

**Agricultural Marketing Service, USDA**

**§ 29.431**

(OMB) under the provisions of 44 U.S.C. chapter 35 and have been assigned OMB control number 0581-0056.

[51 FR 30198, Aug. 22, 1986]

**§ 29.426 Collection of pesticide test samples.**

Any lot of tobacco not certified by the importer as being free of prohibited pesticide residues shall be sampled in sufficient detail to determine whether the lot conforms with the pesticide residue standards. Lots of imported tobacco certified by the importer shall be sampled on a random basis and tested to determine whether they conform with the pesticide residue standards.

[51 FR 30199, Aug. 22, 1986]

**§ 29.427 Pesticide residue standards.**

The maximum concentration of residues of the following pesticides allowed in flue-cured or burley tobacco, expressed as parts by weight of the residue per one million parts by weight of the tobacco (ppm) are:

CHLORDANE .....	3.0
DIBROMOCHLOROPROPANE (DBCP) .....	1.0
DICAMBA (Temporary) .....	5.0
ENDRIN .....	0.1
ETHYLENE DIBROMIDE (EDB) .....	0.1
FORMOTHION .....	0.5
HEXACHLORO BENZENE (HCB) .....	0.1
METHOXYCHLOR .....	0.1
TOXAPHENE .....	0.3
2,4-D (Temporary) .....	5.0
2,4,5-T .....	0.1
Sum of ALDRIN and DIELDRIN .....	0.1
Sum of CYPERMETHRIN and PERMETHRIN (Temporary) .....	3.0
Sum of DDT, TDE (DDD), and DDE .....	0.4
Sum of HEPTACHLOR and HEPTACHLOR EP-OXIDE .....	0.1

[54 FR 24663, June 9, 1989; 54 FR 27855, July 3, 1989]

**§ 29.428 Identification of sample for testing.**

Samples of imported tobacco shall be identified by the inspector on a form approved by the Director. The original and first two copies shall accompany the sample to the designated testing facility. The remaining copy of the identification form will be sent to the Director. Upon the completion of testing the designated facility will complete the form and mail the original and one copy to the Director and retain one copy for their records.

[51 FR 30199, Aug. 22, 1986]

**§ 29.429 Disposition of imported tobacco exceeding pesticide residue standards.**

Within 10 days of the receipt of test results from pesticide test samples, the Director shall notify the importer or entity responsible for the lot of tobacco of the test results. If the test results indicate that the lot or any portion of the lot contains prohibited pesticide residues, the Director will notify the importer or entity responsible for the affected tobacco and the appropriate U.S. Customs officials that the tobacco cannot enter the United States. The importer or other entity shall notify the Director in writing of the methods by which the tobacco will be disposed of and provide 5 days advance notice of time and place of final disposition. The Department will monitor the disposition procedures to verify that the tobacco has been accurately identified as to lot, kind, type, and grade.

[54 FR 24663, June 9, 1989]

**§ 29.430 Appeals.**

Appeals of test results for imported tobacco must be made in writing to the Director within 30 days from the receipt of notification. The statement must specify in detail the relief requested. The importer or entity requesting the appeal will bear the cost of any subsequent sampling and testing. Subsequent samples will be selected only from tobacco which is in the original package and from tobacco which has not been mixed, blended, or altered in any manner since the initial sampling.

[51 FR 30199, Aug. 22, 1986]

**§ 29.431 Handling of imported tobacco pending test results.**

After an individual shipment of imported flue-cured or burley tobacco has been sampled, regardless of whether it is certified as being free from prohibited pesticide residues, it must be kept in the original packages, and not be mixed, blended, manipulated, or altered in any manner, or moved, shipped, or transported from the point of entry until it has been determined