§ 319.75–4

The completed application shall include the following information:

1. Name, address, and telephone number of the importer;
2. Approximate quantity and kinds of articles intended to be imported;
3. Country or locality of origin;
4. Country(ies) or locality(ies) where it is intended to be off-loaded prior to arrival in the United States;
5. Intended U.S. port of entry;
6. Means of transportation; and
7. Expected date of arrival.

The completed application shall include the following information:

1. Name, address, and telephone number of the importer;
2. Approximate quantity and kinds of articles intended to be imported;
3. Country or locality of origin;
4. Country(ies) or locality(ies) where it is intended to be off-loaded prior to arrival in the United States;
5. Intended U.S. port of entry;
6. Means of transportation; and
7. Expected date of arrival.

(c) A permit indicating the applicable conditions for importation under this subpart will be issued by Plant Protection and Quarantine Programs if, after review of the application, the articles are met and only if an inspector at the port of entry determines that no remedial measures pursuant to section 414 of the Plant Protection Act (7 U.S.C. 7714) are necessary with respect to the regulated article.

(d) Any permit which has been issued may be withdrawn by an inspector or the Deputy Administrator if he/she determines that the holder thereof has not complied with any condition for the use of the document. The reasons for the withdrawal shall be confirmed in writing as promptly as circumstances permit. Any person whose permit has been withdrawn may appeal the decision in writing to the Deputy Administrator within ten (10) days after receiving the written notification of the withdrawal. The appeal shall state all of the facts and reasons upon which the person relies to show that the permit was wrongfully withdrawn.

§ 319.75–5 Marking and identity.

(a) Any restricted article at the time of importation shall plainly and correctly bear on the outer container (if in a container) or on the restricted article (if not in a container) the following information:

1. General nature and quantity of the contents,
2. Country or locality of origin,
3. Name and address of shipper, owner, or person shipping or forwarding the article,
4. Name and address of consignee,
5. Identifying shipper’s mark and number,
6. Expected date of arrival.

(b) Any restricted article shall be accompanied at the time of importation by an invoice or packing list indicating the contents of the shipment.

§ 319.75–6 Arrival notification.

Promptly upon arrival of any restricted article at a port of entry, the importer shall notify Plant Protection and Quarantine of the arrival by such
§ 319.75–7 Costs and charges.

The services of the inspector during regularly assigned hours of duty and at the usual places of duty shall be furnished without cost to the importer. The importer shall be responsible for arrangements for treatments required under § 319.75–4. Any treatment required under § 319.75–4 for a restricted article shall be performed at the port of entry by a nongovernmental fumigator at the importer’s expense, and shall be performed under the supervision of an inspector. Plant Protection and Quarantine will not be responsible for any costs or charges, other than those indicated in this section.

[46 FR 38334, July 27, 1981]

§ 319.75–8 Ports of entry.

Any restricted article shall be imported only at a port of entry identified in § 319.37–14 of this part and found by the Deputy Administrator and specified on the permit issued pursuant to § 319.75–3 to have a nongovernmental fumigator available at the port to treat such restricted article pursuant to § 319.75–4. It is the responsibility of the importer to arrange with the nongovernmental fumigator for treatment of the article.


§ 319.75–9 Inspection and phytosanitary certificate of inspection.

(a) Any nursery stock, plant, fruit, vegetable, root, bulb, or other plant product designated as a restricted article and grown in a country maintaining an official system of inspection for the purpose of determining whether such article is free from injurious plant diseases, injurious insect pests, and other plant pests shall be accompanied by a phytosanitary certificate of inspection from the plant protection service of such country at the time of importation or offer for importation into the United States.

(b) Any nursery stock, plant, fruit, vegetable, root, bulb, seed, or other plant product designated as a restricted article which is accompanied by a valid phytosanitary certificate of inspection is subject to inspection by an inspector at the time of importation into the United States for the purpose of determining whether such article is free of injurious plant diseases, injurious insect pests, and other plant pests, and whether such article is otherwise eligible to be imported into the United States.

(c) Any nursery stock, plant, fruit, vegetable, root, bulb, seed, or other plant product designated as a restricted article and grown in a country not maintaining an official system of inspection for the purpose of determining whether such article is free of injurious plant diseases, and such article is otherwise eligible to be imported into the United States.

[50 FR 8707, Mar. 5, 1985]