AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Harrison County. The entire county.
Hays County. The entire county.
Henderson County. The entire county.
Hidalgo County. The entire county.
Hill County. The entire county.
Hood County. The entire county.
Hopkins County. The entire county.
Houston County. The entire county.
Hunt County. The entire county.
Jack County. The entire county.
Jackson County. The entire county.
Jasper County. The entire county.
Jefferson County. The entire county.
Jim Wells County. The entire county.
Johnson County. The entire county.
Jones County. The entire county.
Karnes County. The entire county.
Kaufman County. The entire county.
Kendall County. The entire county.
Kenedy County. The entire county.
Kerr County. The entire county.
Kimble County. The entire county.
Kinney County. The entire county.
Kleberg County. The entire county.
La Salle County. The entire county.
Lamar County. The entire county.
Lampasas County. The entire county.
Lavaca County. The entire county.
Lee County. The entire county.
Leon County. The entire county.
Liberty County. The entire county.
Limestone County. The entire county.
Live Oak County. The entire county.
Llano County. The entire county.
Madison County. The entire county.
Marion County. The entire county.
Mason County. The entire county.
Matagorda County. The entire county.
Maverick County. The entire county.
McCulloch County. The entire county.
McLennan County. The entire county.
McMullen County. The entire county.
Medina County. The entire county.
Midland County. The entire county.
Milam County. The entire county.
Montague County. The entire county.
Montgomery County. The entire county.
Morris County. The entire county.
Nacogdoches County. The entire county.
Navarro County. The entire county.
Newton County. The entire county.
Nueces County. The entire county.
Orange County. The entire county.
Palo Pinto County. The entire county.
Panola County. The entire county.
Parker County. The entire county.
Polk County. The entire county.
Rains County. The entire county.
Real County. The entire county.
Red River County. The entire county.
Refugio County. The entire county.
Robertson County. The entire county.
Rockwall County. The entire county.
Rusk County. The entire county.
Sabine County. The entire county.
San Augustine County. The entire county.
San Jacinto County. The entire county.
San Patricio County. The entire county.
San Saba County. The entire county.
Shelby County. The entire county.
Smith County. The entire county.
Somervell County. The entire county.
Stephens County. The entire county.
Tarrant County. The entire county.
Taylor County. The entire county.
Titus County. The entire county.
Tom Green County. The entire county.
Travis County. The entire county.
Trinity County. The entire county.
Tyler County. The entire county.
Upshur County. The entire county.
Uvalde County. The entire county.
Val Verde County. The entire county.
Van Zandt County. The entire county.
Victoria County. The entire county.
Walker County. The entire county.
Waller County. The entire county.
Washington County. The entire county.
Webb County. The entire county.
Wharton County. The entire county.
Wichita County. The entire county.
Willacy County. The entire county.
Williamson County. The entire county.
Wilson County. The entire county.
Wise County. The entire county.
Wood County. The entire county.
Young County. The entire county.
Zavala County. The entire county.

[57 FR 57327, Dec. 4, 1992]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 301.81–3, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 301.81–4 Interstate movement of regulated articles from quarantined areas.

(a) Any regulated article may be moved interstate from a quarantined area into or through an area that is not quarantined only if moved under the following conditions:

(1) With a certificate or limited permit issued and attached in accordance with §§ 301.81–5 and 301.81–9 of this subpart;

(2) Without a certificate or limited permit, provided that each of the following conditions is met:

(i) The regulated article was moved into the quarantined area from an area that is not quarantined;

(ii) The point of origin is indicated on a waybill accompanying the regulated article;

(iii) The regulated article is moved through the quarantined area (without stopping except for refueling, or for traffic conditions, such as traffic lights

or stop signs), or has been stored, packed, or parked in locations inaccessible to the imported fire ant, or in locations that have been treated in accordance with part 305 of this chapter, while in or moving through any quarantined area; and

(iv) The article has not been combined or commingled with other articles so as to lose its individual identity; or

(3) Without a certificate or limited permit provided the regulated article is a soil sample being moved to a laboratory approved by the Administrator[3] to process, test, or analyze soil samples.

(b) Inspectors are authorized to stop any person or means of conveyance moving in interstate commerce they have probable cause to believe is moving regulated articles, and to inspect the articles being moved and the means of conveyance. Articles found to be infested by an inspector, and articles not in compliance with the regulations in this subpart, may be seized, quarantined, treated, subjected to other remedial measures, destroyed, or otherwise disposed of. Any treatments will be in accordance with part 305 of this chapter.

(Approved by the Office of Management and Budget under control number 0579–0102)

[57 FR 57327, Dec. 4, 1992, as amended at 59 FR 67133, Dec. 29, 1994; 59 FR 67609, Dec. 30, 1994; 67 FR 8464, Feb. 25, 2002; 70 FR 33268, June 7, 2005; 75 FR 4240, Jan. 26, 2010]

§ 301.81–5 Issuance of a certificate or limited permit.

(a) An inspector[4] or person operating under a compliance agreement will issue a certificate for the interstate movement of a regulated article approved under such compliance agreement if he or she determines that the regulated article:

(1) Is eligible for unrestricted movement under all other applicable Federal domestic plant quarantines and regulations;

(2) Is to be moved interstate in compliance with any additional conditions deemed necessary under section 414 of the Plant Protection Act (7 U.S.C. 7714) to prevent the spread of the imported fire ant;[5] and

(3)(i) Is free of an imported fire ant infestation, based on his or her visual examination of the article;

(ii) Has been grown, produced, manufactured, stored, or handled in a manner that would prevent infestation or destroy all life stages of the imported fire ant;

(iii) Has been treated in accordance with part 305 of this chapter; or.

(iv) If the article is containerized nursery stock, it has been produced in accordance with § 301.81-11.

(b) An inspector will issue a limited permit for the interstate movement of a regulated article not eligible for a certificate if the inspector determines that the regulated article:

(1) Is to be moved interstate to a specified destination for specified handling, utilization, or processing (the destination and other conditions to be listed in the limited permit), and this interstate movement will not result in the spread of the imported fire ant because the imported fire ant will be destroyed by the specified handling, utilization, or processing;

(2) Is to be moved interstate in compliance with any conditions that the Administrator may impose under section 414 of the Plant Protection Act (7 U.S.C. 7714) to prevent the spread of the imported fire ant; and

(3) Is eligible for interstate movement under all other Federal domestic plant quarantines and regulations applicable to the regulated article.

[3] Criteria that laboratories must meet to become approved to process, test, or analyze soil, and the list of currently approved laboratories, may be obtained from the Animal and Plant Health Inspection Service, Plant Protection and Quarantine, Domestic and Emergency Operations, 4700 River Road Unit 134, Riverdale, Maryland 20737–1236.

[4] Inspectors are assigned to local offices of APHIS, which are listed in local telephone directories. Information on local offices may also be obtained from the Animal and Plant Health Inspection Service, Plant Protection and Quarantine, Domestic and Emergency Operations, 4700 River Road Unit 134, Riverdale, Maryland 20737–1236.

[5] An inspector may hold, seize, quarantine, treat, apply other remedial measures to, destory, or otherwise dispose of plants, plant pests, or other articles in accordance with sections 414, 421, and 434 of the Plant Protection Act (7 U.S.C. 7714, 7731, and 7754).