

§ 360.300

7 CFR Ch. III (1–14 Edition)

Emex spinosa (Linnaeus) Campdera (devil's thorn)
Euphorbia terracina Linnaeus (false caper, Geraldton carnation weed)
Galega officinalis Linnaeus (goatsrue)
Heraclium mantegazzianum Sommier & Levier (giant hogweed)
Imperata brasiliensis Trinius (Brazilian satintail)
Imperata cylindrica (Linnaeus) Palisot de Beauvois (cogongrass)
Inula britannica Linnaeus (British elecampane, British yellowhead)
Ischaemum rugosum Salisburly (muraingrass)
Leptochloa chinensis (Linnaeus) Nees (Asian sprangletop)
Lycium ferocissimum Miers (African boxthorn)
Lygodium flexuosum (Linnaeus) Swartz (maidenhair creeper)
Lygodium microphyllum (Cavanilles) R. Brown (Old World climbing fern)
Melastoma malabathricum Linnaeus
Mikania cordata (Burman f.) B. L. Robinson (mile-a-minute)
Mikania micrantha Kunth
Mimosa diplotricha C. Wright (giant sensitive-plant)
Mimosa pigra Linnaeus var. *pigra* (catclaw mimosa)
Moraea collina Thunberg (apricot Cape-tulip)
Moraea flaccida (Sweet) Steudel (one-leaf Cape-tulip)
Moraea miniata Andrews (two-leaf Cape-tulip)
Moraea ochroleuca (Salisbury) Drapiez (red Cape-tulip)
Moraea pallida (Baker) Goldblatt (yellow Cape-tulip)
Nassella trichotoma (Nees) Hackel ex Arechavaleta (serrated tussock)
Onopordum acaulon Linnaeus (stemless thistle)
Onopordum illyricum Linnaeus (Illyrian thistle)
Opuntia aurantiaca Lindley (jointed prickly pear)
Oryza longistaminata A. Chevalier & Roehrich (red rice)
Oryza punctata Kotschy ex Steudel (red rice)
Oryza rufipogon Griffith (red rice)
Paspalum scrobiculatum Linnaeus (Kodo-millet)
Pennisetum clandestinum Hochstetter ex Chiovenda (kikuyugrass)
Pennisetum macrourum Trinius (African feathergrass)
Pennisetum pedicellatum Trinius (kyasumagrass)
Pennisetum polystachion (Linnaeus) Schultes (missiongrass, thin napiergrass)
Prosopis alpataco R. A. Philippi
Prosopis argentina Burkart
Prosopis articulata S. Watson
Prosopis burkartii Munoz
Prosopis caldenia Burkart
Prosopis calingastana Burkart
Prosopis campestris Griseback
Prosopis castellanosi Burkart

Prosopis denudans Bentham
Prosopis elata (Burkart) Burkart
Prosopis farcta (Banks & Solander) J.F. Macbride
Prosopis ferox Grisebach
Prosopis fiebrigii Harms
Prosopis hassleri Harms
Prosopis humilis Gillies ex Hooker & Arnott
Prosopis kuntzei Harms
Prosopis pallida (Humboldt & Bonpland ex Willdenow) Kunth
Prosopis palmeri S. Watson
Prosopis reptans Bentham var. *reptans*
Prosopis rojasiana Burkart
Prosopis ruizlealii Burkart
Prosopis ruscifolia Grisebach
Prosopis sericantha Gillies ex Hooker & Arnott
Prosopis strombulifera (Lamarek) Bentham
Prosopis torquata (Cavanilles ex Lagasca y Segura) de Candolle
Rottboellia cochinchinensis (Lour.) W. Clayton
Rubus fruticosus Linnaeus (complex) (wild blackberry)
Rubus moluccanus Linnaeus (wild raspberry)
Saccharum spontaneum Linnaeus (wild sugarcane)
Salsola vermiculata Linnaeus (wormleaf salsola)
Senecio inaequidens DC. (South African ragwort)
Senecio madagascariensis Poir. (Madagascar ragwort)
Setaria pumila (Poir.) Roem. & Schult. subsp. *pallidifusca* (Schumach.) B.K. Simon (cat-tail grass)
Solanum torvum Swartz (turkeyberry)
Solanum viarum Dunal (tropical soda apple)
Spermacoce alata Aublet
Tridax procumbens Linnaeus (coat buttons)
Urochloa panicoides Beauvois (liverseed grass)

