

## Agricultural Marketing Service, USDA

## § 29.405

any and all end users of imported flue-cured or burley tobacco.

(n) *Pesticide*. Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.

(o) *Pesticide certification*. A document issued by the Tobacco Division in a form approved by the Director containing a certification by the importer that flue-cured and burley tobacco offered for importation does not exceed the maximum allowable residue levels of any banned pesticide.

(p) *Prohibited pesticide residue*. The maximum concentration of residue allowable for a specific pesticide or combination of pesticides as set forth in § 29.427.

(q) *Stems*. The midribs or large central veins of tobacco leaves.

(r) *Pesticide test sample*. An official sample or samples, collected from a lot of tobacco by the Secretary of Agriculture for analysis by a certified chemist to ascertain the residue levels of banned pesticides.

(s) *Sample Identification Form*. A document approved by the Director that identifies and accompanies the sample to the testing facility on which the test results will be certified by a chemist in charge of testing.

(t) *Subsequent purchaser*. Any entity that acquires ownership of tobacco after importation.

(u) *Testing*. The chemical analysis of a pesticide test sample to determine levels of pesticide residues.

(v) *End user*. A domestic manufacturer of cigarettes or other tobacco products; an entity that mixes, blends, processes, alters in any manner, or stores imported tobacco for export; or any individual that the Secretary may identify as making use of imported tobacco for the manufacture of tobacco products.

(w) *Reexported*. Any imported tobacco not used to manufacture tobacco products that is subsequently exported.

(x) *Blended*. Tobacco that is combined or mixed into a uniform product.

(y) *Leaves*. Whole, undivided tobacco leaves containing lamina and stem.

(z) *Strips*. The sides (including portions of sides) of tobacco leaf from which the stem has been removed or a lot of tobacco composed of strips.

[49 FR 27467, July 3, 1984, as amended at 51 FR 30198, Aug. 22, 1986; 54 FR 24663, June 9, 1989]

### § 29.402 Advance notice.

The importer shall notify, orally or in writing, the Raleigh Regional Office, USDA, AMS, Tobacco Division, P.O. Box 27846, Raleigh, North Carolina 27611, or the Lexington Regional Office, USDA, AMS, Tobacco Division, 333 Waller Avenue, Lexington, Kentucky 40504, of the date and location that tobacco subject to inspection under § 29.400 will be unloaded for warehousing, manipulation, or manufacturing. This notice shall be received at the Regional Office at least five working days prior to unloading the tobacco for warehousing, manipulation, or manufacturing.

[49 FR 27468, July 3, 1984]

### § 29.403 Accessibility of tobacco.

All tobacco subject to inspection under § 29.400 shall be made accessible by the importer for examination in a manner prescribed by the inspector. This includes providing proper lighting, removal of package coverings, and such other provisions as the inspector may deem necessary for inspection.

[49 FR 27468, July 3, 1984]

### § 29.404 Inspection.

The inspector shall review each lot of tobacco through a process of selective sampling in sufficient detail to allow an accurate determination of the types and grades contained in each lot.

[49 FR 27468, July 3, 1984]

### § 29.405 Inspection by submitted samples.

The Director, in lieu of onsite inspection, may approve submission by the importer of samples where time, geographical distance, or availability of inspectors prevent a timely onsite inspection, or where tobacco is classified as a "temporary importation under bond" as defined in 19 CFR 10.31 *et seq.*