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U. S. DEPARTMENT OF AGRICULTURE,

FEDERAL HORTICULTURAL BOARD.

C. L. MARLATT, *Chairman*; W. A. ORTON, GEO. B. SUDWORTH, W. D. HUNTER, KARL F. KELLERMAN, R. C. ALTHOUSE, *Secretary*.

RULES AND REGULATIONS GOVERNING THE ENTRY FOR IMMEDIATE EXPORT OF PROHIBITED PLANTS AND PLANT PRODUCTS.

(Effective on and after December 1, 1917.)

LETTER OF TRANSMITTAL.

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
Washington, D. C., October 12, 1917.

Hon. D. F. HOUSTON,
Secretary of Agriculture.

SIR: The Federal Horticultural Board respectfully submits herewith regulations governing (1) entry for immediate export, and (2) entry for immediate transportation and exportation in bond, of plants and plant products prohibited entry into the United States by quarantine.

The purpose of section 7 of the plant quarantine act of August 20, 1912 (37 Stat., 315), is to provide authority under which insects and diseases injurious to plants may be excluded from the United States. This section provides that "no person shall import or offer for entry into the United States" any class of plants or plant products, the importation of which has been prohibited by the Secretary of Agriculture, "regardless of the use for which the same is intended." In view of the expressed purpose of this section, as well as the language employed, it is evident that the unloading or landing at any port of the United States for transshipment and immediate export of prohibited plants or plant products constitutes an importation within the meaning and intent of this section, and renders subject to prosecution any person so doing. Furthermore, the bringing of prohibited plants or plant products to a port of the United States and offering the same for entry is also a violation of the act, even if no actual unloading or landing is made.

The purpose of these regulations is to modify the quarantine orders as to plants and plant products now excluded, or which may hereafter be excluded by quarantine, so as to make provision, where such action can be taken without risk to the plant cultures of this country, for the entry of such plants or plant products either for immediate export or for immediate transportation and exportation in bond to meet the occasional exigencies of commerce. The purpose is to provide for such entry and transshipment only at such ports and under such conditions of unloading and transfer of cargoes or transportation in bond as shall conserve the interests of the United States.

Respectfully,

FEDERAL HORTICULTURAL BOARD,
C. L. MARLATT, *Chairman*.

Approved:

WM. M. WILLIAMS, *Solicitor*.

**REGULATIONS GOVERNING (1) ENTRY FOR IMMEDIATE EXPORT
AND (2) ENTRY FOR IMMEDIATE TRANSPORTATION AND EX-
PORTATION IN BOND OF PROHIBITED PLANTS AND PLANT
PRODUCTS.**

Under authority conferred on the Secretary of Agriculture by section 9 of the plant quarantine act of August 20, 1912 (37 Stat., 315), and in order to meet the occasional exigencies of commerce, it is ordered that the quarantines now in force prohibiting the entry from foreign countries into the United States of certain plants and plant products be, and the same are hereby, modified to permit the entry of such plants and plant products, either for immediate export or for immediate transportation and exportation in bond, under such restrictions as shall conserve the interests of the United States; and the following rules and regulations are promulgated governing such entry for immediate export and for immediate transportation and exportation in bond of such plants and plant products:

Plants and plant products now under quarantine and subject to these regulations.¹

(a) Irish potatoes from Newfoundland; the islands of St. Pierre and Miquelon; Great Britain, including England, Scotland, Wales, and Ireland; Germany; and Austria-Hungary, on account of the disease known as potato wart. There are, however, no Federal restrictions on the importation of potatoes into the Territories of Hawaii and Porto Rico. (Quarantine No. 3.)

(b) Mexican fruits: Oranges, sweet limes, grapefruit, mangoes, achras sapotes, peaches, guavas, and plums from the Republic of Mexico, on account of the Mexican fruit fly. (Quarantine No. 5, as amended.)

(c) Five-leaved pines and all species and varieties of currant and gooseberry plants (*Ribes* and *Grossularia*), from each and every country of Europe and Asia, and from the Dominion of Canada and from Newfoundland, on account of the white-pine blister rust. (Quarantine No. 7, as amended.)

