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B. E. P. Q.--402

June 13, 1936.

PLANT-QUARANTINE IMPORT RESTRICTIONS
OF THE
REPUBLIC OF AUSTRIA



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PLANT-QUARANTINE IMPORT RESTRICTIONS
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REPUBLIC OF AUSTRIA

This summary of the plant-quarantine import restrictions of the Republic of Austria has been prepared for the information of nurseryment, plant-quarantine officials, and others interested in the exportation of plant products to that country.

It was prepared by Harry B. Shaw, Plant Quarantine Inspector, in Charge of Foreign Information Service, Division of Foreign Plant Quarantines, from his translations of the original texts of regulations promulgated to prevent the introduction into Austria of phylloxera, San Jose scale, the apple maggot or fruit fly, Colorado potato beetle, potato wart, and other injurious insects and diseases.

The information contained in this circular is believed to be correct, but it is not intended to be interpreted as legally authoritative.

LEE A. STRONG,
Chief, Bureau of Entomology and Plant Quarantine.

SUMMARY OF THE PLANT-QUARANTINE IMPORT RESTRICTIONS
OF THE REPUBLIC OF AUSTRIA

OBJECTS OF AUSTRIAN PLANT QUARANTINE RESTRICTIONS

The plant quarantine restrictions of the Republic of Austria are designed to prevent the introduction into, and distribution in, Austria of phylloxera (Phylloxera vastatrix vitifoliae Fitch), San Jose scale (Aspidiotus perniciosus Comst.), apple maggot or fruit fly (Rhagoletis pomonella Walsh), Colorado potato beetle (Leptinotarsa Doryphora decemlineata Say), potato wart (Chrysophlyctis endobiotica Syn. Synchytrium endobioticum (Schilb.) Perc.), and of other injurious insects and diseases.

BASIC LAWS

International Phylloxera Convention of November 3, 1881, (R. G. Bl. No. 105 of 1882).

Customs Law of June 10, 1920, article 2, (St. G. Bl. No. 250, 1920).

Federal Law of July 12, 1929, part II, articles 12 and 13, (B. G. Bl. No. 252, 1929).

CONCISE SUMMARY

Importation Prohibited

GRAPEVINE STOCKS and all parts of the grapevine, as well as composts, used props and supports, phylloxera eggs and live insects: Importation prohibited from any country to prevent introduction of phylloxera. (International Phylloxera Convention of Nov. 3, 1881; Ministerial decrees of July 15, 1882, May 1, 1883, Jan. 24, 1890, and Nov. 8, 1896.) See page 4.

PLANTS AND PLANT PRODUCTS attacked by injurious plant pests and diseases: Importation and transit prohibited. (Decree of July 18, 1932, art. 1; B. G. Bl. 222, 1932.) See pages 5 & 6.

POTATOES, ROOTED PLANTS WITH SOIL, BULBS, TUBERS, RHIZOMES, AND CORMS, TOMATOES, EGGPLANTS, and STRAWBERRIES, previously used packing material, earth, and manure, from the United States, Belgium, and Continental Europe: Importation prohibited throughout the year. (Decree of July 18, 1932, as amended by that of Dec. 19, 1935; B. G. Bl. 222, 1932; see arts. 11 and 14, p. 8.)

FRESH POTATOES: Importation and transit prohibited from countries in which wart disease occurs, to prevent the introduction and spread of that disease. (Decree of Jan. 9, 1930, art. 1; B. G. Bl. No. 25, 1930.)

Importation Restricted

PLANTS, SHRUBS, AND OTHER CULTURES, including scions, cuttings, etc.: Importation permitted if shipment is accompanied by a shipper's declaration and a certificate affirming freedom from phylloxera in the prescribed form. (International Phylloxera Convention of Nov. 3, 1881, and Ministerial decrees of July 15, 1882, May 1, 1883, Jan. 24, 1890, and Nov. 8, 1896.) See page 4.

FRUIT TREES AND BERRY-BEARING SHRUBS (deciduous), and OTHER DECIDUOUS TREES AND SHRUBS, including stocks, scions, and cuttings: Importation permitted if shipment accompanied by a phytosanitary certificate and a disinfection certificate, to prevent the introduction of San Jose scale and other injurious pests and diseases. (Decree of July 18, 1932, art. 5; B. G. Bl. 222, 1932.) See page 6.

