

§ 319.8

- 319.56-2cc Administrative instructions governing the entry of Fuji variety apples from Japan and the Republic of Korea.
- 319.56-2dd Administrative instructions: Conditions governing the entry of tomatoes.
- 319.56-2ee Administrative instructions: Conditions governing the entry of Ya variety pears from China.
- 319.56-2ff Administrative instructions governing movement of Hass avocados from Mexico to the Northeastern United States.
- 319.56-2gg Administrative instructions; conditions governing the entry of peppers from Spain.
- 319.56-3 Applications for permits for importation of fruits and vegetables.
- 319.56-4 Issuance of permits.
- 319.56-5 Notice of arrival by permittee.
- 319.56-6 Inspection and other requirements at the port of first arrival.
- 319.56-7 Inspection of baggage and cargo on the dock.
- 319.56-8 Territorial applicability.

Subpart—Wheat Diseases

- 319.59 Prohibitions on importation; disposal of articles refused importation.
- 319.59-1 Definitions.
- 319.59-2 Prohibited articles.

Subpart—Packing Materials

QUARANTINE

- 319.69 Notice of quarantine.
- 319.69a Administrative instructions and interpretation relating to the entry into Guam of plant materials specified in § 319.69.

RULES AND REGULATIONS

- 319.69-1 Definitions.
- 319.69-2 Freedom from pests.
- 319.69-3 Entry inspection.
- 319.69-4 Disposition of materials found in violation.
- 319.69-5 Types of soil authorized for packing.

Subpart—Coffee

- 319.73-1 Definitions.
- 319.73-2 Products prohibited importation.
- 319.73-3 Conditions for transit movement of certain products through Puerto Rico or Hawaii.
- 319.73-4 Costs.

Subpart—Cut Flowers

- 319.74-1 Definitions.
- 319.74-2 Conditions governing the entry of cut flowers.
- 319.74-3 Importations by the Department.

7 CFR Ch. III (1–1–00 Edition)

- 319.74-4 Costs and charges.

Subpart—Khapra Beetle

- 319.75 Restrictions on importation of restricted articles; disposal of articles refused importation.
- 319.75-1 Definitions.
- 319.75-2 Restricted articles.
- 319.75-3 Permits.
- 319.75-4 Treatments.
- 319.75-5 Marking and identity.
- 319.75-6 Arrival notification.
- 319.75-7 Costs and charges.
- 319.75-8 Ports of entry.
- 319.75-9 Inspection and phytosanitary certificate of inspection.

Subpart—Exotic Bee Diseases and Parasites

- 319.76 Restrictions on importation of restricted articles; disposal of articles refused importation.
- 319.76-1 Definitions.
- 319.76-2 Restricted articles.
- 319.76-3 Permits.
- 319.76-4 Inspections and treatments.
- 319.76-5 Marking and shipping.
- 319.76-6 Arrival notification.
- 319.76-7 Costs and charges.
- 319.76-8 Ports of entry.

Subpart—Gypsy Moth Host Material from Canada

- 319.77-1 Definitions.
- 319.77-2 Regulated articles.
- 319.77-3 Gypsy moth infested areas in Canada.
- 319.77-4 Conditions for the importation of regulated articles.
- 319.77-5 Disposition of regulated articles denied entry.

AUTHORITY: 7 U.S.C. 150dd, 150ee, 150ff, 151-167, 450, 2803, and 2809; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.2(c).

SOURCE: 24 FR 10788, Dec. 29, 1959, unless otherwise noted.

Subpart—Foreign Cotton and Covers

QUARANTINE

§ 319.8 Notice of quarantine.

(a) Pursuant to sections 5 and 7 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 159, 160), and after the public hearing required thereunder, the Administrator of the Animal and Plant Health Inspection Service hereby determines that the unrestricted importation into the United States from

all foreign countries and localities of (1) any parts or products of plants of the genus *Gossypium*, including seed cotton; cottonseed; cotton lint, linters, and other forms of cotton fiber (not including yarn, thread, and cloth); cottonseed hulls, cake, meal, and other cottonseed products, except oil; cotton waste, including gin waste and thread waste; and any other unmanufactured parts of cotton plants; and (2) second-hand burlap and other fabrics, shredded or otherwise, which have been used or are of the kinds ordinarily used, for containing cotton, grains (including grain products), field seeds, agricultural roots, rhizomes, tubers, or other underground crops, may result in the entry into the United States of the pink bollworm (*Pectinophora gossypiella* (Saund.)), the golden nematode of potatoes (*Heterodera rostochiensis* Wr.), the flag smut disease (*Urocystis tritici* Koern.), and other injurious plant diseases and insect pests, and said Administrator hereby further determines, that, in order to prevent the introduction into the United States of said plant diseases and insect pests, which are new to or not heretofore widely prevalent or distributed within and throughout the United States, it is necessary to forbid the importation into the United States of the plants and products, including fabrics, specified above, except as permitted in the regulations supplemental hereto. Hereafter the plants and products specified above shall not be imported or offered for entry into the United States from any foreign country or locality except as permitted by said regulations, and the plants and products permitted by the regulations to be imported or offered for entry shall be subject to the provisions of sections 1, 2, 3, and 4 of said Plant Quarantine Act (7 U.S.C. 154, 156, 157, and 158): *Provided*, That whenever the Deputy Administrator of the Plant Protection and Quarantine Programs shall find the existing conditions as to pest risk involved in the importation of the articles to which the regulations supplemental hereto apply, make it safe to modify, by making less stringent the restrictions contained in any of such regulations, he shall publish such findings in the administrative in-

structions, specifying the manner in which the restrictions shall be made less stringent, whereupon such modification shall become effective; or he may, upon request in specific cases, when the public interests will permit, authorize such importation under conditions specified in the permit to carry out the purposes of this part that are less stringent than those contained in the regulations.

(b) As used in this section the term "United States" shall have the meaning ascribed to it in the regulations supplemental hereto.

[24 FR 10788, Dec. 29, 1959, as amended at 36 FR 24917, Dec. 24, 1971; 37 FR 10554, May 25, 1972]

§319.8a Administrative instructions relating to the entry of cotton and covers into Guam.

The plants and products specified in §319.8(a) may be imported into Guam without further permit, other than the authorization contained in this paragraph. Sections 319.8-2 and 319.8-3 shall not be applicable to such importations. In addition, such importations need not comply with the requirements of §319.8-4 relating to notice of arrival inasmuch as there is available to the inspector the essential information normally supplied by the importer at the time of importation. Sections 319.8-5 through 319.8-27 shall not be applicable to importations into Guam. Inspection of such importations may be made under the general authority of §330.105(a) of this chapter. If an importation is found infected, infested, or contaminated with any plant pest and is not subject to disposal under this part, disposition may be made in accordance with §330.106 of this chapter.

REGULATIONS; GENERAL

§319.8-1 Definitions.

For the purposes of the regulations in this subpart, the following words shall be construed, respectively, to mean:

(a) *Cotton*. Parts and products of plants of the genus *Gossypium*, including seed cotton; cottonseed; cotton lint, linters and other forms of cotton fiber, not including yarn, thread and cloth; cottonseed hulls, cake, meal, and