(d) Pines from all European countries and localities not already excluded under the white-pine blister-rust quarantine, on account of the European pine-shoot moth (*Evetria buoliana*). (Quarantine No. 20.)

(e) Cotton seed (including seed cotton) and cottonseed hulls from any foreign locality and country, excepting only the locality of the Imperial Valley, in the State of Lower California, Mexico, on account of the pink bollworm. (Quarantine No. 8, as amended.)

(f) Seeds of avocado or alligator pear from Mexico and the countries of Central America, on account of the avocado weevil. (Quarantine No. 12.)

(g) Sugar cane from all foreign countries, on account of certain injurious insects and fungous diseases affecting the sugar cane in such countries. There are, however, no Federal restrictions on the importation into the Territories of Hawaii and Porto Rico of sugar cane. (Quarantine No. 15.)

(h) Citrus nursery stock from all foreign localities and countries, on account of the citrus canker and other dangerous citrus diseases. The term "citrus" as used in this quarantine includes all plants belonging to the subfamily or tribe *Citrata*. (Quarantine No. 19.)

(i) Seed and all other portions of Indian corn or maize (*Zea mays* L.), and the closely related plants, including all species of Teosinte (*Euchlaena*), Job's tears (*Coix*), *Polytoxa*, *Chionachne*, and *Sclerachne*, in the raw or unmanufactured state, from southeastern Asia (including India, Siam, Indo-China, and China),

¹ Information as to additions to or changes in this list of plants and plant products may be obtained on inquiry of the collectors of customs or the inspectors of the Federal Horticultural Board, or directly from the Secretary of Agriculture.

Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands, on account of the downy mildews and *Physo-derma* diseases of Indian corn; except that Indian corn or maize may be imported under permit and on compliance with the regulations governing entry from the regions above named. (Quarantine No. 24, as amended.)

(j) All species and varieties of citrus fruits from eastern and southeastern Asia (including India, Siam, Indo-China, and China), the Malayan Archipelago, the Philippine Islands, Oceania (except Australia, Tasmania, and New Zealand), Japan (including Formosa and other islands adjacent to Japan), and the Union of South Africa, on account of citrus canker; except that oranges of the mandarin class (including satsuma and tangerine varieties) may be imported under permit and on compliance with the regulations governing entry from the regions named above. (Quarantine No. 28.)

I. ENTRY FOR IMMEDIATE EXPORT.

Regulation 1. Permits required for entry for immediate export.

The entry for immediate export of any prohibited plants or plant products shall not be allowed except on specific permit from the Secretary of Agriculture and under such conditions and at such ports of entry as shall be prescribed in the permit.

Regulation 2. Application for entry for immediate export must be made in advance.

Persons contemplating the entry for immediate export of any plant or plant product shall make application for a permit to the Federal Horticultural Board, Department of Agriculture, Washington, D. C., stating the quantity and exact nature of the plants or plant products, the country and locality where grown, the name and address of the foreign shipper, the port of departure, the port of arrival in the United States, the port and country of final destination, the name of vessel and steamship line bringing the plants or plant products to the United States, the name of vessel and steamship line to which the goods are to be transhipped for exportation, and the name and address of consignee.

Regulation 3. Permits issued on approval of application.

On approval of an application for entry for immediate export of prohibited plants and plant products a permit will be issued in quadruplicate. One copy will be furnished to the applicant for presentation to the customs officer at the port of arrival, one copy will be mailed to the collector at the port of arrival, one copy to the inspector of the Department of Agriculture at the port of arrival, and the fourth will be filed with the application. A separate permit will be required for each shipment offered for entry for immediate export.

Regulation 4. Notice by permittee of arrival of prohibited plants and plant products.

