§ 301.52–2a Regulated areas; suppressive and generally infested areas.

The civil divisions and part of civil divisions described below are designated as pink bollworm regulated areas within the meaning of the provisions of this subpart; and such regulated areas are hereby divided into generally infested areas or suppressive areas as indicated below.

ARIZONA
(1) Generally infested area. Entire State.
(2) Suppressive area. None.

CALIFORNIA

NEW MEXICO
(1) Generally infested area. Entire State.
(2) Suppressive area. None.

TEXAS
(1) Generally infested area. Entire State.
(2) Suppressive area. None.

EDITIONAL NOTE: For FEDERAL REGISTER citations affecting §301.52–2a, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 301.52–3 Conditions governing the interstate movement of regulated articles from quarantined States.²

Any regulated articles may be moved interstate from any quarantined State under the following conditions:
(a) From any regulated area, with certificate or permit issued and attached in accordance with §§301.52–4 and 301.52–7 if moved:
(1) From any regulated area into or through any point outside of the regulated areas; or
(2) From any generally infested area into or through any suppressive area; or
(3) Between any noncontiguous suppressive areas; or
(4) Between contiguous suppressive areas when it is determined by the inspector that the regulated articles present a hazard of the spread of the pink bollworm and the person in possession thereof has been so notified; or
(b) From any regulated area, without certificate or permit if moved:
(1) From a generally infested area to a contiguous generally infested area; or
(2) From a suppressive area to a contiguous generally infested area; or
(3) Between contiguous suppressive areas unless the person in possession of the articles has been notified by an inspector that a hazard of spread of the pink bollworm exists; or
(c) From any area outside the regulated areas, without a certificate or permit if the point of origin of such movement is clearly indicated on the articles or shipping document which accompanies the articles and if the movement is not made through any regulated area.

§ 301.52–4 Issuance and cancellation of certificates and permits.

(a) Certificates may be issued for any regulated articles by any inspector if he determines that they are eligible for certification for movement to any destination under all Federal domestic plant quarantines applicable to such articles and:
(1) Have originated in noninfested premises in a regulated area and have not been exposed to infestation while within the regulated areas; or

²Requirements under all other applicable Federal domestic plant quarantines must also be met.
§ 301.52–5 Compliance agreements; and cancellation thereof.

(a) Any person engaged in the business of growing, handling, or moving regulated articles may enter into a compliance agreement to facilitate the movement of such articles under this subpart. Compliance agreement forms may be obtained from the Deputy Administrator or an inspector.

(b) Any compliance agreement may be cancelled by the inspector who is supervising its enforcement whenever the inspector finds, after notice and reasonable opportunity to present views has been accorded to the other party thereto, that such other party has failed to comply with the conditions of the agreement.

§ 301.52–6 Assembly and inspection of regulated articles.

Persons (other than those authorized to use certificates, limited permits, or restricted destination permits, or reproductions thereof, under §301.52–4(e)) who desire to move interstate regulated articles which must be accompanied by a certificate or permit shall, as far in advance as possible, request an inspector to examine the articles with respect to such articles. Any such person may use the limited permit forms, or reproductions of such forms, for interstate movement of regulated articles to specific destinations authorized by the inspector in accordance with paragraph (b) of this section. Any such person may use the restricted destination permit forms, or reproductions of such forms, for the interstate movement of regulated articles not eligible for certification under all Federal domestic plant quarantines applicable to such articles, under the conditions specified in paragraph (c) of this section.

(f) Any certificate or permit which has been issued or authorized may be withdrawn by the inspector if the inspector determines that the holder thereof has not complied with any condition for the use of such document imposed by this subpart.

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