Animal and Plant Health Inspection Service, USDA

§ 319.56–28

Tomatoes from certain countries.

(a) Tomatoes (fruit) (Solanum lycopersicum) from Spain. Pink or red tomatoes may be imported into the United States from Spain only in accordance with this section and all other applicable provisions of this subpart.5

(1) The surface area of a pink tomato is more than 30 percent but not more than 60 percent pink and/or red. The surface area of a red tomato is more than 60 percent pink and/or red. Green tomatoes from Spain, France, Morocco, and Western Sahara may be imported in accordance with §§ 319.56–3 and 319.56–4.

(2) The fruit must have been grown in an area of Spain considered by APHIS to be free of the South American cucurbit fly, must be accompanied by a phytosanitary certificate declaring its origin in such an area, and must be safeguarded and labeled, each in accordance with §319.56–5 of this subpart.

(3) The phytosanitary certificate required under §319.56–5 must also include a declaration by the NPPO of Spain indicating that, upon inspection, the fruit was found free of the gray pineapple mealybug (Dysmicoccus neobrevipes).

(4) All consignments of fruit must be labeled in accordance with §319.56(5(e) of this subpart, and the boxes in which the fruit is packed must be labeled “Not for distribution in HI, PR, VI, or Guam.”

§ 319.56–27 Apples from Japan and the Republic of Korea.

Any variety of Malus domestica apples may be imported into the United States from Japan, and Fuji variety apples may be imported into the United States from the Republic of Korea, only in accordance with this section and all other applicable provisions of this subpart.

(a) Treatment and fumigation. The apples must be cold treated and then fumigated, under the supervision of an APHIS inspector, either in Japan or the Republic of Korea, for the peach fruit moth (Carposina niponensis), the yellow peach moth (Conogethes punctiferalis), and the fruit tree spider mite (Tetranychus viennensis), in accordance with part 306 of this chapter.

(b) APHIS inspection. The apples must be inspected upon completion of the treatments required by paragraph (a) of this section, prior to export from Japan or the Republic of Korea, by an APHIS inspector and an inspector from the national plant protection organization of Japan or the Republic of Korea. The apples shall be subject to further disinfection in the exporting country if plant pests are found prior to export. Imported apples inspected in Japan or the Republic of Korea are also subject to inspection and disinfection at the port of first arrival, as provided in §319.56–3.

(c) Trust fund agreements. The national plant protection organization of the exporting country must enter into a trust fund agreement with APHIS in accordance with §319.56–6 before APHIS will provide the services necessary for apples to be imported into the United States from Japan or the Republic of Korea.


§ 319.56–28 Tomatoes from certain countries.

(7) The surface area of a pink tomato is more than 30 percent but not more than 60 percent pink and/or red. The surface area of a red tomato is more than 60 percent pink and/or red. Green tomatoes from Spain, France, Morocco, and Western Sahara may be imported in accordance with §§ 319.56–3 and 319.56–4.