

**§ 301.80-2 Authorization to designate, and terminate designation of, regulated areas and suppressive or generally infested areas; and to exempt articles from certification, permit, or other requirements.**

(a) *Regulated areas and suppressive or generally infested areas.* The Deputy Administrator shall designate as regulated areas, in a supplemental regulation designated as § 301.80-2a, each quarantined State, or each portion thereof in which witchweed has been found or in which there is reason to believe that witchweed is present or which it is deemed necessary to regulate because of its proximity to infestation or its inseparability for quarantine enforcement purposes from infested localities. The Deputy Administrator, in the supplemental regulation, may designate any regulated area or portion thereof, as a suppressive area or a generally infested area in accordance with the definitions thereof in § 301.80-1. Less than an entire quarantined State will be designated as a regulated area only if the Deputy Administrator is of the opinion that:

(1) The State has adopted and is enforcing a quarantine or regulation which imposes restrictions on the intrastate movement of the regulated articles which are substantially the same as those which are imposed with respect to the interstate movement of such articles under this subpart; and

(2) The designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of witchweed.

(b) *Temporary designation of regulated areas and suppressive or generally infested areas.* The Deputy Administrator or an authorized inspector may temporarily designate any other premises in a quarantined State as a regulated area and may designate the regulated area or portions thereof as a suppressive or generally infested area, in accordance with the criteria specified in paragraph (a) of this section for designating such area, by serving written notice thereof on the owner or person in possession of such premises, and thereafter the interstate movement of regulated articles from such premises by any person having notice of the designation shall be subject to the applicable provisions

of this subpart. As soon as practicable, such premises shall be added to the list in § 301.80-2a if a basis then exists for their designation.

(c) *Termination of designation as a regulated area and a suppressive or generally infested area.* The Deputy Administrator shall terminate the designation provided for under paragraph (a) of this section of any area designated as a regulated area or a suppressive or a generally infested area when he determines that such designation is no longer required under the criteria specified in paragraph (a) of this section. The Deputy Administrator or an inspector shall terminate the designation provided for under paragraph (b) of this section of any premises designated as a regulated area or a suppressive or a generally infested area when he determines that such designation is no longer required under the criteria specified in paragraph (a) of this section, and notice thereof shall be given to the owner or person in possession of the premises.

(d) *Exemption of articles from certification, permit, or other requirements.* The Deputy Administrator may, in a supplemental regulation designated as § 301.80-2b, list regulated articles or movements of regulated articles which shall be exempt from the certification, permit, or other requirements of this subpart under such conditions as he may prescribe, if he finds that facts exist as to the pest risk involved in the movement of such regulated articles which make it safe to so relieve such requirements.

[41 FR 27372, July 2, 1976]

**§ 301.80-2a Regulated areas; generally infested and suppressive areas.**

The civil divisions and parts of civil divisions described below are designated as witchweed regulated areas within the meaning of this subpart.

NORTH CAROLINA

(1) *Generally infested areas.* None.

(2) *Suppressive areas.*

*Bladen County.* That area north of a line beginning at the intersection of the Robeson-Bladen County line and State Highway 211, then east along State Highway 211 Bypass to State Highway 242, then northeast along State Highway 242 to U.S. Highway 701, then north along U.S. Highway 701 to the Cape

Fear River, then southeast along the Cape Fear River to the Bladen-Columbus County line.

The Blanks, Alex, farm located on the north side of State Secondary Road 1734 and 0.5 mile southeast of its intersection with State Highway 87.

The Hardison, H.B., farm located on a field road 0.25 mile northwest of its intersection with State Secondary Road 1719 and 0.2 mile west of its intersection with State Secondary Road 1797.

The Jacobs, Sammy, farm located on a field road 2.0 miles southwest of its intersection with State Secondary Road 1708 and 0.25 mile south of its intersection with State Secondary Road 211.

The Maultsby, T.N., farm located on both sides of State Highway 87 at 0.7 mile northwest of its intersection with State Secondary Road 1743.

The Williams, Johnny, farm located west of State Highway 211 Business and 0.1 mile from its intersection with State Highway 211 Bypass and 0.5 mile southeast of the Robeson-Bladen County line.

