

§ 301.75-3

7 CFR Ch. III (1-1-01 Edition)

subsequently be moved interstate into any commercial citrus-producing area.

[55 FR 37450, Sept. 11, 1990; 55 FR 48208, Nov. 19, 1990]

§ 301.75-3 Regulated articles.

(a) Plants or plant parts, including fruit and seeds, or any of the following: All species, clones, cultivars, strains, varieties, and hybrids of the genera Citrus and Fortunella, and all clones, cultivars, strains, varieties, and hybrids of the species Clausena lansium and Poncirus trifoliata. The most common of these are: lemon, pummelo, grapefruit, key lime, persian lime, tangerine, satsuma, tangor, citron, sweet orange, sour orange, mandarin, tangelo, ethrog, kumquat, limequat, calamondin, trifoliate orange, and wampi.

(b) Grass, plant, and tree clippings.

(c) Any other product, article, or means of conveyance, of any character whatsoever, not covered by paragraph (a) of this section, when it is determined by an inspector that it presents a risk of spread of citrus canker and the person in possession thereof has actual notice that the product, article, or means of conveyance is subject to the provisions of this subpart.

[50 FR 51231, Dec. 13, 1985, as amended at 54 FR 12180, Mar. 24, 1989. Redesignated and amended at 55 FR 37450, Sept. 11, 1990]

§ 301.75-4 Quarantined areas.

(a) The following States or portions of States are designated as quarantined areas:

FLORIDA

Broward and Dade Counties. That portion of the counties bounded by a line drawn as follows: Beginning at the intersection of the shoreline of the Atlantic Ocean and the Broward/Palm Beach County line; then west along the Broward/Palm Beach County line to the eastern boundary of the Loxahatchee Conservation Area; then south along the eastern boundary of the Loxahatchee Conservation Area to the Sawgrass Expressway; then south along the Sawgrass Expressway to Interstate Highway 75; then north along Interstate Highway 75 to U.S. Highway 27; then south along U.S. Highway 27 to the Florida Turnpike Homestead Extension; then south along the Florida Turnpike Homestead Extension to NW 58th Street; then west along NW 58th Street to Krome Avenue (NW 177th Avenue); then south along Krome Ave-

nue (NW and SW 177th Avenue) to U.S. Highway 41 (Tamiami Trail); then west along U.S. Highway 41 (Tamiami Trail) to sec. 11, 14, 23, 26, 35, and lot 2, T. 54, R. 38; then south along sec. 11, 14, 23, 26, 35, and lot 2, T. 54, R. 38, to sec. 2 and 11, T. 55, R. 38; then south along sec. 2 and 11, T. 55, R. 38, to SW 197th Avenue; then south along SW 197th Avenue to SW 152nd Street; then west along SW 152nd Street to the L-31N Canal; then south and west along the L-31N Canal to the shoreline of the Florida Bay; then east along the shoreline of the Florida Bay to the shoreline of the Atlantic Ocean; then north along the shoreline of the Atlantic Ocean to the point of beginning.

Collier County. That portion of the county bounded by a line drawn as follows: Beginning at the intersection of State Highway 29 and County Road 858; then west along County Road 858 to sec. 13, T. 48 S., R. 29 E.; then north along sec. 13, T. 48 S., R. 29 E., to sec. 25, T. 47 S., R. 29 E.; then east along sec. 25, T. 47 S., R. 29 E., to sec. 30, T. 47 S., R. 30 E.; then north along sec. 30, T. 47 S., R. 30 E., to sec. 19, T. 47 S., R. 30 E.; then east along sec. 19, T. 47 S., R. 30 E., to sec. 20, T. 47 S., R. 30 E.; then south along sec. 20, T. 47 S., R. 30 E., to sec. 29, T. 47 S., R. 30 E.; then east along sec. 29, T. 47 S., R. 30 E., to sec. 28, T. 47 S., R. 30 E.; then south along sec. 28, T. 47 S., R. 30 E., to sec. 33, T. 47 S., R. 30 E.; then east along sec. 33, T. 47 S., R. 30 E., to the Collier/Hendry County line; then south along the Collier/Hendry County line to sec. 25, T. 48 S., R. 30 E.; then west along sec. 25, T. 48 S., R. 30 E., to State Highway 29; then north along State Highway 29 to the point of beginning.

Hendry County. That portion of the county bounded by a line drawn as follows: Beginning at the northwest corner of sec. 7, T. 48 S., R. 33 E.; then east along sec. 7, T. 48 S., R. 33 E., to Government Road; then north along Government Road to State Road 833; then north along State Road 833 to sec. 11, T. 48 S., R. 33 E.; then east along sec. 11, T. 48 S., R. 33 E., to sec. 24, T. 48 S., R. 33 E.; then west along sec. 24, T. 48 S., R. 33 E., to sec. 19, T. 48 S., R. 33 E.; then north along sec. 19, T. 48 S., R. 33 E., to the point of beginning.

