

a compliance agreement affirms that the regulated article identified on the document is eligible for interstate movement in accordance with §301.32-5(b) only to a specified destination and only in accordance with specified conditions.

Mediterranean fruit fly. The insect known as Mediterranean fruit fly, *Ceratitis capitata* (Wiedemann), in any stage of development.

Melon fruit fly. The insect known as the melon fruit fly, *Bactrocera cucurbitae* (Coquillett), in any stage of development.

Mexican fruit fly. The insect known as Mexican fruit fly, *Anastrepha ludens* (Loew), in any stage of development.

Move (moved, movement). Shipped, offered to a common carrier for shipment, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved.

Oriental fruit fly. The insect known as Oriental fruit fly, *Bactrocera dorsalis* (Hendel), in any stage of development.

Peach fruit fly. The insect known as peach fruit fly, *Anastrepha zonata* (Saunders), in any stage of development.

Person. Any individual, partnership, corporation, association, joint venture, or other legal entity.

Plant Protection and Quarantine. The organizational unit within the Animal and Plant Health Inspection Service

that has been delegated responsibility for enforcing provisions of the Plant Protection Act and related legislation, quarantines, and regulations.

Quarantined area. Any State, or any portion of a State, designated as a quarantined area in accordance with §301.32-3.

Regulated article. Any article listed in §301.32-2 or otherwise designated as a regulated article in accordance with §301.32-2(d).

Sapote fruit fly. The insect known as the sapote fruit fly, *Anastrepha serpentina*, in any stage of development.

State. Any of the several States of the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

West Indian fruit fly. The insect known as the West Indian fruit fly, *Anastrepha obliqua* (Macquart), in any stage of development.

§ 301.32-2 Regulated articles.

(a) In the following table, the berry, fruit, nut, or vegetable listed in each row in the left column is a regulated article for each of the fruit fly species listed in that row in the right column, unless the article is canned, dried, or frozen below -17.8°C (0°F):

Botanical name	Common name(s)	Fruit fly
<i>Abelmoschus esculentus</i> = <i>Hibiscus esculentus</i> .	Okra	Melon, Peach.
<i>Acca sellowiana</i> = <i>Feijoa sellowiana</i>	Pineapple guava	Mediterranean, Oriental, Peach.
<i>Actinidia chinensis</i>	Kiwi	Mediterranean.
<i>Aegle marmelos</i>	Indian bael	Peach.
<i>Anacardium occidentale</i>	Cashew	Oriental.
<i>Annona cherimola</i>	Cherimoya	Mexican, Oriental, Peach.
<i>Annona glabra</i>	Pond-apple	Sapote.
<i>Annona muricata</i>	Soursop	Melon, Oriental, Peach.
<i>Annona reticulata</i>	Custard apple, Annona	Melon, Mexican, Oriental, Peach.
<i>Annona squamosa</i>	Custard apple	Peach.
<i>Artocarpus altilis</i>	Breadfruit	Oriental.
<i>Artocarpus heterophyllus</i>	Jackfruit	Oriental.
<i>Averrhoa carambola</i>	Carambola, Country gooseberry	Oriental, West Indian.
<i>Benincasa hispida</i>	Melon, Chinese	Melon.
<i>Brassica juncea</i>	Mustard, leaf	Melon.
<i>Brassica oleracea</i> var. <i>botrytis</i>	Cauliflower	Melon.
<i>Brosimum alicastrum</i>	Ramon	West Indian.
<i>Byrsonima crassifolia</i>	Nance	Sapote.
<i>Calophyllum inophyllum</i>	Alexandrian-laurel, Laurel	Oriental.
<i>Cananga odorata</i>	Ylang-Ylang	Oriental.
<i>Capsicum annum</i>	Pepper, chili	Mediterranean, Melon, Oriental.
<i>Capsicum frutescens</i>	Pepper, tabasco	Mediterranean, Melon.
<i>Capsicum frutescens abbreviatum</i>	Oriental bush red pepper	Oriental.
<i>Capsicum frutescens</i> var. <i>grossum</i>	Pepper, sweet	Oriental.