*Columbus County.* The Biggs, K.M., farm located on the north side of State Secondary Road 1574 and 1.1 miles southeast of its intersection with State Secondary Road 1506.

The Border Belt Research Station farm located on the west side of State Secondary Road 1537 and 0.3 mile northeast of its intersection with State Secondary Road 1002.

The Britt, J.T., farm located on the east side of State Secondary Road 1504 and 1.3 miles northeast of its intersection with State Secondary Road 1504.

The Gore, Nettie, farm located on the west side of U.S. Highway 76 and 0.6 mile north of its intersection with State Secondary Road 1355.

The Griffin, Wilson, farm located on the east side of State Secondary Road 1512 and 1.4 miles southwest of its intersection with State Highway 242.

The Ivey, William, farm located on the south side of State Secondary Road 1504 and 0.3 mile from its intersection with State Secondary Road 1506.

The Keaton, Willie, farm located on the south side of State Secondary Road 1852 and 0.5 mile southwest of its intersection with State Highway 87.

The Lennon, Calvin, farm located on the southwest side of State Secondary Road 1002 and 0.7 mile southeast of its intersection with State Highway 242.

*Cumberland County.* That area bounded on the west by the Cape Fear River, then by a line running east and northeast along the Fayetteville city limits to U.S. Highway 301, then northeast along U.S. Highway 301 to Interstate 95, then northeast along Interstate 95 to U.S. Highway 13, then east and northeast along U.S. Highway 13 to the Cumberland-Sampson County line.

The Bullock, Berline, farm located on the north side of State Secondary Road 1722 and 0.2 mile west of its intersection with U.S. Highway 301.

The Lewis, David, farm located on the west side of U.S. Highway 301 and 0.1 mile south of its intersection with State Secondary Road 1802.

The Lovick, Eugene, farm located on the north side of State Secondary Road 1732 and 0.9 mile west of its junction with U.S. Highway 301.

The McKeithan, Sarah, farm located on the west side of U.S. Highway 301 and 0.3 mile south of its intersection with State Secondary Road 1856.

The McKeithan, Zela, farm located on the east side of U.S. Highway 301 and 0.3 mile south of its intersection with State Secondary Road 1856.

The McLaughlin, Cornell, farm located on the south side of State Secondary Road 2221 and 0.2 mile east of its intersection with State Secondary Road 2367.

The McLaurin, George, farm located on the north side of State Secondary Road 1722 and 0.4 mile west of its intersection with U.S. Highway 301.

The McNeill, Clifton, farm located on both sides of State Secondary Road 2241 at its intersection with State Secondary Road 2252.

The Odom, Marshall, farm located on the north side of State Secondary Road 1722 and 0.1 mile west of its intersection with U.S. Highway 301.

The Patterson, Theodore, farm located on the north side of State Road 1288 at its intersection with State Secondary Road 1116.

The Underwood, Olive T., farm located on the east side of State Secondary Road 1723 and 0.8 mile south of its junction with State Secondary Road 1722.

The Williams, Howard, farm located at the end of State Secondary Road 2243, which is a dead end road.

*Pender County.* The Kea, Leo, farm located 0.3 mile east of State Secondary Road 1105 and 1.2 miles south of its intersection with State Secondary Road 1104.

The Keith, F.R., farm located on both sides of State Secondary Road 1130 and 0.7 mile west of its junction with State Highway 210.

The Manuel, George, farm located 0.1 mile south of State Highway 210 and 0.2 mile west of its junction with State Secondary Road 1103.

The McCallister, Mary, farm located 0.2 mile east of State Secondary Road 1105 and 1.1 miles south of its intersection with State Secondary Road 1104.

The Zibelin, John R., farm located 0.5 mile east of State Secondary Road 1105 and 1.2 miles south of its intersection with State Secondary Road 1104.

*Robeson County.* That area west and south of a line beginning at the intersection of Interstate 95 and the Cumberland-Robeson

County line and extending southeast along Interstate 95 to State Highway 211 then northeast along State Highway 211 to the Robeson-Bladen County line.

The Epps, Frank, farm located on the northeast side of a field road 0.5 mile east of its intersection with State Secondary Road 1935 and 0.7 mile east of its intersection with U.S. Highway 301.

The Smith, Josephine, farm located on the west side of State Secondary Road 1937 and 0.2 mile south of its intersection with State Secondary Road 1933.

