§ 319.55–7 Importations by mail.

Sections 319.55–2 to 319.55–6, inclusive, provide for importations other- wise than through the mails. Importations of seed or paddy rice from Mex- ico, and of rice straw and rice hulls from all foreign countries and local- ties, may be made by mail, Provided (a) That a permit has been issued for the importation in accordance with §§ 319.55–2, 319.55–4, and (b) That each shipment is accompanied from the for- eign mailing point by a special mailing tag directing the package to a Plant Protection and Quarantine Programs inspection station for inspection and, if necessary, for treatment, before being released to the mails for delivery to the importer, unless entry is refused in accordance with the provisions of § 319.55–6. The special mailing tags will be furnished on request to the importer for transmission in advance to his foreign shipper.

(Approved by the Office of Management and Budget under control number 0579–0049)


Subpart—Fruits and Vegetables

Source: 72 FR 39501, July 18, 2007, unless otherwise noted.

§ 319.56–1 Notice of quarantine.

(a) Under section 412(a) of the Plant Protection Act, the Secretary of Agri- culture may prohibit or restrict the importation and entry of any plant or plant product if the Secretary deter- mines that the prohibition or restric- tion is necessary to prevent the intro- duction into the United States or the dissemination within the United States of a plant pest or noxious weed. (b) The Secretary has determined that it is necessary to prohibit the im- portation into the United States of fruits and vegetables and associated plants and portions of plants except as provided in this part.

§ 319.56–2 Definitions.

Above ground parts. Any plant parts, such as stems, leaves, fruit, or inflores- cence (flowers), that grow solely above the soil surface.

Administrator. The Administrator of the Animal and Plant Health Inspection Service, United States Depart- ment of Agriculture, or any other em- ployee of the United States Depart- ment of Agriculture delegated to act in his or her stead.

APHIS. The Animal and Plant Health Inspection Service, United States De- partment of Agriculture.

Commercial consignment. A lot of fruits or vegetables that an inspector identifies as having been imported for sale and distribution. Such identifica- tion will be based on a variety of indi- cators, including, but not limited to: Quantity of produce, type of pack- aging, identification of grower or pack- inghouse on the packaging, and docu- ments consigning the fruits or vegeta- bles to a wholesaler or retailer.

Commodity. A type of plant, plant product, or other regulated article being moved for trade or other purpose.

Consignment. A quantity of plants, plant products, and/or other articles, including fruits or vegetables, being moved from one country to another and covered, when required, by a single phytosanitary certificate (a consign- ment may be composed of one or more commodities or lots).

Country of origin. Country where the plants from which the plant products are derived were grown.

Cucurbits. Any plants in the family Cucurbitaceae.

Field. A plot of land with defined boundaries within a place of production on which a commodity is grown.

Frozen fruit or vegetable. Any variety of raw fruit or vegetable preserved by commercially acceptable freezing methods in such a way that the com- modity remains at −8.7 °C (20 °F) or below for at least 48 hours prior to re- lease.

Fruits and vegetables. A commodity class for fresh parts of plants intended for consumption or processing and not for planting.