[48 FR 20039, May 4, 1983, as amended at 49 FR 25223, June 20, 1984; 57 FR 8838, Mar. 13, 1992; 60 FR 35832, July 12, 1995; 64 FR 12883, Mar. 16, 1999; 65 FR 33743, May 25, 2000; 66 FR 21060, Apr. 27, 2001; 71 FR 35381, June 20, 2006; 74 FR 53400, Oct. 19, 2009; 75 FR 68953, Nov. 10, 2010]

§ 360.300 Notice of restrictions on movement of noxious weeds.

No person may move a Federal noxious weed into or through the United States, or interstate, unless:

- (a) He or she applies for a permit to move a noxious weed in accordance with § 360.301;
- (b) The permit application is approved; and

(c) The movement is consistent with the specific conditions contained in the permit.

(Approved by the Office of Management and Budget under control number 0579-0054)

[75 FR 68954, Nov. 10, 2010]

§ 360.301 Information required for applications for permits to move noxious weeds.

(a) *Permit to import a noxious weed into the United States.* A responsible person must apply for a permit to import a noxious weed into the United States.² The application must include the following information:

- (1) The responsible person's name, address, telephone number, and (if available) e-mail address;
- (2) The taxon of the noxious weed;
- (3) Plant parts to be moved;
- (4) Quantity of noxious weeds to be moved per shipment;
- (5) Proposed number of shipments per year;
- (6) Origin of the noxious weeds;
- (7) Destination of the noxious weeds;
- (8) Whether the noxious weed is established in the State of destination;
- (9) Proposed method of shipment;
- (10) Proposed port of first arrival in the United States;
- (11) Approximate date of arrival;
- (12) Intended use of the noxious weeds;
- (13) Measures to be employed to prevent danger of noxious weed dissemination; and
- (14) Proposed method of final disposition of the noxious weeds.

(b) *Permit to move noxious weeds interstate.* A responsible person must apply for a permit to move a noxious weed interstate.³ The application must include the following information:

- (1) The responsible person's name, address, telephone number, and (if available) e-mail address;
- (2) The taxon of the noxious weed;
- (3) Plant parts to be moved;

²Information on applying for a permit to import a noxious weed into the United States is available at http://www.aphis.usda.gov/plant_health/permits/plantproducts.shtml.

³Information on applying for a permit to move a noxious weed interstate is available at http://www.aphis.usda.gov/plant_health/permits/plantproducts.shtml.

(4) Quantity of noxious weeds to be moved per shipment;

(5) Proposed number of shipments per year,

- (6) Origin of the noxious weeds;
- (7) Destination of the noxious weeds;
- (8) Whether the noxious weed is established in the State of destination;
- (9) Proposed method of shipment,
- (10) Approximate date of movement;
- (11) Intended use of the noxious weeds;

(12) Measures to be employed to prevent danger of noxious weed dissemination; and

(13) Proposed method of final disposition of the noxious weeds.

(c) *Permits to move noxious weeds through the United States.* Permits to move noxious weeds through the United States must be obtained in accordance with part 352 of this chapter.

[75 FR 68954, Nov. 10, 2010]

§ 360.302 Consideration of applications for permits to move noxious weeds.

Upon the receipt of an application made in accordance with § 360.301 for a permit for movement of a noxious weed into the United States or interstate, the Administrator will consider the application on its merits.

(a) *Consultation.* The Administrator may consult with other Federal agencies or entities, States or political subdivisions of States, national governments, local governments in other nations, domestic or international organizations, domestic or international associations, and other persons for views on the danger of noxious weed dissemination into the United States, or interstate, in connection with the proposed movement.

(b) *Inspection of premises.* The Administrator may inspect the site where noxious weeds are proposed to be handled in connection with or after their movement under permit to determine whether existing or proposed facilities will be adequate to prevent noxious weed dissemination if a permit is issued.

[75 FR 68954, Nov. 10, 2010]