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Botanical name	Common name(s)	Fruit fly
<i>Carica papaya</i>	Papaya	Mediterranean, Melon, Oriental, Peach.
<i>Carissa grandiflora</i>	Natal plum	Oriental.
<i>Carissa macrocarpa</i>	Natal plum	Mediterranean.
<i>Casimiroa edulis</i>	Sapote, white	Mediterranean.
<i>Casimiroa greggii</i> = <i>Sargentia greggii</i>	Sargentia, yellow chapote	Mexican.
<i>Casimiroa</i> spp	Sapote	Mexican.
<i>Cereus coerulescens</i>	Cactus	Oriental.
<i>Chrysophyllum cainito</i>	Star apple	Oriental, Sapote.
<i>Chrysophyllum oliviforme</i>	Caimitillo	Oriental.
<i>Citrofortunella japonica</i>	Orange, calamondin	Peach.
<i>Citrullus colocynthis</i>	Colocynth	Melon.
<i>Citrullus lanatus</i> = <i>Citrullus vulgaris</i>	Watermelon	Melon, Peach.
<i>Citrullus</i> spp	Melon	Melon.
<i>Citrus aurantiifolia</i>	Lime	Mediterranean, Mexican, ¹ Oriental, Peach.
<i>Citrus aurantium</i>	Orange, sour	Mediterranean, Mexican, Oriental, Peach.
<i>Citrus jambhiri</i>	Lemon, Rough	Mediterranean.
<i>Citrus latifolia</i>	Lime, Persian	Oriental.
<i>Citrus limon</i>	Lemon	Mediterranean, ² Mexican, ³ Oriental, Peach.
<i>Citrus limon</i> × <i>reticulata</i>	Lemon, Meyer	Mediterranean.
<i>Citrus madurensis</i> = <i>xCitrofortunella mitis</i>	Orange, Panama	Sapote.
<i>Citrus maxima</i> = <i>Citrus grandis</i>	Pummelo or Shaddock	Mediterranean, Mexican, Oriental, Peach.
<i>Citrus medica</i>	Citrus citron	Mediterranean, Mexican, Peach.
<i>Citrus paradisi</i>	Grapefruit	Mediterranean, Melon, Mexican, Oriental, Peach.
<i>Citrus reticulata</i>	Mandarin orange, tangerine	Mediterranean, Mexican, Oriental, Peach.
<i>Citrus reticulata</i> var. <i>Unshu</i>	Orange, Unshu	Mediterranean, Oriental.
<i>Citrus reticulata</i> × <i>C. sinensis</i> = <i>Citrus nobilis</i> .	Orange, king	Mediterranean, Melon, Oriental, Peach.
<i>Citrus reticulata</i> × <i>Fortunella</i>	Orange, calamondin	Mediterranean, Mexican, Oriental.
<i>Citrus sinensis</i>	Orange, sweet	Mediterranean, Melon, Mexican, Oriental, Peach.
<i>Citrus</i> spp	Citrus	Sapote.
<i>Clausena lansium</i>	Wampli	Oriental.
<i>Coccinia</i> spp	Gourds	Melon, Peach.
<i>Coccoloba uvifera</i>	Seagrape	Oriental.
<i>Coffea arabica</i>	Coffee, Arabian	Oriental.
<i>Crescentia</i> spp	Gourds	Melon, Peach.
<i>Cucumis melo</i> and <i>Cucumis melo</i> var. <i>Cantalupensis</i> .	Cantaloupe	Melon, Peach.
<i>Cucumis melo</i> var. <i>conomon</i>	Melon, oriental pickling	Melon.
<i>Cucumis pubescens</i> and <i>Cucumis trigonus</i> .	Cucurbit	Melon.
<i>Cucumis sativus</i>	Cucumber	Melon, Oriental, Peach.
<i>Cucumis utilisissimus</i>	Melon, long	Peach.
<i>Cucurbita maxima</i>	Squash	Melon.
<i>Cucurbita moschata</i>	Pumpkin, Canada	Melon.
<i>Cucurbita pepo</i>	Pumpkin	Melon.
<i>Cydonia oblonga</i>	Quince	Mexican, Mediterranean, Oriental, Peach, Sapote.
<i>Cyphomandra betaceae</i>	Tomato, tree	Melon.
<i>Diospyros digyna</i>	Black sapote	Sapote.
<i>Diospyros discolor</i>	Velvet apple	Oriental.
<i>Diospyros khaki</i>	Japanese persimmon	Mediterranean, Oriental.
<i>Diospyros</i> spp	Sapote	Sapote, West Indian.
<i>Dovyalis hebecarpa</i>	Kitebilla	Oriental, Sapote, West Indian.
<i>Dracena draco</i>	Dragon tree	Oriental.
<i>Elaeocarpus angustifolius</i>	Blue marletree; New Guinea quandong	Peach.
<i>Elaeocarpus grandiflorus</i>	Lily of the valley tree	Peach.
<i>Elaeocarpus madopetalus</i>	Ma-kok-nam	Peach.
<i>Eriobotrya japonica</i>	Loquat	Mediterranean, Oriental, Peach, West Indian.
<i>Eugenia brasiliensis</i> = <i>E. dombeyi</i>	Brazil-cherry, grumichama	Mediterranean, Oriental, Peach.
<i>Eugenia malaccensis</i>	Malay apple	Oriental.
<i>Eugenia uniflora</i>	Surinam cherry	Mediterranean, Oriental, Peach.
<i>Euphoria longan</i>	Longan	Oriental.
<i>Ficus benghalensis</i>	Fig, Banyan	Peach.
<i>Ficus carica</i>	Fig	Mediterranean, Melon, Oriental, Peach.
<i>Ficus macrophylla</i>	Fig, Moreton Bay	Peach.
<i>Ficus retusa</i>	Fig, glossy leaf	Peach.