Immediately upon the receipt by the permittee of authority for entry for immediate export of prohibited plants and plant products he shall submit a notice in duplicate to the Secretary of Agriculture, through the collector of customs, on forms provided for that purpose, stating the date of arrival, the number of the permit, the quantity, the exact nature of the plants or plant products, the country and locality where grown, port of departure, port of arrival in the United States, name of vessel and steamship line and dock, name and address of foreign shipper, and name and address of foreign consignee.

Regulation 5. Unloading for entry for immediate export.

Such plants or plant products shall not be unloaded for entry for immediate export until a permit for such entry shall have been received from the Secretary of Agriculture and until a bond shall have been filed with the collector of customs, with approved sureties, in double the invoice value of the property (the amount

of the bond in no case to be less than \$1,000), conditioned on the export of such property from the port of arrival within a period to be designated by the inspector of the Department of Agriculture in cooperation with the collector of customs. If not exported within the time thus designated the articles may be subject to seizure and destruction by the collector of customs. The landing for transshipment of prohibited plants and plant products shall be by such methods and under such safeguards as shall be required by the inspector of the Department of Agriculture.

Regulation 6. Notice of exportation and cancellation of bond.

Immediately upon the exportation of such plants and plant products a notice in duplicate, on forms provided for that purpose, shall be furnished by the permittee to the collector of customs, one copy of which shall be transmitted to the Secretary of Agriculture, stating the number of the permit, the quantity, the exact nature of the plants or plant products, the country and locality where grown, name of vessel and steamship line bringing the articles to this country, port of arrival in the United States, name of vessel and steamship line taking articles from this country, date of exportation, and name and address of foreign consignee.

On receipt of said notice by the collector of customs the bond required from the permittee under Regulation 6 hereof may be canceled.

II. ENTRY FOR IMMEDIATE TRANSPORTATION AND EXPORTATION IN BOND.

Regulation 7. Special permit for transportation in bond.

The entry for immediate transportation and exportation in bond of any of the plants or plant products described in these regulations, or which may hereafter be excluded by quarantine, is prohibited except on specific permit from the Secretary of Agriculture under such conditions as will be prescribed in the permit, when it can be shown that such transportation in bond through the United States can be so safeguarded as to routing and protection of shipment as to eliminate all possibility of risk to the plant cultures of this country.

Entry for immediate transportation and exportation in bond is prohibited of cotton seed, seed cotton, and cottonseed hulls from any foreign locality or country, excepting only the locality of the Imperial Valley in the State of Lower California, Mexico.

Regulation 8. Persons offering for entry prohibited plants or plant products, except as provided for in these regulations, liable to penalties.

Except as herein provided, the entry at any port of the United States, for immediate export or otherwise, of prohibited plants or plant products will not be permitted, and all persons offering such plants or plant products for entry at a port of the United States or bringing them into the limits of such ports will be liable to the penalties prescribed by the plant quarantine act.

The foregoing regulations are adopted, effective on and after December 1, 1917.

Done in the District of Columbia this 20th day of October, 1917.

Witness my hand and the seal of the United States Department of Agriculture.

D. F. HOUSTON,
Secretary of Agriculture.



APPENDIX.

FORMS REQUIRED BY THE FOREGOING REGULATIONS.

(These will be furnished on application.)

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
WASHINGTON, D. C.

APPLICATION FOR PERMIT TO ENTER PROHIBITED PLANTS OR PLANT PRODUCTS FOR
IMMEDIATE EXPORT.

-----, 191---

To the FEDERAL HORTICULTURAL BOARD,
Washington, D. C.

SIRS: A permit is requested to enter for immediate export the following prohibited plants or plant products described below, during the period -----
-----, 191--, to -----, 191--:

Quantity.	Exact nature of plants or plant products.

Country and locality where grown-----
Port of departure-----
U. S. port of arrival-----
Port of final destination-----
Name of vessel and steamship line bringing the plants or plant products to the
United States -----
Name of vessel and steamship line to which the goods are to be transhipped
for exportation-----
Foreign shipper-----
(Name.) (Address.)
Consignee-----
(Name.) (Address.)
Very respectfully,

(Name of applicant.)