That portion of the county bounded by a line drawn as follows: Beginning at the intersection of State Road 835 and Deer Fence Road; then north along Deer Fence Road to sec. 6; then east along sec. 6 to sec. 2; then south along sec. 2 to sec. 35; then west along sec. 35 to the point of beginning.

Hillsborough County. That portion of the county bounded by a line drawn as follows: Beginning at the northwest corner of sec. 34, T. 31, R. 19; then south along sec. 34, T. 31, R. 19, to 24th Street NE; then south along 24th Street NE to sec. 3 and 10, T. 32, R. 19; then south along sec. 3 and 10, T. 32, R. 19, to 24th Street SE; then south along 24th Street SE to sec. 15, 14, and 13, T. 32, R. 19; then east

along sec. 15, 14, and 13, T. 32, R. 19, to sec. 18, T. 32, R. 20; then east along sec. 18, T. 32, R. 20, to Bishop Road; then east along Bishop Road to West Lake Drive; then north along West Lake Drive to sec. 32 and 31, T. 31, R. 20; then west along sec. 32 and 31, T. 31, R. 20, to sec. 36, 35, and 34, T. 31, R. 19; then west along sec. 36, 35, and 34, T. 31, R. 19, to the point of beginning.

*Manatee County.* That portion of the county bounded by a line drawn as follows: Beginning at the intersection of Interstate Highway 75 and the shoreline of the Manatee River; then west along the shoreline of the Manatee River to the shoreline of the Terra Ceia Bay; then northeast along the shoreline of the Terra Ceia Bay to sec. 25, 24, 13, 12, and 1, T. 33 S., R. 17 E.; then north along sec. 25, 24, 13, 12, and 1, T. 33 S., R. 17 E., to the Manatee/Hillsborough County line; then east along the Manatee/Hillsborough County line to sec. 3 and 10, T. 33 S., R. 18 E.; then south along sec. 3 and 10, T. 33 S., R. 18 E., to Carter Road; then south along Carter Road to sec. 22 and 27, T. 33 S., R. 18 E.; then south along sec. 22 and 27, T. 33 S., R. 18 E., to 69th Street East; then east along 69th Street East to Erie Road; then south along Erie Road to U.S. Highway 301; then southwest along U.S. Highway 301 to Interstate Highway 75; then south along Interstate Highway 75 to the point of beginning.

That portion of the county bounded by a line drawn as follows: Beginning at the northwest corner of sec. 8, 9, 10, 11, and 12, T. 33 S., R. 21 E.; then east along sec. 8, 9, 10, 11, and 12, T. 33 S., R. 21 E., to sec. 12, T. 33 S., R. 21 E.; then south along sec. 12, T. 33 S., R. 21 E., to sec. 18, 19, 30, and 31, T. 33 S., R. 22 E.; then east along sec. 18, 19, 30, and 31, T. 33 S., R. 22 E., to sec. 6, T. 34 S., R. 22 E.; then south along sec. 6, T. 34 S., R. 22 E., to sec. 7, T. 34 S., R. 22 E.; then west along sec. 7, T. 34 S., R. 22 E., to sec. 12, 11, 10, and 9, T. 34 S., R. 21 E.; then south along sec. 12, 11, 10, and 9, T. 34 S., R. 21 E., to sec. 8 and 5, T. 34 S., R. 21 E.; then north along sec. 8 and 5, T. 34 S., R. 21 E., to sec. 31, 29, 20, 17, and 8, T. 33 S., R. 21 E.; then north along sec. 31, 29, 20, 17, and 8, T. 33 S., R. 12 E., to the point of beginning.

(b) The Administrator may designate any non-quarantined area as a quarantined area in accordance with paragraphs (c) and (d) of this section upon giving written notice of this designation to the owner or persons in possession of the non-quarantined area. Thereafter, regulated articles may be moved interstate from that area only in accordance with this subpart. As soon as practicable, this area will be added to the list in paragraph (a) of this section, or the Administrator will

terminate the designation. The owner or person in possession of an area for which designation is terminated will be given written notice as soon as practicable.

(c) Any State or portion of a State where an infestation is detected will be designated as a quarantined area and will remain so until the area has been without infestation for 2 years.

(d) Less than an entire State will be designated as a quarantined area only if all of the following conditions are met:

(1) *Survey.* No area has been designated a survey area.

