

this subpart, other than for the services of the inspector.

Subpart O—Witchweed

QUARANTINE AND REGULATIONS

§ 301.80 Quarantine; restriction on interstate movement of specified regulated articles.

(a) *Notice of quarantine.* Under the authority of sections 411, 412, 414, and 434 of the Plant Protection Act (7 U.S.C. 7711, 7712, 7714, and 7754), the Secretary of Agriculture quarantines the States of North Carolina and South Carolina in order to prevent the spread of witchweed (*Striga* spp.), a parasitic plant that causes a dangerous disease of corn, sorghum, and other crops of the grass family and is not widely prevalent or distributed within and throughout the United States. Through the aforementioned authorities, the Secretary imposes a quarantine on the States of North Carolina and South Carolina with respect to the interstate movement from those States of regulated articles, issues regulations in this subpart governing the movement of such articles, and gives notice of this quarantine action.

(b) *Quarantine restrictions on the interstate movement of regulated articles.* No common carrier or other person shall move interstate from any quarantined State any regulated articles, except in accordance with the conditions prescribed in this subpart.

(c) *List of regulated articles.* The Deputy Administrator has determined that certain articles present a hazard of spread of witchweed. A list of all such regulated articles is found on the internet at www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/SA_Weeds/SA_Noxious_Weeds_Program. Lists of all regulated articles may also be obtained by request from any local Plant Protection and Quarantine (PPQ) office; local offices are listed in telephone directories and on the internet at www.aphis.usda.gov/aphis/ourfocus/planthealth/ppq-program-overview/sphd.

(d) *Normal process for designating additional regulated articles.* (1) If the Deputy Administrator determines that an

article not already listed at www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/SA_Weeds/SA_Noxious_Weeds_Program presents a hazard of spread of witchweed, APHIS will publish a notice in the FEDERAL REGISTER proposing to designate the article as a regulated article for witchweed. The notice will provide the basis for this determination, and will request public comment.

(2) If no comments are received on the notice, or if the comments do not change the Deputy Administrator's determination, APHIS will publish a second notice in the FEDERAL REGISTER designating the article as a regulated article for witchweed and listing it.

(e) *Immediate designation of regulated articles.* An inspector may designate any other article, product, or means of conveyance as a regulated article, if the inspector determines that it presents a hazard of spread of witchweed, and after the person in possession of the article has been so notified.

[87 FR 80011, Dec. 29, 2022]

§ 301.80–1 Definitions.

Terms used in the singular form in this subpart shall be deemed to import the plural, and vice versa, as the case may demand. The following terms, when used in this subpart, shall be construed, respectively, to mean:

Certificate. A document issued or authorized to be issued under this subpart by an inspector to allow the interstate movement of regulated articles to any destination.

Compliance agreement. A written agreement between a person engaged in growing, handling, or moving regulated articles, and the Plant Protection and Quarantine Programs, wherein the former agrees to comply with the requirements of this subpart identified in the agreement by the inspector who executes the agreement on behalf of the Plant Protection and Quarantine Programs as applicable to the operations of such person.

Deputy Administrator. The Deputy Administrator of the Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, or any