

§ 319.37-2

7 CFR Ch. III (1-1-03 Edition)

any prohibited articles listed in § 319.37-2 (a) or (b) of this subpart, excluding any articles subject to any restricted entry orders in 7 CFR part 321 (i.e., potatoes), and excluding any articles regulated in 7 CFR 319.8 through 319.24 or 319.41 through 319.74-7.

Secretary. The Secretary of Agriculture, or any other officer or employee of the Department of Agriculture to whom authority to act in his/her stead has been or may hereafter be delegated.

Soil. The loose surface material of the earth in which plants, trees, and shrubs grow, in most cases consisting of disintegrated rock with an admixture of organic material and soluble salts.

Solanum spp. true seed. Seed produced by flowers of *Solanum* capable of germinating and producing new *Solanum* plants, as distinguished from *Solanum* tubers, whole or cut, that are referred to as *Solanum* seeds or seed potatoes.

Spp. (species). All species, clones, cultivars, strains, varieties, and hybrids, of a genus.

State Plant Regulatory Official. The official authorized by the State to sign agreements with Federal agencies involving operations of the State plant protection agency.

United States. The States, District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States.

[45 FR 31585, May 13, 1980, as amended at 50 FR 8706, Mar. 5, 1985; 56 FR 19790, Apr. 30, 1991; 57 FR 43145, Sept. 18, 1992; 58 FR 38267, July 16, 1993; 60 FR 3077, Jan. 13, 1995; 60 FR 27674, May 25, 1995; 63 FR 13484, Mar. 20, 1998; 66 FR 21055, Apr. 27, 2001]

§ 319.37-2 Prohibited articles.

(a) The following listed articles from the designated countries and localities are prohibited articles and are prohibited from being imported or offered for entry into the United States except as provided in paragraph (c) of this section.

Prohibited article (includes seeds only if specifically mentioned)	Foreign places from which prohibited	Plant pests existing in the places named and capable of being transported with the prohibited article
<i>Abelmoschus</i> spp. (okra)	Africa	Cotton leaf curl agent.
	Brazil	Cotton Anthocyanosis agent.
	Bangladesh, India, Sri Lanka	Bhendi yellow vein mosaic agent.
	Ivory Coast, Nigeria	Okra mosaic virus.
	Iraq	Okra yellow leaf curl agent.
	Papua New Guinea, Trinidad and Tobago	Okra mosaic agents.
<i>Abies</i> spp. (fir)	All except Canada	50 or more species of rusts including <i>Chrysomyxa abietis</i> (Wallr.) Ung. (a rust causing a serious needle disease); <i>Phacidiopycnis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker).
<i>Acacia</i> spp. (acacia)	Australia and Oceania	<i>Uromycladium tepperianum</i> (Sacc.) McAlp. (Rust).
<i>Acer</i> spp. (maple) (except <i>Acer palmatum</i> and <i>Acer japonicum</i> meeting the conditions for importation in § 319.37-5(m).	Japan	<i>Xanthomonas acernea</i> (Ogawa) Burk.
	Europe, Japan	Maple mosaic or variegation diseases.
<i>Actinidia</i> spp. (Chinese gooseberry, kiwi)..	Japan and Taiwan	<i>Pucciniastrum actinidiae</i> Hiratusuka (Rust).
<i>Adonia</i> spp	All	A diversity of diseases including, but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Aesculus</i> spp. (horsechestnut)	Czechoslovakia, Federal Republic of Germany, Romania, United Kingdom.	Horsechestnut variegation or yellow mosaic diseases.
<i>Aiphanes</i> spp. (coyure, ruffle, and spine palm).	All	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Allagoptera arenaria</i>	All	A diversity of diseases including, but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Althaea</i> spp. (althaea, hollyhock)	Africa	Cotton leaf curl agent.
	Bangladesh, India, Sri Lanka	Bhendi yellow vein mosaic agent.
<i>Arachis</i> spp. (peanut) seed only (all other <i>Arachis</i> articles are included under Fabaceae).	India, Indonesia, Japan, People's Republic of China, Philippines, Taiwan, Thailand.	Peanut stripe virus.
	Ivory Coast, Senegal, Upper Volta	Peanut clump virus.
	India	Indian peanut clump virus.
<i>Areca</i> spp	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Arenga</i> spp. (sugarpalm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Arikuryroba</i> spp. (arikury palm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
Articles listed in § 319.37-2(b)	All except Canada	A diversity of diseases, insects, and other pests, including but not limited to: <i>Cactoblastis cactorum</i> (Berg); <i>Metamasius</i> spp.; <i>Opogona sacchari</i> (Bojer); <i>Chrysomyxa himalensis</i> Barclay (Spruce needle rust); <i>Aecidium mori</i> Barclay (Mulberry rust); <i>Pseudomonas lignicola</i> Westherd. & Buis. (Bacterial stain); <i>Pucciniastrum areolatum</i> (Fr.) Oth. (Cherry-spruce rust).
Bambuseae (seeds, plants, and cuttings).	All	Various plant diseases, Including bamboo smut (<i>Ustilago shiraiana</i>)