Botanical name	Common name(s)	Fruit fly
<i>Ficus rubiginosa</i>	Fig, Port Jackson	Peach.
<i>Ficus</i> spp	Fig	Peach.
<i>Fortunella japonica</i>	Chinese Orange, Kumquat	Mediterranean, Oriental, Peach.
<i>Garcinia celebica</i>	Gourka	Oriental.
<i>Garcinia mangostana</i>	Mangosteen	Oriental.
<i>Grewia asiatica</i>	Phalsa	Peach.
<i>Jubaea chilensis</i> = <i>Jubaea spectabilis</i>	Syrup palm	Oriental.
<i>Juglans hindsii</i>	Walnut	Oriental.
<i>Juglans regia</i>	Walnut, English	Oriental.
<i>Juglans</i> spp	Walnut with husk	Mediterranean.
<i>Lablab purpureus</i> subsp. <i>purpureus</i> = <i>Dolichos lablab</i> .	Bean, hyacinth	Melon.
<i>Lagenaria</i> spp	Gourds	Melon, Peach.
<i>Luffa acutangula</i>	Gourd, ribbed or ridged, luffa	Peach.
<i>Luffa aegyptiaca</i>	Gourd, smooth luffa, sponge	Peach.
<i>Luffa</i> spp	Gourds	Melon, Peach.
<i>Luffa vulgaris</i>	Gourd	Peach.
<i>Lychee chinensis</i>	Lychee nut	Oriental
<i>Lycopersicon esculentum</i>	Tomato	Mediterranean, ⁴ Melon, Oriental, Peach.
<i>Madhuca indica</i> = <i>Bassia latifolia</i>	Mahua, mowra-buttertree	Peach.
<i>Malpighia glabra</i>	Cherry, Barbados	Oriental, West Indian.
<i>Malpighia puniceifolia</i>	West Indian cherry	Oriental.
<i>Malus sylvestris</i>	Apple	Mediterranean, Melon, Mexican, Oriental, Sapote, Peach.
<i>Mammea americana</i>	Mammy apple	Mexican, Oriental, Peach, Sapote.
<i>Mangifera foetida</i>	Mango, Bachang	Peach.
<i>Mangifera indica</i>	Mango	All.
<i>Mangifera odorata</i>	Kuine	Peach.
<i>Manilkara hexandra</i>	Sapodilla, balata	Peach.
<i>Manilkara jaimiqui</i> subsp. <i>emarginata</i>	Sapodilla, wild	Peach.
<i>Manilkara zapota</i>	Sapodilla, chiku	Oriental, Peach, Sapote, West Indian.
<i>Mimusops elengi</i>	Spanish cherry	Mediterranean, Oriental.
<i>Momordica balsamina</i>	Balsam apple, hawthorn	Peach.
<i>Momordica charantia</i>	Balsam pear, bitter melon	Peach.
<i>Momordica cochinchinensis</i>	Balsam apple, gac	Peach.
<i>Momordica</i> spp	Gourds	Melon, Peach.
<i>Morus nigra</i>	Mulberry	Oriental.