PLANTS OTHER THAN THOSE INDICATED IN THE PRECEDING ITEM: Shipments must be accompanied by an inspection certificate affirming freedom from San Jose scale and other injurious pests and diseases. (Decree of July 18, 1932, art. 6; B. G. Bl. 222, 1932.) See page 7.

PLANTS WITH BALLS OF EARTH: Importation and transit permitted of shipments from the United States, Canada, and France (not including Corsica and French overseas colonies) if accompanied by certificates affirming not only freedom from San Jose scale, but also from the Colorado beetle and other injurious insects. (Decree of July 18, 1932, art. 6 (2); B. G. Bl. 222, 1932.) See page 7.

VEGETABLES AND TRUCK CROPS, other than potatoes, tomatoes, eggplants, and strawberries, may be imported from the United States, Belgium, and Continental European France from November 15 to March 14 only. (Decree of July 18, 1932, as amended by that of Dec. 19, 1935; see arts. 12 and 16, pp. 8 & 9.)

FRESH APPLES AND PEARS: Importation permitted from any country only when certified as free from San Jose scale and apple fruit fly. (Decree of July 18, 1932, art. 8; B. G. Bl. 222, 1932.) See page 7.

FRESH POTATOES grown in south European and north African countries and islands may be transported through France for importation into Austria if accompanied by a phytosanitary certificate and certificate of origin (Decree of July 18, 1932, art. 11 (3); B. G. Bl. 222, 1932.)

POTATOES, EGGPLANTS, AND TOMATOES FROM FRANCE: Importation and transit permitted under certification of freedom from Colorado potato beetle. (Decree of June 15, 1929: B. G. Bl. 206, 1929.)

FRESH POTATOES FROM COUNTRIES IN WHICH WART DOES NOT OCCUR: Importation and transit permitted under prescribed conditions if certified as to origin and freedom from wart and other injurious diseases. (Decree of Jan. 9, 1930, art. 2; B. G. Bl. 25, 1930.)

SEED POTATOES: Importation by rail permitted from any country not infested with Colorado potato beetle under certificate of origin and health and guaranty that they are select seed potatoes. (Decree of Jan. 9, 1930, art. 4; B. G. Bl. 25, 1930.)

Importation Unrestricted

CUT FLOWERS, SEEDS, BULBS, FRUITS (EXCEPT GRAPES, APPLES, AND PEARS), AND VEGETABLES: Importation and transit unrestricted. (International Phylloxera Convention of Nov. 3, 1881, and Ministerial decrees of July 15, 1882; May 1, 1883; Jan. 24, 1890, and Nov. 8, 1896. See also Decree of July 18, 1932, art. 8.) See page 5.

CUT FLOWERS, FRESH FRUITS (EXCEPT GRAPES, APPLES, AND PEARS), AND OTHER FRUITS, PRESERVED OR DRIED FRUITS, VEGETABLES, ROOTCROPS, TUBERS (POTATOES), BULBS, RHIZOMES, AND OTHER SUBTERRANEAN PLANTS, AS WELL AS SEEDS, are not affected by articles 5 to 9 of the Decree of July 18, 1932. (See art. 10 of that decree.) See page 7.

DRIED OR PROCESSED PLANT PRODUCTS: Importation and transit not affected by articles 11 to 13 of Decree of July 18, 1932. (Art. 10 of that decree and art. 3 of the decree of June 15, 1929.) See pages 7 & 8.

RESTRICTIONS ON ACCOUNT OF PHYLLOXERA

Based upon the International Phylloxera Convention of Berne, November 3, 1881, the following restrictions were promulgated by the Ministerial Decrees of July 15, 1882, May 1, 1883, January 24, 1890, and November 8, 1896.

Importation and Transit of Grapevines Prohibited

The importation into and transit through Federal territory is prohibited from any country of:

Grapevines, including stocks and cuttings, with or without roots;
Grapevine stems, dry or fresh, whole or parts, leaves;
Any shipment containing leaves or stems of grapevines;
Composts, used props or supports, phylloxera eggs or live insects.

Importation and Transit of Table Grapes Permitted

The importation and transit are permitted of table grapes in well-packed boxes, cases, or baskets, as well as in barrels of any size, which are easy to open for inspection, if free from grapevine stems and leaves.