Prohibited article (includes seeds only if specifically mentioned)	Foreign places from which prohibited	Plant pests existing in the places named and capable of being transported with the prohibited article
<i>Berberis</i> spp. (barberry) (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Berberis</i> spp. (barberry) destined to an eradication State listed in § 301.38-2a of this chapter (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Berberis</i> spp. (barberry) seed	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Bighia sapida</i> (akee)	Nigeria, Ivory Coast	Okra mosaic virus.
<i>Borassus</i> spp. (palmyra palm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Caryota</i> spp. (fishtail palm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Castanea</i> spp. (chestnut)	All	<i>Cryphonectria parasitica</i> (Murrill) Barr (chestnut blight); <i>Dryocosmus kuriphilus</i> Yasumatsu (gall wasp).
<i>Cedrus</i> spp. (cedar)	Europe	<i>Phacidiopycnis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker). <i>Fusarium fuliginosporum</i> Sibia (Seedling disease).
<i>Chaenomeles</i> spp. (flowering quince) not meeting the conditions for importation in § 319.37-5(b).	All	A diversity of diseases including but not limited to those listed for <i>Chaenomeles</i> in § 319.37-5(b)(1).
<i>Chrysaldocarpus</i> spp. (butterfly palm).	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Chrysanthemum</i> spp. (chrysanthemum).	Argentina, Brazil, Canary Islands, Chile, Colombia, Europe, Republic of South Africa, Uruguay, Venezuela, and all countries, territories, and possessions of countries located in part or entirely between 90° and 180° East longitude.	<i>Puccinia horiana</i> P. Henn. (white rust of chrysanthemum).
<i>Cocos</i> spp. (other than <i>Cocos nucifera</i>).	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Cocos nucifera</i> (coconut) (including seed) (Coconut seed without husk or without milk may be imported into the United States in accordance with § 319.56).	All except from Jamaica or Costa Rica if meeting the conditions for importation in § 319.37-5(g).	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Corypha</i> spp.	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Crocsmia</i> spp. (montebretia)	Africa	<i>Puccinia mcleanii</i> Doidge (rust), <i>Uredo gladioli-buettneri</i> Bub. (rust), <i>Uromyces gladioli</i> P. Henn. (rust), <i>U. nyikensis</i> Syd. (rust).
	Africa, Brazil, France, Italy, Malta, Mauritius, Portugal	<i>U. transversalis</i> (Thuem.) Wint. (rust).
	Argentina, Uruguay	<i>U. gladioli</i> P. Henn. (rust).

