



United States Department of Agriculture

Grain Inspection,
Packers and Stockyards
Administration

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Federal Grain
Inspection Service

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Field Management
Division

TO: FGIS POLICY BULLETIN BOARD

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FROM: Robert Lijewski, Director */s/Robert Lijewski*
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SUBJECT: Performing Stowage Exams on Rail when Probe Sampling is Requested

Hotline 1-800-998-3447

ORIGINATING OFFICE: Policies, Procedures, and Market Analysis Branch

www.gipsa.usda.gov

1. PURPOSE

This memorandum establishes instructions (for domestic rail shipments only) addressing situations where probe sampling is requested and stowage exams are mandatory, but it is unsafe to perform the stowage exam, or the stowage area is not accessible. This policy is intended for rail cars that are staged for probe sampling and is not applicable for rail cars that are sampled on-line (e.g. ellis cup, pelican, mechanical sampler).

2. BACKGROUND

Section 800.75(f)(2) of the regulations under the USGSA and FGIS instructions require stowage examinations of carriers when export and domestic grain shipments are officially sampled and inspected, or weighed, at the time of loading. Also Section 800.49 (a) of the regulations authorizes official service to be withheld/dismissed if an applicant fails to provide suitable conditions to perform the inspection service.

Recently, there have been concerns about the safety of official personnel, accessibility of railcars, and safety equipment required for performing stowage exams when probe sampling is performed.

This policy is established to alleviate any uncertainty in regards to accessibility and safety when performing stowage examinations.

3. POLICY

- a. If official personnel are present prior to loading but applicant fails to provide suitable conditions (i.e. ice/snow on top of railcar, inadequate fall protection system, etc.) to perform stowage examination:

- (1) Immediately notify the applicant for service of the safety concern and provide the applicant an opportunity to remedy the situation, if possible.
 - (2) Dismiss performing the stowage examination if the safety concern cannot be eliminated.
 - (3) Show in the remarks section of the Official Certificate and on the work records the statement “Stowage area not examined”. However only show the reason on the work record.
- b. If official personnel are present after applicant has started loading (first railcars are not accessible) but loading all railcars is not yet completed.
- (1) Dismiss performing the stowage examination for the remaining railcars that have yet to be loaded.
 - (2) Show in the remarks section of the Official Certificate and on the work records the statement “Stowage area not examined”. Show on the work record that the reason was the applicant started loading prior to official personnel being present.

6. FILING INSTRUCTIONS

File a copy of this memo with Directive 9180.48, Stowage Examination Services, until the directive is revised to include this change. Field office managers must ensure that a copy of this memorandum is provided to official agencies operating within their circuit.

7. QUESTIONS

Direct any questions regarding this procedure to the local field office or to Robert Dorman (816) 659-8411, or email at Robert.J.Dorman@usda.gov of the Policies, Procedures, and Market Analysis Branch.