Importation of Plants and Parts Thereof Permitted under Restriction

Shipper's Declaration and Phylloxera Certificate Required

Plants, shrubs, and other cultures, including scions, cuttings, etc., from nurseries, gardens, greenhouses, hotbeds, orangeries, etc., except the grapevine, may be imported under the following conditions:-

1. Those products must be securely packed in such a manner that the necessary inspections can be made;
2. Each consignment must be accompanied by a shipper's declaration furnishing the following data--
 - (a) Affirming that the entire contents of the consignment are from his establishment;
 - (b) Indicating the destination and the address of the consignee;
 - (c) Affirming that the consignment contains no grapevines;

- (d) Indicating whether or not the consignment includes plants with earth on the roots;
 - (e) Bearing the signature of the shipper.
3. Each consignment must be accompanied also by an inspection certificate issued by a competent authority of the country of origin certifying--
- (a) That the plants are from ground separated from any grapevine stocks by at least 20 meters, or by some obstacle to the roots deemed sufficient by competent authority;
 - (b) that the ground itself contains no grapevines;
 - (c) that the place has not been used as a depot for grapevines;
 - (d) that if stocks infested with phylloxera have been grown there, their complete extirpation has been effected by repeated toxic applications and investigations for a period of three years, insuring the total destruction of these insects and of roots.

Cut Flowers, Seeds, Bulbs, Fruits (except grapes), and Vegetables, Importation and Transit Unrestricted

The importation and transit of cut flowers, seeds, and bulbs free from earth, grape seeds, wine, fruits of any kind (except grapes), and vegetables is unrestricted by the phylloxera regulations and entry may be made through any customs port of entry. (See also art. 8, decree of July 18, 1932, on apples and pears, p. 7.)

GENERAL RESTRICTIONS ON THE IMPORTATION OF PLANTS AND PLANT PRODUCTS

The following restrictions upon the importation into, and transit through, the Federal territory of Austria were imposed by decree No. 222 of the Federal Minister of Agriculture and Forestry in cooperation with the Minister of Finance, of July 18, 1932 (B. G. Bl. No. 222 of 1932) as amended by decree No. 483, effective January 1, 1936 (B. G. Bl. No. 131, Dec. 19, 1935), on the basis of Article 2 of the Customs Law of June 10, 1920 (St. G. Bl. No. 250 of 1920), and of article 12 of the Plant Protection Law of July 12, 1929 (B. G. Bl. No. 252 of 1929).

Shipments Attacked by Plant Pests or Diseases
Importation Prohibited

Article 1. The importation into, or transit through, Austrian Federal territory is prohibited of shipments of any kind, from foreign countries, which are attacked by an injurious plant pest or disease, and which may cause the introduction of such a pest or disease.

Arts. 2 and 3 prescribe that all plant quarantine requirements shall be met at the frontier port of entry and provide for the inspection of shipments from foreign countries.

SPECIAL REGULATIONS
CONCERNING PARTICULAR PLANT PESTS AND DISEASES

Potato Wart and Phylloxera

Art. 4. Prescribes that the special provisions for protection against potato wart and phylloxera shall not be affected by this decree.

San Jose Scale and Apple Fruit Fly

Inspection Certificate and Disinfection Required

Art. 5. (1). The importation from any country into Federal territory of deciduous fruit trees and berry-bearing shrubs, as well as of other deciduous trees and shrubs, including stocks, slips, cuttings, and scions thereof, is permissible only when each shipment--

- (1) Is accompanied by a certificate issued by the official plant protection service of the exporting country, declaring that: (a) Upon inspection it has been found free from injurious plant pests and diseases; and (b) in the exporting country an effective disinfection with hydrocyanic acid gas was carried out, in connection with which each plant or package (bale, basket, packet, etc.) was provided with a seal of the official plant protection service (the impression of which is to be borne by the certificate) in such a manner that a substitution of the plants for others is precluded, and
- (2) The shipment corresponds to those conditions

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Certificates Required with Plants
Other Than Those Mentioned in Article 5, (1)

Art. 6, (1). Without prejudice to the exception in article 10, each shipment of living plants and parts of plants, other than those indicated in article 5 (1), must be accompanied by a certificate issued by the plant protection service of the exporting country, affirming that upon inspection they were found free from San Jose scale and other injurious pests and diseases.

(2) However, shipments of rooted plants and parts of plants with balls of earth fall also under the provisions of article 12.