<i>Murraya exotica</i>	Mock orange	Mediterranean, Oriental.
<i>Musa</i> × <i>paradisiaca</i> = <i>Musa paradisiaca</i> subsp. <i>sapientum</i> .	Banana	Oriental.
<i>Musa acuminata</i> = <i>Musa nana</i>	Banana, dwarf	Oriental.
<i>Ochrosia elliptica</i>	Orange, bourbon	Peach.
<i>Olea europea</i>	Olive	Mediterranean.
<i>Opuntia ficus-indica</i> = <i>Opuntia megacantha</i> .	Prickly pear	Oriental.
<i>Opuntia</i> spp	Opuntia cactus	Mediterranean.
<i>Passiflora edulis</i>	Passionflower, passionfruit, yellow lilikoi	Melon, Oriental, West Indian.
<i>Passiflora laurifolia</i>	Lemon, water	Melon.
<i>Passiflora ligularis</i>	Granadilla, sweet	Oriental.
<i>Passiflora quadrangularis</i>	Granadilla, giant	West Indian.
<i>Passiflora tripartita</i> var. <i>mollissima</i>	Passionflower, softleaf	Oriental.
<i>Persea americana</i>	Avocado	Mediterranean, Melon, Mexican, Oriental, Peach, Sapote.
<i>Phaseolus lunatus</i> = <i>Phaseolus limensis</i>	Bean, lima	Melon.
<i>Phaseolus vulgaris</i>	Bean, mung	Melon.
<i>Phoenix dactylifera</i>	Date palm	Mediterranean, Melon, Oriental, Peach.
<i>Planchonia careya</i> = <i>Careya arborea</i>	Patana oak, kumbhi	Peach.
<i>Pouteria caimito</i>	Abiu	Sapote.
<i>Pouteria campechiana</i>	Eggfruit tree	Oriental, Sapote.
<i>Pouteria obovata</i>	Lucmo	Sapote.
<i>Pouteria viridis</i>	Sapote, green	Sapote.
<i>Prunus americana</i>	Plum, American	Mediterranean, Mexican, Oriental, Peach.
<i>Prunus armeniaca</i>	Apricot	Mediterranean, Mexican, Oriental, Peach.
<i>Prunus avium</i>	Sweet cherry	Mediterranean, Peach.
<i>Prunus cerasus</i>	Sour cherry	Mediterranean, Peach.
<i>Prunus domestica</i>	Plum, European	Mediterranean, Mexican, Oriental, Peach.
<i>Prunus dulcis</i> = <i>P. amygdalus</i>	Almond with husk	Mediterranean, Peach ⁵ .
<i>Prunus ilicifolia</i>	Cherry, Catalina	Oriental, Peach.
<i>Prunus lusitanica</i>	Cherry, Portuguese	Oriental, Peach.
<i>Prunus persica</i>	Peach	All.
<i>Prunus persica</i> var. <i>nectarine</i>	Nectarine	Mediterranean, Mexican, Oriental, Peach.

