

B. E. P. Q. 529
(Supersedes B.E.P.Q. 499 and its
various supplements)

Effective September 10, 1943

TITLE 7--AGRICULTURE
AGRICULTURAL RESEARCH ADMINISTRATION
CHAPTER III--BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE
PART 301--DOMESTIC QUARANTINE NOTICES

TREATMENTS USED AS A BASIS OF CERTIFICATION UNDER JAPANESE BEETLE QUARANTINE

The quarantine on account of the Japanese beetle and regulations supplemental thereto provide that treatments which give appropriate safeguards may be used as a basis of certifying products regulated under the quarantine. Many different materials and procedures may be used to remove or make innocuous infestations of the Japanese beetle that may be in the products offered for movement. The effectiveness of these various materials and procedures differs with the product, the season of the year, and climatic conditions that may exist when they are applied. Because of this wide variation, and in order to permit the freest possible use of the various treatments and to take advantage of new facts as promptly as they are developed, it is desirable that modification be made in the system followed in the past of delaying use of specific treatments until they have been formally authorized. Inspectors will be currently instructed on the treatments that may be used as a basis of certification. They will also be instructed on their range of applicability, the exact details on the dosage, exposure interval, temperature, and other requirements needed to assure elimination of infestation, as well as data on the reaction of commodities to treatments when these are available. The instructions here issued give general information about the treatments, the uses of which are authorized.

All treatments must be made under the observation of a Department inspector, who will ascertain that all treatment requirements have been met and then issue certification for shipment, provided the materials are protected from reinfestation as may be required.

Treatments have been determined on the basis of their efficiency in destroying Japanese beetle infestations. These treatments have had limited tests with respect to injury to plants or products that may be thus treated, and injury may occur to some plant materials. It is therefore understood that no liability shall attach either to the U. S. Department of Agriculture or to any of its employees in the event of injury to either plants or products. In the absence of available information as to injury, the owner should ascertain information as to possible injury to a specific lot of plant products by making test treatments of small lots in advance of applying the treatment to large lots.

The inspector's relation to treatments that may be applied as a basis for certification of any material restricted by the quarantine is to supply full information concerning them and to see that the work is carried out as required to assure elimination of infestation. The owner or shipper should recognize this and understand that he is to furnish the equipment and materials used for applying the treatments which are carried out under the

observations of the inspector. The owner or shipper must assume all risk of injury to the equipment and responsibility for personal injuries to all individuals other than Department employees.

§ 301.48b Administrative instructions to inspectors on treatments used as a basis of certification under the Japanese beetle quarantine.

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.48, and §§ 301.48-5-6-7, Chapter III, Title 7, Code of Federal Regulations [Quarantine No. 48 and Regulations 5, 6, and 7 of the Rules and Regulations supplemental thereto], inspectors are authorized to certify regulated articles when treated under their observation in accordance with instructions issued to them. Treatments are provided for four classes, as follows:

1. Treatment of Soil in Absence of Plants. Any surface soil or soil in bulk may be treated, provided it is friable, and provided the treating material can be applied safely and under conditions which will assure that various stages of the Japanese beetle that may be included in such soil will be rendered innocuous. The following kinds of materials may be used in applying such treatment: Carbon disulphide; lead arsenate; methyl bromide; methyl bromide solution; and naphthalene.

2. Treatment of Soil About Roots of Plants before Digging. Soil of any type may be treated, provided it is friable and provided the treatment can be applied so as to render stages of the Japanese beetle on parts of soil that may adhere to roots of the plant innocuous. The following materials may be used in such treatments: Carbon disulphide; lead arsenate; and methyl bromide.

3. Treatment of Soil About Roots of Plants After Digging. Soil of any type may be treated, provided it is friable, and provided that conditions under which the treating material is used will render stages of the Japanese beetle that may be in the soil innocuous. The use of the following materials for such treatments is authorized: Carbon disulphide; hot water; paradichlorobenzene; methyl bromide; and ethylene dichloride.

4. Treatment of Fruits and Vegetables. Fruits and vegetables may be treated with fumigants under conditions that will assure that any stages of the Japanese beetle that may be included in the product are rendered innocuous. In applying these treatments it is important that the chamber in which the treatment is applied is constructed in a manner to assure that the fumigant will be effective. The following materials may be used for fumigation: Carbon disulphide; ethylene oxide; methyl bromide; hydrocyanic acid gas; and calcium cyanide.

This revision of § 301.48b [B.E.P.O. 499, as amended] supersedes all previous instructions to inspectors on the treatment of plants, fruits, vegetables, and soils under the Japanese beetle quarantine.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR § 301.48 and §§ 301.48-5-6-7)

Information in reference to approved treatments will be supplied to pest control officials and interested parties by inspectors or may be obtained by addressing inquiries to:

U. S. Department of Agriculture
Bureau of Entomology and Plant Quarantine
503 Main Street
East Orange, New Jersey

Done at Washington, D. C., this 4th day of September 1943.

P. N. ANNAND,
Chief

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