

§ 305.16

primary system malfunction. The facility must also have one or more reefers (cold holding rooms) and methods of identifying lots of treated and untreated fruits.

(x) The cold treatment facility must have the ability to conduct methyl bromide fumigations on site.

(xi) The cold treatment facility must have contingency plans, approved by the Administrator, for safely destroying or disposing of fruit.

[72 FR 39498, July 18, 2007, as amended at 72 FR 35914, July 2, 2007; 72 FR 50202, Aug. 31, 2007; 72 FR 70219, Dec. 11, 2007]

§ 305.16 Cold treatment schedules.

Treatment schedule	Temperature (°F)	Exposure period
T107-a <sup>1</sup>	34 or below ...	14 days.
	35 or below ...	16 days.
	36 or below ...	18 days.
T107-a-1	34 or below ...	15 days.
	35 or below ...	17 days.
T107-b	33 or below ...	18 days.
	34 or below ...	20 days.
	35 or below ...	22 days.
T107-c	32 or below ...	11 days.
	33 or below ...	13 days.
	34 or below ...	15 days.
	35 or below ...	17 days.
T107-d	32 or below ...	13 days.
	33 or below ...	14 days.
	34 or below ...	18 days.
	35 or below ...	20 days.
	36 or below ...	22 days.
T107-e	31 or below <sup>2</sup>	22 days.
T107-f	32 or below ...	10 days.
	33 or below ...	11 days.
	34 or below ...	12 days.
	35 or below ...	14 days.
T107-g	0 or below	7 days.
T107-h	33.4 or below	13 days.
	34.5 or below	15 days.
T107-j	34.5 or below	18 days.
	33.8 or below	13 days.
	34.5 or below	18 days.
CTMedfly	34 or below ...	14 days.
	35 or below ...	16 days.
	36 or below ...	18 days.
T403-a-2-3 (for temperatures below 55 °F).	0	48 hours.
T403-a-4-3, T403-a-5-3, T403-a-6-1.	0	48 hours.
T403-a-6-2	0	32 hours.
	10	48 hours.
T403-a-6-3	0	8 hours.
	10	16 hours.
	20	24 hours.

<sup>1</sup> For Hawaiian-grown avocados only, a single transient heat spike of no greater than 39.6 °F (4.2 °C) and no longer than 2 hours, during or after 6 days of cold treatment, does not affect the efficacy of the treatment.

<sup>2</sup> Commence when sensors are at 31 °F or below. If the temperature exceeds 31.5 °F, extend the treatment one-third of a day for each day, or part of a day, that the temperature is above 31.5 °F. If the exposure period is extended, the temperature during the extension period must be 34 °F or below. If the temperature exceeds 34 °F at any time, the treatment is nullified. Also, some freeze damage may occur if the pulp temperature drops below approximately 29.5 °F. This varies with the commodity.

Subpart—Quick Freeze Treatments

§ 305.17 Authorized treatments; exceptions.

(a) Quick freeze is an authorized treatment for all fruits and vegetables imported into the United States or moved interstate from Hawaii or Puerto Rico, except for those fruits and vegetables listed in paragraph (b) of this section. Quick freeze for fruits and vegetables imported into the United States or moved interstate from Hawaii or Puerto Rico must be conducted in accordance with §§ 318.13-4a, 318.58-4a, and 319.56-12, respectively.

(b) Quick freeze is not an authorized treatment for:

(1) Avocados with seeds from South America, Central America, or Mexico.

(2) Citrus with peel from Afghanistan, Andaman Islands, Argentina, Bangladesh, Brazil, Cambodia, China (People's Republic of), Comoros, Cote d'Ivoire, Federated States of Micronesia, Fiji Islands, Home Island in Cocos (Keeling) Islands, Hong Kong, India, Indonesia, Japan and adjacent islands, Korea, Laos, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Myanmar, Nepal, Oman, Pakistan, Palau, Papua New Guinea, Paraguay, Philippines, Reunion Islands, Rodrigues Islands, Ryukyu Islands, Saudi Arabia, Seychelles, Sri Lanka, Taiwan, Thailand, Thursday Island, United Arab Emirates, Uruguay, Vietnam, Yemen, and Zaire.

