(y) **Leaves.** Whole, undivided tobacco leaves containing lamina and stem.

(z) **Strips.** The sides (including portions of sides) of tobacco leaf from which the stem has been removed or a lot of tobacco composed of strips.

§ 29.402 **Advance notice.**

The importer shall notify, orally or in writing, the Raleigh Regional Office, USDA, AMS, Tobacco Division, P.O. Box 27846, Raleigh, North Carolina 27611, or the Lexington Regional Office, USDA, AMS, Tobacco Division, 333 Waller Avenue, Lexington, Kentucky 40504, of the date and location that tobacco subject to inspection under § 29.400 will be unloaded for warehousing, manipulation, or manufacturing. This notice shall be received at the Regional Office at least five working days prior to unloading the tobacco for warehousing, manipulation, or manufacturing.

§ 29.403 **Accessibility of tobacco.**

All tobacco subject to inspection under § 29.400 shall be made accessible by the importer for examination in a manner prescribed by the inspector. This includes providing proper lighting, removal of package coverings, and such other provisions as the inspector may deem necessary for inspection.

§ 29.404 **Inspection.**

The inspector shall review each lot of tobacco through a process of selective sampling in sufficient detail to allow an accurate determination of the types and grades contained in each lot.

§ 29.405 **Inspection by submitted samples.**

The Director, in lieu of onsite inspection, may approve submission by the importer of samples where time, geographical distance, or availability of inspectors prevent a timely onsite inspection, or where tobacco is classified as a “temporary importation under bond” as defined in 19 CFR 10.31 et seq. The importer shall certify that sampling was conducted in accordance with procedures approved by the Director. All tobacco inspected by submitted sample is subject to spot-checking at the discretion of the Director. Submitted samples shall be disposed of in a manner approved by the Director unless return of the sample is requested by the importer at the time of submission. Samples will only be returned at the importer’s expense.

§ 29.406 **Import inspection certificate.**

An import inspection certificate shall consist of a certificate issued by the Tobacco Division in a form approved by the Director. A certificate shall be issued to the importer as soon as practicable following the completion of inspection. A separate certificate shall be issued for each lot of tobacco. In case of a lost or destroyed certificate, a duplicate may be issued under the same number, date, and name by an authorized official. Duplicate certificates shall be plainly marked “Duplicate” above the signature of the supervising official who issued it.

§ 29.407 **Disposition of import inspection certificate.**

The inspector shall provide the importer with the original portion of the certificate and forward the first copy to the Director and the second copy to the appropriate Regional Office. The importer shall retain the original inspection certificate until the lot inspected has been sold, manufactured into products or exported from the United States.

§ 29.425 **Submission and disposition of pesticide residues and end user(s) certification.**

(a) Completion of certification: The importer shall complete a pesticide residue and end user(s) certification on a form approved by the Director for each lot of flue-cured or burley tobacco, including stems, offered for importation. If the importer is unable to identify the end user(s) or purchasers
§ 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
- **DIBROMOCHLOROPROPANE (DBCP)** ................................ 1.0
- **ETHYLENE DIBROMIDE (EDB)** .................................... 0.1
- **FORMOTHION** .................................................. 0.5
- **HEXACHLOROBENZENE (HCB)** ...................................... 0.1
- **METHOXYCHLOR** ............................................. 0.1
- **TOXAPHENE** ................................................... 0.3
- **2,4-D (Temporary)** ........................................... 5.0
- **2,4-D (Temporary)** ........................................... 0.1
- **Sum of ALDRIN and DIELDRIN** .................................. 0.1
- **Sum of CYPERMETHRIN and PERMETHRIN** ....................... 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