

accordance with the Department regulations in §1.5 of this title and the regulations in this part.

(b) Requests for records and information which have customarily been directed to field stations and agency headquarters may continue to be directed to those locations, notwithstanding the provisions of these regulations. If the information is not available at the location at which the request is made, or the official receiving the request is in doubt as to whether the information should be released, the official shall (1) promptly forward the request to the FOIA Coordinator, or (2) inform the requester of the procedures established in these regulations by which the request may be sent directly to the FOIA Coordinator. The date of receipt of the request by the Coordinator shall be the determining date for purposes of the time limitations under the Freedom of Information Act and the regulations.

PART 371—ORGANIZATION, FUNCTIONS, AND DELEGATIONS OF AUTHORITY

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AUTHORITY: 5 U.S.C. 301.

SOURCE: 65 FR 1299, Jan. 10, 2000, unless otherwise noted.

§ 371.1 General statement.

(a) *The creation of APHIS.* The Animal and Plant Health Inspection Service (APHIS) was created by the Secretary of Agriculture on April 2, 1972 (37 FR 6327, March 28, 1972).

(b) *Central offices.* APHIS is headquartered in Washington, DC, and

Riverdale, MD. The APHIS Management Team at these locations consists of the following:

- Administrator
- Associate Administrator
- Deputy Administrator, Plant Protection and Quarantine (PPQ)
- Deputy Administrator, Veterinary Services (VS)
- Deputy Administrator, Marketing and Regulatory Programs Business Services (MRPBS)
- Deputy Administrator, Wildlife Services (WS)
- Deputy Administrator, Animal Care (AC)
- Deputy Administrator, International Services (IS)
- Director, Policy and Program Development (PPD)
- Director, Legislative and Public Affairs (LPA)

(c) *Field organization.* AC, MRPBS, PPQ, VS, and WS all have field offices located throughout the United States. IS has field offices located throughout the world. A list of APHIS' field offices with addresses and telephone numbers is in the blue pages of local telephone books.

§ 371.2 The Office of the Administrator.

(a) *The Administrator.* (1) The Administrator of APHIS formulates, directs, and supervises the execution of APHIS policies, programs, and activities.

(2) The Administrator is authorized to take any action authorized by law and deemed necessary to carry out APHIS functions. Delegations of authority by the Administrator and provisions for redelegations of authority are stated in §371.11.

(b) *The Associate Administrator.* The Associate Administrator of APHIS shares responsibility with the Administrator for general direction and supervision of APHIS programs and activities. The Associate Administrator may act for the Administrator.

§ 371.3 Plant protection and quarantine.

(a) *General statement.* Plant Protection and Quarantine (PPQ) protects and safeguards the Nation's plant resources through programs and activities to prevent the introduction and spread of plant pests and diseases.

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(b) *Deputy Administrator of PPQ.* The Deputy Administrator of PPQ is responsible for:

(1) Participating with the Administrator of APHIS and other officials in the planning and formulation of policies, programs, procedures, and activities of APHIS.

(2) Providing direction and coordination for PPQ programs and activities. The authorities for PPQ programs include:

(i) The Terminal Inspection Act, as amended (7 U.S.C. 166);

(ii) The Honeybee Act, as amended (7 U.S.C. 281 through 286);

(iii) Sections 1 and 15 of the Federal Noxious Weed Act of 1974, (7 U.S.C. 2801 note and 7 U.S.C. 2814);

(iv) The Endangered Species Act of 1973 (16 U.S.C. 1531–1544);

(v) Executive Order 13112;

(vi) The responsibilities of the United States under the International Plant Protection Convention;

(vii) Lacey Act Amendments of 1981, as amended (16 U.S.C. 3371 through 3378);

(viii) Title III (and Title IV to the extent that it relates to activities under Title III) of the Federal Seed Act, as amended (7 U.S.C. 1581 through 1610);

(ix) Authority to prescribe and collect fees under The Act of August 31, 1951, as amended (31 U.S.C. 9701), and sections 2508 and 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990, as amended (21 U.S.C. 136 and 136a);

(x) Plant Protection Act, as amended (7 U.S.C. 7701–7786).

(xi) Authority to collect reimbursement for overtime paid to employees for inspection or quarantine services (7 U.S.C. 2260).

(xii) Title V of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 2279e and 2279f).

(xiii) title II, Subtitle B, of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (7 U.S.C. 8401 not and 8401).

(3) Developing of regulations (including quarantines) regarding noxious weeds and plant pests and diseases.

(4) Cooperating with and providing technical assistance to State and local governments, farmer's associations, and individuals with regard to plant

pest control. Cooperating with and providing technical assistance to foreign governments with regard to plant pests and diseases.

(5) Assisting in the development of sanitary and phytosanitary measures.

(6) Regulating the field release into the environment, interstate movement, and importation of genetically modified organisms.

(7) Serving as a member of the North American Plant Protection Organization (NAPPO). NAPPO is composed of plant protection officials and industry cooperators from Canada, Mexico, and the United States.

(8) Administering plant and animal pest and disease exclusion policies, procedures, and regulations at international ports of entry (land, sea, and air) relative to all plants and plant and animal products and associated materials (excluding live animals).

(9) Providing laboratory support, diagnostic services, methods development, and research activities in support of PPQ programs.

[65 FR 1299, Jan. 10, 2000, as amended at 65 FR 49471, Aug. 14, 2000; 66 FR 21060, Apr. 27, 2001; 68 FR 27449, May 20, 2003; 70 FR 55706, Sept. 23, 2005]

EDITORIAL NOTE: At 70 FR 57994, Oct. 5, 2005, § 371.3, paragraph (b)(2)(x) was amended by removing the citation “7 U.S.C. 7701–7772” and adding the citation “7 U.S.C. 7701–7772 and 7781–7786” in its place. However, there is no citation “7 U.S.C. 7701–7772” in this paragraph.

§ 371.4 Veterinary Services.

(a) *General statement.* Veterinary Services (VS) protects and safeguards the Nation's livestock and poultry through programs and activities to prevent the introduction and spread of pests and disease of livestock and poultry. VS also provides leadership and coordinates activities pertaining to veterinary biologics.

(b) *Deputy Administrator of VS.* The Deputy Administrator of VS is responsible for:

(1) Participating with the Administrator of APHIS and other officials in the planning and formulation of policies, programs, procedures, and activities of APHIS.