

The following guidelines for this special interim measure have been developed in consultation with various Industry Stakeholders, U.S. Customs and Border Protection (U.S. CBP) and Other Government Departments within Canada and the United States to facilitate the movement of goods impacted by the current flooding situation in B.C. while also respecting the relevant laws and regulations that govern our joint CA-US border and national interests.

UNITED STATES CUSTOMS AND BORDER PROTECTION INTERIM SPECIAL MEASURES

General rules:

The following requirements are available to Canadian domestic truck carriers that do not have electronic manifesting capabilities or ability to file as a bonded carrier.

- The area of operations will be initially limited to the following ports.
 - Emerson, MB (204) 373-2841 (Pembina, North Dakota 701-825-5800);
 - North Portal, SK (306) 927-6285 (Portal Station, North Dakota 701-926-7500);
 - Coutts, AB (403) 344-3766 (Sweetgrass, Montana 406-335-9610);
 - Kingsgate, BC (250)424-5391 (Eastport, Idaho 208-267-3966);
 - Osoyoos, BC (250)495-7092 (Oroville, Washington 509-476-2955); and,
 - PAC Highway BC 1-800-461-9999 (Blaine, Washington 360-332-5771)
- For in-transit delays, such as a breakdown during transit, the carriers shall contact the nearest CBP port of entry
- Expected duration of the following work around measures will be for the duration of the infrastructure delays or up to thirty days and re-evaluated once commercial traffic normalizes or operationally resumes.
- All protocols and policies apply to any port of entry outside of the affected area, i.e., Seattle Field Office.
- Carriers and importers failure to follow stipulated workaround procedures may be subject to enforcement and compliance actions that may delay clearance. Note that CBP will exercise maximum flexibility to ensure that legitimate transactions are facilitated but need cooperation from the industry sector to ensure facilitation.

Travel Documents Requirements:

- Western Hemisphere Travel Initiative (WHTI) compliant document is required for all drivers and passengers/co-drivers.
 - Drivers and all vehicle occupants must be in possession of all documents, including approved Form I-194 waivers of inadmissibility, when applying for admission.
 - Those drivers and vehicle occupants who have a criminal history and do not have an approved waiver of inadmissibility will not be permitted to enter the United States.
 - <https://www.cbp.gov/travel/us-citizens/western-hemisphere-travel-initiative>
 - <https://www.cbp.gov/travel/us-citizens/western-hemisphere-travel-initiative/faqs>

Entry filing/requirements:

- Bond requirements for carriers within the containment area will be waived for non-traditional small time trucking companies.
- User fee requirements will be adhered to, and fees will be collected.
 - <https://help.cbp.gov/s/article/Article-18>
- CBP Officers will input the manifest information in ACE manually based on the submission of documents provided.

Container security/verification:

- Containers must be properly sealed either prior to arrival or at the border. CBP personnel shall record and/or verify seal numbers at both entry and exit ports of entry. Carriers will not unload or load any additional cargo or break the seal on the container/trailer while in the US.
- Upon arrival to the US border CBP primary booth, identification and any documents including bills of lading, packing lists, invoices, foreign government certificates, etc. as well as trailer license number will be provided to the CBP Officer and/or agriculture specialist.
- Upon re-entering Canada, carriers transiting under this procedure will present themselves to CBSA personnel for verification of seals and collection of seal numbers as well as Canadian re-entry requirements.

Prohibited/restricted items:

- Prohibited items currently legal in Canada, but not in the U.S. will not be authorized for movement under these procedures.
- Restricted merchandise, such as medical equipment, pharmaceuticals, agriculture commodities, and live animals, may require further review by CBP personnel at the port of entry. This may include additional documentation as mandated by the appropriate regulatory agency (USDA, FDA etc).

Canadian Food Inspection Agency(CFIA) Special Measures

Companies must contact their [local CFIA office](#) before organizing any shipment transiting through the USA.

Food In-Transit

- Carriers must either follow Departmental Memorandum D3-4-2 or the Emergency Protocol described above for food. The Canadian Food Inspection Agency (CFIA) does not require certification documentation for the movement of food, including meat, eggs and raw milk. The goods do not have to be declared to the CFIA's National Import Service Centre. The food must meet all conditions in the Safe Food for Canadian Regulations as if it was moved between provinces.

Livestock Movements

- An animal welfare agreement between USDA and CFIA that will allow for the emergency transit of live animals through the USA has been signed on November 18, 2021. This temporary measure allows for: 1) Emergency movement of animals outside of the flooded area through the USA in case it becomes necessary to evacuate and that all other Canadian roads are blocked or impaired, and 2) Travel of live animals from Alberta to slaughterhouses in BC due to a lack of capacity to slaughter those animals elsewhere.
- Per the agreement, procedures will need to be put in place by CFIA and industry, including:
 - Animals must be inspected before loading and must be transported with an endorsed CFIA emergency transit Health Certificate with truck seal number(s) recorded on the certificate. No USDA import transit permit will be required.
 - Every conveyance opening through which an animal could be moved in or out, must have a CFIA seal applied to it before the truck leaves Canada.
 - When the truck arrives at the U.S. Port of Entry, USDA Port Personnel will verify the shipment has an endorsed Health Certificates, that the truck is properly sealed, and that the seals on the truck match what is documented on the endorsed health certificate.
 - Transporters must ensure they have a contingency transportation plan in case the truck hauling the transiting animals cannot complete the trip for any reason.

- The CBSA will keep records of shipment re-entry so that CFIA and USDA can compare records to ensure all emergency transit shipments proceeded as intended.
- Transporters may be required to follow a specified route through the United States.
- This special agreement will end once Canadian roads are re-opened for traffic.
- Companies must contact CFIA before organizing any shipment transiting through the USA.
- CFIA is finalizing guidance documents for CFIA staff and industry, but the measures will be implemented as soon as possible.

COVID 19 HEALTH MEASURES

- There is no change to existing guidance and communications regarding pandemic related matters.
- Commercial drivers, as persons employed in the trade and transportation sector and crossing the border in this capacity, are considered under the existing provisions for truckers.
- Pre-arrival testing, quarantine requirements and post arrival testing are not required for persons in the trade or transportation sector who is important for the movement of goods or people, including a truck driver or crew member on any aircraft, shipping vessel or train, who enters Canada for the purpose of performing their duties as a member of that sector.

These temporary interim measures are subject to change and/or may be updated as the situation evolves. We will communicate further guidance and/or updates as applicable.

Should you have any concerns, please connect with the BCCC Secretariat.

Thank you,
BCCC Secretariat