The Warwick, W.M., farm located on a field road 0.3 mile north of State Secondary Road 2120 and 0.5 mile west of its intersection with State Highway 211.

*Sampson County.* That area south of a line beginning at a point where U.S. Highway 421 intersects the Sampson-Harnett County line, then southeast along U.S. Highway 421 to the Sampson-Pender County line.

The Bryant, Ermon Estate, farm located on the north side of State Secondary Road 1943 and 0.6 mile northwest of its intersection with State Secondary Road 1942.

The Hobbs, Ed, farm located 0.7 mile south of State Secondary Road 1736 and 1 mile south of its intersection with State Secondary Road 1731.

The Merritt, David, farm located on a field road 0.5 mile south of State Secondary Road 1943 and 0.4 mile southwest of its intersection with State Secondary Road 1944.

The Pate, Ray, farm located on the west side of State Secondary Road 1738 and 0.6 mile southeast of its intersection with State Secondary Road 1740.

The Quarter M Farms farm located on a field road 0.2 mile southeast of State Secondary Road 1955 and 0.7 mile southeast of its intersection with State Secondary Road 1945.

The Strickland, Edgebert, farm located on the north side of State Highway 421 and 1 mile east of its intersection with State Secondary Road 1703.

#### SOUTH CAROLINA

(1) *Generally infested areas.* None.

(2) *Suppressive areas.*

*Dillon County.* The Adams, Coble, farm located west of State Secondary Highway 23 and 0.2 mile north of its intersection with State Secondary Highway 286.

The Wise, Wilbur, farm located on the south side of a field road and 0.15 mile southeast of the junction of the road with State Secondary Road 626 and 0.55 mile southwest of the intersection of State Secondary Road 625 with State Highway 38.

*Horry County.* That area bounded by a line beginning at a point where U.S. Highway 76 intersects the South Carolina-North Carolina State line, then south along U.S. Highway 76 to State Secondary Highway 44, then south along State Secondary Highway 44 to

State Secondary Highway 19, then south along State Secondary Highway 19 to Honey Camp Branch, then southwest along Honey Camp Branch to Lake Swamp, then east along Lake Swamp to Prince Mill Swamp, then south along Prince Mill Swamp to State Secondary Highway 309, then southwest along State Secondary Highway 309 to State Secondary Highway 45, then southwest along State Secondary Highway 45 to State Secondary Highway 129, then northwest along State Secondary Highway 129 to U.S. Highway 501, then northwest along U.S. Highway 501 to the Little Pee Dee River, then northeast along the Little Pee Dee River to the Lumber River, then northeast along the Lumber River to the South Carolina-North Carolina State line, then southeast along the State line to the point of beginning.

That area south of a line beginning at the intersection of the Waccamaw River and State Secondary Highway 638, then southeast along State Secondary Highway 638 to State Primary Highway 90, then north along State Primary Highway 90 to an unpaved road known as Water Tower Road, then east along Water Tower Road to an unpaved road known as Telephone Road, then southeast along Telephone Road to the northern tip of Long Bay, then west along Long Bay to Dogwood Road, then northwest along Dogwood Road to South Carolina Primary Highway 90, then northeast along South Carolina Primary Highway 90 to the north branch of Mills Swamp, then west along this branch to the Waccamaw River, then northeast along the Waccamaw River to the point of beginning.

The Harden, John, farm located on the northwest side of a dirt road and 0.4 mile northeast of the junction of this dirt road with State Secondary Roads 105 and 377.

The Stevens, James, farm located on the south side of a dirt road and 0.3 mile northeast of its junction with State Secondary Highway 112, this junction being 1.2 miles east of the junction of State Secondary Highway 112 with State Secondary Highway 139.

*Marion County.* That area north, west, and east of a line beginning at the intersection of State Primary Highway 41A and the North Carolina-South Carolina State lines, then southwest along State Primary Highway 41A to the Marion city limits, then southeast along the Marion city limits to U.S. Highway 76, then east along U.S. Highway 76 to the Mullins city limits, then southeast along the Mullins city limits to State Primary Highway 917, then southeast along State Primary Highway 917 to the Little Pee Dee River.

[63 FR 31602, June 10, 1998]