(Address.)

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD.
WASHINGTON, D. C.

PERMIT TO ENTER PROHIBITED PLANTS AND PLANT PRODUCTS FOR IMMEDIATE
EXPORT.

(Valid for this importation.)

-----, 191---

To the COLLECTOR OF CUSTOMS, ----- :

You are hereby authorized, so far as the jurisdiction of the Department of Agriculture is concerned, to permit the entry, under the Plant Quarantine Act of August 20, 1912, of the prohibited plants and plant products described herein for transshipment and immediate export, in accordance with the rules and regulations of the Secretary of Agriculture, promulgated October 20, 1917, governing the entry for immediate export of prohibited plants and plant products.

Quantity.	Exact nature of plants or plant products.

Country and locality where grown -----
 Port of departure -----
 U. S. port of arrival -----
 Port of final destination -----
 Name of vessel and steamship line bringing the plants or plant products to the
 United States -----
 Name of vessel and steamship line to which the goods are to be transhipped
 for exportation -----
 Foreign shipper -----
 (Name.) (Address.)
 Consignee -----
 (Name.) (Address.)
 Respectfully,

D. F. HOUSTON,
Secretary of Agriculture.

Countersigned :

(Chairman of Board.)

(Secretary of Board.)

UNITED STATES DEPARTMENT OF AGRICULTURE,
 FEDERAL HORTICULTURAL BOARD,
 WASHINGTON, D. C.

PERMITTEE'S NOTICE OF ARRIVAL OF PROHIBITED PLANTS AND PLANT PRODUCTS.

In compliance with the plant quarantine act of August 20, 1912, and Regulation 5 of the regulations governing the entry for immediate export of prohibited plants and plant products, promulgated October 20, 1917, the information provided for in this blank must be given in duplicate by the permittee or his representative to the Secretary of Agriculture, Washington, D. C., through the collector of customs at the port of entry designated in the permit, immediately upon the arrival of the prohibited plants and plant products.

D. F. HOUSTON,
Secretary of Agriculture.

-----, 191---

The FEDERAL HORTICULTURAL BOARD,
Washington, D. C.

The following prohibited plants and plant products, permission for the entry for immediate export of which is granted under permit No. ___ shipped from -----

(Port of departure.)

 (Name of importer or broker at port of arrival.)

arrived ----- 191--, on -----
 (Name of vessel and steamship line.)

dock -----

Country and locality where grown -----

Foreign shipper -----
 (Name and address.)

Quantity.	Exact nature of plants and plant products.

Respectfully,

 (Name of importer or broker at port of arrival.)

 (Address.)

UNITED STATES DEPARTMENT OF AGRICULTURE.
FEDERAL HORTICULTURAL BOARD.
WASHINGTON, D. C.

PERMITTEE'S NOTICE OF EXPORTATION OF PROHIBITED PLANTS AND PLANT PRODUCTS.

In compliance with the plant-quarantine act of August 20, 1912, and Regulation 7 of the regulations governing the entry for immediate export of prohibited plants and plant products, promulgated October 20, 1917, the information provided for in this blank must be given in duplicate by the permittee or his representative to the Secretary of Agriculture, Washington, D. C., through the collector of customs at the port of arrival designated in the permit, immediately upon the exportation of the prohibited plants or plant products.

D. F. HOUSTON,
Secretary of Agriculture.

-----, 191____
The FEDERAL HORTICULTURAL BOARD,
Washington, D. C.:

The following prohibited plants and plant products, permission for the entry for immediate export of which is granted under permit No. _____, shipped from ----- consigned to -----
(Port of departure.)

(Name of importer or broker at port of arrival.)
arrived ----- 191____, on -----
(Name of vessel and steamship line.)

dock -----

departed ----- 191____, on -----
(Name of vessel and steamship line.)

Country and locality where grown -----

Foreign shipper -----
(Name and address.)

Quantity.	Exact nature of plants and plant products.

Respectfully,

(Name of importer or broker at port of arrival.)

(Address.)