(2) *Intrastate movement of regulated articles.* The State enforces restrictions on the intrastate movement of regulated articles from the quarantined area that are at least as stringent as those on the interstate movement of regulated articles from the quarantined area, except as follows:

(i) Regulated fruit may be moved intrastate from a quarantined area for processing into a product other than fresh fruit if all of the following conditions are met:

(A) The regulated fruit is accompanied by a document that states the location of the grove in which the regulated fruit was produced, the variety and quantity of regulated fruit being moved intrastate, the address to which the regulated fruit will be delivered for processing, and the date the intrastate movement began.

(B) The regulated fruit and any leaves and litter are completely covered, or enclosed in containers or in a compartment of a vehicle, during the intrastate movement.

(C) The vehicles, covers, and any containers used to carry the regulated fruit intrastate are treated in accordance with §301-11(d) of this subpart before leaving the premises where the regulated fruit is unloaded for processing, and

(D) All leaves, litter, and culls collected from the shipment of regulated fruit at the processing facility are either incinerated at the processing facility or buried at a public landfill that is fenced, prohibits the removal of dumped material, and covers dumped material with dirt at the end of every day that dumping occurs.

§ 301.75-5

7 CFR Ch. III (1-1-01 Edition)

(ii) Regulated fruit may be moved intrastate from a quarantined area for packing, either for subsequent interstate movement with a limited permit or for export from the United States, if all of the following conditions are met:

(A) The regulated fruit is accompanied by a document that states the location of the grove in which the regulated fruit was produced, the variety and quantity of regulated fruit being moved intrastate, the address to which the regulated fruit will be delivered for packing, and the date the intrastate movement began.

(B) The regulated fruit and any leaves and litter are completely covered, or enclosed in containers or in a compartment of a vehicle, during the intrastate movement.

(C) The vehicles, covers, and any containers used to carry the regulated fruit intrastate are treated in accordance with §301.75-11(d) of this subpart before leaving the premises where the regulated fruit is unloaded for packing.

(D) At the packing plant, the regulated fruit is stored separately from and has no contact with fruit eligible for interstate movement to commercial citrus-producing areas. Any equipment that comes in contact with the regulated fruit at the packing plant is treated in accordance with §301.75-11(d) of this subpart before being used to handle any fruit eligible for interstate movement to commercial citrus-producing areas, and

(E) All leaves and litter collected from the shipment of regulated fruit at the packing plant are either incinerated at the packing plant or buried at a public landfill that is fenced, prohibits the removal of dumped material, and covers dumped material with dirt at the end of every day that dumping occurs. All culls collected from the shipment of regulated fruit are either processed into a product other than fresh fruit, incinerated at the packing plant, or buried at a public landfill that is fenced, prohibits the removal of dumped material, and covers dumped material with dirt at the end of every day that dumping occurs. Any culls moved intrastate for processing must be completely covered, or enclosed in containers or in a compartment of a vehicle, during the intrastate move-

ment, and the vehicles, covers, and any containers used to carry the regulated fruit must be treated in accordance with §301.75-11(d) of this subpart before leaving the premises where the regulated fruit is unloaded for processing.

(iii) Grass, tree, and plant clippings may be moved intrastate from the quarantined area for disposal in a public landfill or for composting in a recycling facility, if all of the following conditions are met:

(A) The public landfill or recycling facility is located within the survey area described in paragraph (d)(1) of this section,

(B) The grass, tree, or plant clippings are completely covered during the movement from the quarantined area to the public landfill or recycling facility, and

(C) Any public landfill used is fenced, prohibits the removal of dumped material, and covers dumped material with dirt at the end of every day that dumping occurs.

[55 FR 37450, Sept. 11, 1990; 55 FR 42698, Oct. 23, 1990, as amended at 55 FR 49502, Nov. 29, 1990; 56 FR 8102, Feb. 27, 1991; 57 FR 49374, Nov. 2, 1992; 59 FR 25288, May 16, 1994; 61 FR 1521, Jan. 22, 1996; 64 FR 4780, Feb. 1, 1999; 65 FR 53530, Sept. 5, 2000; 65 FR 57723, Sept. 26, 2000]

§ 301.75-5 Commercial citrus-producing areas.

(a) The following are designated as commercial citrus-producing areas:

American Samoa	Northern Mariana Islands
Arizona	Islands
California	Puerto Rico
Florida	Texas
Guam	Virgin Islands of the United States
Hawaii	
Louisiana	

(b) The list in paragraph (a) of this section is intended to include jurisdictions which have commercial citrus-producing areas. Less than an entire State may be designated as a commercial citrus-producing area only if the Administrator determines that the area not included as a commercial citrus-producing area does not contain commercial citrus plantings; that the State has adopted and is enforcing a prohibition on the intrastate movement from areas not designated as commercial citrus-producing areas to commercial citrus-producing areas of