Botanical name	Common name(s)	Fruit fly
<i>Prunus salicina</i>	Japanese plum	Mediterranean, Mexican, Peach, West Indian.
<i>Prunus salicina</i> × <i>Prunus cerasifera</i>	Methley plum	Peach.
<i>Psidium cattleianum</i>	Strawberry guava, Cattley guava	Mediterranean, Melon, Oriental.
<i>Psidium cattleianum</i> var. <i>cattleianum</i> f. <i>lucidum</i> .	Yellow strawberry guava	Peach.
<i>Psidium cattleianum</i> var. <i>littorale</i>	Red strawberry guava	Oriental, West Indian, Peach.
<i>Psidium guajava</i>	Guava	All.
<i>Punica granatum</i>	Pomegranate	Mediterranean, Mexican, Oriental, Peach.
<i>Pyrus communis</i>	Pear	All.
<i>Pyrus pashia</i>	Kaeuth	Peach.
<i>Pyrus pyrifolia</i>	Pear, sand	Peach.
<i>Rhodomyrtus tomentosa</i>	Myrtle, downy rose	Oriental.
<i>Sandoricum koetjape</i>	Santol	Oriental.
<i>Santalum album</i>	Sandalwood, white	Oriental.
<i>Santalum paniculatum</i>	Sandalwood	Oriental.
Sapotaceae	Sapota, Sapodilla	Mexican.
<i>Sechium edule</i>	Chayote	Melon.
<i>Sesbania grandiflora</i>	Scarlet wisteria tree	Melon.
<i>Sicyes</i> sp	Cucumber, bur	Melon.
<i>Solanum aculeatissimum</i>	Nightshade	Peach.
<i>Solanum mauritanium</i> = <i>S. auriculatum</i> ..	Tobacco, wild	Peach.
<i>Solanum melongena</i>	Eggplant	Mediterranean, ⁶ Melon, Peach.
<i>Solanum muricatum</i>	Pepino	Oriental, Peach.
<i>Solanum pseudocapsicum</i>	Jerusalem cherry	Oriental, Peach.
<i>Solanum seaforthianum</i>	Nightshade, Brazilian	Peach.
<i>Solanum verbascifolium</i>	Nightshade, Mullein	Peach.
<i>Spondias dulcis</i> = <i>Spondias cytherea</i>	Otaheite apple, Jew plum	Oriental, West Indian.
<i>Spondias mombin</i>	Hog-plum	Sapote, West Indian.
<i>Spondias purpurea</i>	Red mombin	Sapote, West Indian.
<i>Spondias</i> spp	Spanish plum, purple mombin or Ciruela	Mexican.
<i>Spondias tuberosa</i>	Imbu	Oriental.
<i>Syzygium aquem</i>	Water apple, watery roseapple	Peach.
<i>Syzygium cumini</i>	Java plum, jambolana	Peach.
<i>Syzygium jambos</i> = <i>Eugenia jambos</i>	Rose apple	Mediterranean, Mexican, Oriental, Peach, West Indian.
<i>Syzygium malaccense</i> = <i>Eugenia malaccensis</i> .	Mountain apple, Malay apple	Mediterranean, Peach, West Indian.
<i>Syzygium samarangense</i>	Java apple	Peach.
<i>Terminalia bellirica</i>	Myrobalan, belleric	Peach.
<i>Terminalia catappa</i>	Tropical almond	Oriental, Peach.
<i>Terminalia chebula</i>	Myrobalan, black or chebulic	Mediterranean, Oriental, Peach.
<i>Thevetia peruviana</i>	Yellow oleander	Mediterranean, Oriental.
<i>Trichosanthis</i> spp	Gourds	Melon, Peach.
<i>Vaccinium</i> spp	Blueberry	Mediterranean.
<i>Vigna unguiculata</i>	Cowpea	Melon.
<i>Vitis</i> spp	Grapes	Mediterranean, Oriental.
<i>Vitis trifolia</i>	Grape	Melon.
<i>Wikstroemia phillyreifolia</i>	Akia	Oriental.
<i>Ziziphus mauritiana</i>	Chinese date, jujube	Peach.

