

§ 320.1

320.7 Responsibility for opening and cleaning.

320.8 Responsibility for disinfection.

320.9 Soil.

AUTHORITY: 7 U.S.C. 149 and 150ee; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.2(c).

SOURCE: 24 FR 10822, Dec. 29, 1959, unless otherwise noted.

§ 320.1 Administration.

The Deputy Administrator of the Plant Protection and Quarantine Programs is charged with the administration of the provisions of this act and the regulations in this part concurrently with the Plant Quarantine Act and the quarantines and orders issued thereunder.

§ 320.2 Regulated vehicles, articles, and materials.¹

To carry out the purpose of the aforesaid act to prevent the introduction of insect pests and plant diseases the regulations in this part shall apply to railway cars, boats crossing the Rio Grande, aircraft, drawn or self-propelled vehicles (such as wagons, carts, trucks, automobiles), freight, baggage, containers, and articles or materials which may be contaminated with insect pests or plant diseases.

§ 320.3 Definitions.

For the purpose of this part the following words, names, and terms shall be construed, respectively, to mean:

(a) *Inspector* means an inspector of the Plant Protection and Quarantine Programs, U.S. Department of Agriculture.

(b) *Owner or agent* includes both the singular and the plural and denotes the person, agent, firm, company, or official, having responsible custody of railway cars, vehicles, or other materials subject to these regulations.

(c) *Disinfection* includes any treatment or process designed to destroy insect pests or plant disease organisms.

(d) *Railway cars* includes all types of cars commonly employed in the transportation of freight, such as box, flat, tank, refrigerator, gondola, stock, etc.

¹The entry of certain plants and plant products is regulated or prohibited by quarantines and regulations promulgated under the Plant Quarantine Act, as amended.

(e) *Cleaning* means the removal, to the satisfaction of the inspector, of matter, other than the cargo and articles being moved, which may carry insect pests or plant diseases from railway cars, other vehicles, freight, express, baggage, and other materials.

(f) *Other vehicles* includes means of conveyance other than railway cars, such as aircraft, boats, automobiles, trailers, trucks, wagons, and carts, etc.

(g) *Other materials* includes all commodities, articles, and materials which may be the means of introducing insect pests or plant diseases into the United States.

(h) *Soil*. The loose surface material of the earth in which plants grow, in most cases consisting of disintegrated rock with an admixture of organic material and soluble salts.

§ 320.4 Inspection.

As a condition of entry into the United States from Mexico all articles and materials designated in § 320.2 shall be subject to examination by an inspector for the purpose of determining whether they may enter the United States without risk of introducing insect pests and plant diseases.

§ 320.5 Railway cars.

When the inspector has determined by examination that railway cars may enter the United States without risk of introducing insect pests and plant diseases into the United States, he shall, insofar as these regulations may govern, permit their entry. If the examination discloses that any car is contaminated and would involve risk of introducing insect pests or plant diseases into the United States, he shall prescribe, as condition of entry, cleaning, transfer of cargo, or disinfection, or all three. When cleaning alone has been prescribed and done to the satisfaction of the inspector he shall permit the entry of the cleaned cars, insofar as these regulations may govern entry. When disinfection is prescribed the entry of the cars shall be conditioned on their being fumigated, under the supervision of the inspector, either in a Government-owned fumigation house or otherwise in a place and by methods prescribed by the inspector. Immediately upon entry of railway cars for