(3) Mangoes with seeds from Barbados, Dominica, French Guiana, Guadeloupe, Martinique, St. Lucia, and all countries outside of North, Central, and South America and their adjacent islands (which include the Caribbean Islands and Bermuda).

(4) Corn-on-the-cob from Albania, Algeria, Bosnia and Hercegovina, Croatia, Cyprus, Egypt, France, Greece, Israel, Italy, Lebanon, Libya, Malta, Macedonia, Morocco, Sardinia, Serbia and Montenegro, Slovenia, Spain, Syria, Tunisia, and Turkey.

(5) Black currants unless authorized in an import permit to specified areas.

(c) Quick freeze may damage commodities and is recommended for thick-skinned fruits and vegetables, such as durian and coconut, that will be processed into another form (e.g., for puree, juice, or mashed vegetables).

[70 FR 33269, June 7, 2005, as amended at 70 FR 41092, July 15, 2005; 72 FR 39501, July 18, 2007]

**§ 305.18 Quick freeze treatment schedule.**

(a) *T110*. (1) Initially, lower the commodity's temperature to 0 °F or below.

(2) Hold the temperature of the commodity at 20 °F or below for at least 48 hours.

(3) The commodity may be transported during the 48-hour treatment period, but the temperature must be maintained at 20 °F or below prior to release.

(4) The fruits and vegetables may not be removed from the vessel or vehicle transporting them until an inspector has determined that they are in a satisfactory frozen state upon arrival. If the temperature of the fruits or vegetables in any part of a shipment is found to be above 20 °F at the time of inspection upon arrival, the entire shipment must remain on board the vessel or vehicle under such safeguards as may be prescribed by the inspector until the temperature of the shipment is below 20 °F, or the shipment is transported outside the United States or its territorial waters, or is otherwise disposed of to the satisfaction of the inspector.

(b) [Reserved]

**§ 305.19 [Reserved]**

**Subpart—Heat Treatments**

**§ 305.20 Treatment requirements.**

(a) *Certified facility*. The treatment facility must be certified by APHIS. Recertification is required annually, or as often as APHIS directs, depending upon treatments performed, commodities handled, and operations conducted at the facility. In order to be certified, a heat treatment facility must:

(1) Have equipment that is capable of adequately circulating air or water (as relevant to the treatment), changing

the temperature, and maintaining the changed temperature sufficient to meet the treatment schedule parameters.

(2) Have equipment used to record, monitor, or sense temperature, maintained in proper working order.

(3) Keep treated and untreated fruits, vegetables, or articles separate so as to prevent reinfestation and spread of pests.

(b) *Monitoring*. Treatment must be monitored by an official authorized by APHIS to ensure proper administration of the treatment. An official authorized by APHIS approves, adjusts, or rejects the treatment.

(c) *Compliance agreements*. Facilities located in the United States must operate under a compliance agreement with APHIS. The compliance agreement must be signed by a representative of the heat treatment facilities located in the United States and APHIS. The compliance agreement must contain requirements for equipment, temperature, water quality, circulation, and other measures for performing heat treatments to ensure that treatments are administered properly. Compliance agreements must allow officials of APHIS to inspect the facility to monitor compliance with the regulations.

(d) *Work plans*. Facilities located outside the United States must operate in accordance with a work plan. The work plan must be signed by a representative of the heat treatment facilities located outside the United States the national plant protection organization of the country of origin (NPPO), and APHIS. The work plan must contain requirements for equipment, temperature, water quality, circulation, and other measures to ensure that heat treatments are administered properly. Work plans for facilities outside the United States must include trust fund agreement information regarding payment of the salaries and expenses of APHIS employees on site. Work plans must allow officials of the NPPO and APHIS to inspect the facility to monitor compliance with APHIS regulations.

(e) *Treatment procedures*. (1) Before each treatment can begin, an official authorized by APHIS must approve the