¹ Sour limes are not regulated articles for Mexican fruit fly.
² Only yellow lemons are regulated articles for Mediterranean fruit fly.
³ Eureka, Lisbon, and Villa Franca cultivars (smooth-skinned sour lemon) are not regulated articles for Mexican fruit fly.
⁴ Only pink and red ripe tomatoes are regulated articles for Mediterranean fruit fly.
⁵ Harvested almonds with dried husks are not regulated articles for peach fruit fly.
⁶ Commercially produced eggplants are not regulated articles for Mediterranean fruit fly.

(b) Plants of the following species in the family Curcubitaceae are regulated articles for the melon fruit fly only:

- Cantaloupe (*Cucumis melo*)
- Chayote (*Sechium edule*)
- Colocynth (*Citrullus colocynthis*)
- Cucumber (*Cucumis sativus*)
- Cucumber, bur (*Sicyes* spp.)
- Cucurbit (*Cucumis pubescens* and *C. trigonus*)
- Cucurbit, wild (*Cucumis trigonus*)

- Gherkin, West India (*Cucumis angaria*)
- Gourds (*Coccinia*, *Crescentia*, *Lagenaria*, *Luffa*, *Momordica*, and *Trichosanthis* spp.)
- Gourd, angled luffa (*Luffa acutangula*)
- Gourd, balsam apple (*Momordica balsamina*)
- Gourd, ivy (*Coccinia grandis*)
- Gourd, kakari (*Momordica dioica*)
- Gourd, serpent cucumber (*Trichosanthis anguina*)
- Gourd, snake (*Trichosanthis cucumeroides*)
- Gourd, sponge (*Luffa aegyptiaca*)
- Gourd, white flowered (*Lagenaria siceraria*)

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Melon, Chinese (*Benincasa hispida*)
Melon, long (*Cucumis utilissimus*)
Pumpkin (*Cucurbita pepo*)
Pumpkin, Canada (*Cucurbita moschata*)
Squash (*Cucurbita maxima*)
Watermelon (*Citrullus lanatus* = *Citrullus vulgaris*)

(c) Soil within the dripline of the plants listed in paragraph (b) of this section or plants that are producing or have produced any article listed in paragraph (a) of this section.

(d) Any other product, article, or means of conveyance not listed in paragraphs (a), (b), or (c) of this section that an inspector determines presents a risk of spreading fruit flies, when the inspector notifies the person in possession of the product, article, or means of conveyance that it is subject to the restrictions of this subpart.

[73 FR 34232, June 9, 2008, as amended at 75 FR 12962, Mar. 18, 2010]

§ 301.32-3 Quarantined areas.

(a) *Designation of quarantined areas.* In accordance with the criteria listed in paragraph (c) of this section, the Administrator will designate as a quarantined area each State, or each portion of a State, in which a fruit fly population subject to the regulations in this subpart has been found by an inspector, or in which the Administrator has reason to believe that a fruit fly population is present, or that the Administrator considers necessary to quarantine because of its inseparability for quarantine enforcement purposes from localities in which a fruit fly population has been found. The Administrator will publish the description of the quarantined area on the Plant Protection and Quarantine Web site, http://www.aphis.usda.gov/plant_health/plant_pest_info/fruit_flies/index.shtml. The description of the quarantined area will include the date the description was last updated and a description of the changes that have been made to the quarantined area. The description of the quarantined area may also be obtained by request from any local office of PPQ; local offices are listed in telephone directories. After a change is made to the quarantined area, we will publish a notice in the FEDERAL REGISTER informing the public that the

change has occurred and describing the change to the quarantined area.

(b) *Designation of an area less than an entire State as a quarantined area.* Less than an entire State will be designated as a quarantined area only if the Administrator determines that:

(1) The State has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are equivalent to those imposed by this subpart on the interstate movement of regulated articles; and

(2) The designation of less than the entire State as a quarantined area will prevent the interstate spread of the fruit fly.

(c) *Criteria for designation of a State, or a portion of a State, as a quarantined area.* A State, or a portion of a State, will be designated as a quarantined area when a fruit fly population has been found in that area by an inspector, when the Administrator has reason to believe that the fruit fly is present in that area, or when the Administrator considers it necessary to quarantine that area because of its inseparability for quarantine enforcement purposes from localities in which the fruit fly has been found.

(d) *Removal of a State, or a portion of a State, from quarantine.* A State, or a portion of a State, will be removed from quarantine when the Administrator determines that sufficient time has passed without finding additional flies or other evidence of infestation in the area to conclude that the fruit fly no longer exists in that area.

§ 301.32-4 Conditions governing the interstate movement of regulated articles from quarantined areas.

Any regulated article may be moved interstate from a quarantined area² only if moved under the following conditions:

(a) With a certificate or limited permit issued and attached in accordance with §§ 301.32-5 and 301.32-8;

(b) Without a certificate or limited permit if:

(1) The regulated article originated outside the quarantined area and is either moved in an enclosed vehicle or is

²Requirements under all other applicable Federal domestic plant quarantines and regulations must also be met.