Importation by Rail, Water, and Mail Permitted

Art. 7. The importation of shipments of all the kinds referred to in articles 5 and 6 is permitted by rail, water, and mail only.

Inspection Certificate Required for Apples and Pears

Art. 8. The importation of apples, pears, and refuse or waste from those fruits, from any country into Federal territory, is permissible only when each shipment is accompanied by a certificate issued by the plant inspection service of the country of origin, affirming that, upon inspection, they were found free from San Jose scale (Aspidiotus perniciosus), and apple fruit fly or maggot (Rhagoletis pomonella).

Transit Restrictions

Art. 9. (1) The provisions of articles 5-(1), 6, 7, and 8 apply also to transit traffic through Federal territory.

(2) The transit of shipments of the kinds indicated in articles 5, 6, and 8, which when effected by rail, ship, or mail, is exempt from the special import restrictions when such shipments are transported in closed undamaged containers or wrappers, or in sealed cars on a through bill of lading from one foreign country to another.

Unrestricted Products

Art. 10. The traffic restrictions of articles 5 to 9 do not apply to cut flowers, fresh fruits (other than apples and pears),

and other fruits, preserved fruits, dried fruits, vegetables, root crops, tubers (potatoes), bulbs, rhizomes, and other subterranean parts of plants, as well as seeds.

RESTRICTIONS ON ACCOUNT OF THE COLORADO POTATO BEETLE

Importation Prohibited of Subterranean Plant Parts, including potatoes, also of tomatoes, eggplants, and strawberries, from United States, Canada, Belgium, and Continental European France

Art. 11. The importation and transit of fresh potatoes, rooted plants (parts of plants) with balls of earth, bulbs, tubers, rhizomes, and corms, as well as tomatoes, eggplants, and strawberries from certain countries, to be named (see art. 16), that are already invaded by the Colorado beetle or menaced by it, into or through the Federal territory is prohibited throughout the year.

Art. 12. The importation and transit of other vegetables and truck crops from the above-named countries into or through the Federal territory is for the present permitted only from November 15 to March 14.

Art. 13. The importation and transit of shipments of the kinds indicated in articles 11 and 12, which are only transported in transit through the countries referred to in article 11, but which do not originate there, are permitted into or through the Federal territory without regard to the provisions of the potato wart law and the decree promulgated thereunder, for the present only from November 15 to March 14 and on condition that their origin is apparent from the freight documents or from a phytosanitary certificate of origin issued by the plant protection service of the country of origin or a special declaration of a customs authority of a railroad or port.

Previously used Packing Materials, Earth, and Manure Entry and Transit Prohibited

Art. 14. Wrappers and materials of any kind which have served for packing or storing the products, or refuse thereof, referred to in articles 11 and 12, leaves and other refuse (peelings), as well as earth, manure, and compost, from the countries named in article 16, are excluded from entry into, and transit through, the Federal territory.

Dried or Processed Plant Products
Importation and Transit not Restricted

Art. 15. The traffic restrictions of articles 11 to 13 do not apply to shipments of dried products and processed foods, such as dried potatoes, potato flour, canned tomatoes, and vegetables, etc.

Countries in which Colorado Beetle Occurs

Art. 16. As countries (localities) which are now infested by the Colorado potato beetle (art. 11), the United States of North America, Canada, Belgium, and Continental European France are so declared.

When necessary, the foregoing regulations may be extended to other countries that may become infested or menaced by that pest.

Clearance of Transit Shipments

Art. 17. Any shipment affected by this decree, which is intended by the shipper for transit, may be cleared through the customs in the Federal territory only when it is treated, in accordance with the corresponding kind of shipment among those mentioned in articles 5, 6, 8, 12, and 13, and the above-described certificate, or an import permit, may be produced in particular cases for such a shipment.

Certificate Required in German
and in the Language of Country of Origin

Art. 18. (1) The official certificate prescribed in this decree must be furnished both in the language of the country of origin and in German, or be provided with a certified translation in German. The date of the certificate shall not be more than three weeks prior to the date of shipment.

Diversion of Shipments to Prevent Introduction
of San Jose Scale and Apple Fruit Fly

Art. 19. The Federal Ministry of Agriculture and Forestry may divert the entry and transit of shipments governed by the preceding regulations, if through them an introduction of San Jose scale or apple fruit fly is to be apprehended.

Art. 20. Penalties.

Art. 21. Revocation of earlier decrees.

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