<i>Cydonia</i> spp. (quince) not meeting the conditions for importation in § 319.37-5(b).	All	A diversity of diseases including but not limited to those listed for <i>Cydonia</i> in § 319.37-5(b)(1).
<i>Datura</i> spp.	Colombia India	<i>Datura</i> Colombian virus. <i>Datura</i> distortion or enation mosaic virus. <i>Puccinia horiana</i> P. Henn. (white rust of chrysanthemum).
<i>Dendranthema</i> spp. (chrysanthemum).	Argentina, Brazil, Canary Islands, Chile, Colombia, Europe, Republic of South Africa, Uruguay, Venezuela, and all countries, territories, and possessions of countries located in part or entirely between 90° and 180° East longitude.	
<i>Dictyosperma</i> spp. (Princesspalm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Elaeis</i> spp. (oil palm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Erianthus</i> spp. (plumegrass)	All	<i>Puccinia melanocephala</i> H. Syd. & P. Syd. (Sugarcane rust).
<i>Eucalyptus</i> spp. (eucalyptus)	Europe, Sri Lanka, and Uruguay	<i>Pestalotia disseminata</i> Thuem. (parasitic leaf fungus).
<i>Euonymus</i> spp. (euonymus)	Europe, Japan	<i>Euonymus</i> mosaic diseases.
Fabaceae (=Leguminosae) (herbaceous spp. only).	All except Canada	A diversity of diseases including but not limited to: African soybean dwarf agent, alfalfa enation virus, azuki bean mosaic virus, bean golden mosaic virus, cowpea mild mottle virus, French bean mosaic virus, groundnut chlorotic leaf streak virus, groundnut chlorotic spotting virus, groundnut rosette agents, groundnut witches broom MLO, horsegram yellow mosaic virus, Indonesian soybean dwarf virus, lima bean mosaic virus, lucerne Australian symptomless virus, lucerne vein yellowing virus, mung bean yellow mosaic virus, peanut stripe virus, red clover mottle virus, and soybean dwarf virus.
<i>Fragaria</i> spp. (strawberry) not meeting the conditions for importation in § 319.37-5(h).	All except Canada	<i>Phytophthora fragariae</i> Hickman (Red stele disease).
<i>Fraxinus</i> spp. (ash)	Europe	<i>Pseudomonas savastanoi</i> var. <i>fraxini</i> (Brown) Dowson (Canker and dwarfing disease of ash).
<i>Gaussia</i> spp. (Illupalm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Gladiolus</i> spp. (gladiolus)	Africa Africa, Brazil, France, Italy, Malta, Mauritius, Portugal Argentina, Uruguay	<i>Puccinia mcleanii</i> Doidge (rust), <i>Uredo gladioli-buettneri</i> Bub. (rust), <i>Uromyces gladioli</i> P. Henn. (rust), <i>U. nyikensis</i> Syd. (rust). <i>U. transversalis</i> (Thuem.) Wint. (rust). <i>U. gladioli</i> P. Henn. (rust).
<i>Gossypium</i> spp. (cotton, cottontree).	All	A diversity of diseases including but not limited to: cotton leaf curl virus; cotton virescence agent; small leaf virus.
<i>Hibiscus</i> spp. (kenaf, hibiscus, rose mallow).	Africa Brazil India	Cotton leaf curl agent. Cotton anthocyanosis agent. Hibiscus leaf curl agent.
<i>Howea</i> spp. (sentry palm) not meeting the conditions in § 319.37-5(n).	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Hydrangea</i> spp. (hydrangea)	Japan	<i>Aecidium hydrangeae-paniculatea</i> Dietel.
<i>Hyophorbe</i> spp. (palm)	All	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Ipomoea</i> spp. (sweetpotato)	All except Canada	A diversity of diseases including but not limited to: sweetpotato witches broom (little leaf); and sweetpotato viruses of eastern Africa.
<i>Jasminum</i> spp. (jasmine)	Belgium, Federal Republic of Germany, Great Britain	Jasmine variegation diseases.

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<i>Juniperus</i> spp. (juniper)	India	Chlorotic ringspot, phyllody, yellow ring mosaic diseases.
	Philippines	Sampaguita yellow ringspot mosaic diseases.
<i>Larix</i> spp. (larch)	Austria, Finland, and Romania	<i>Stigmata defleatans</i> (Karst) Ellis (Needlecast disease).
	Europe	<i>Phaciodypncis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker).
<i>Latania</i> spp.	Provinces of New Brunswick and Nova Scotia in Canada, Europe, and Japan.	<i>Lachnellula willkommii</i> (Harteg) Dennis (European larch canker).
	Europe	<i>Phaciodypncis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker).
<i>Leersia</i> spp. (cutgrass) seed only (all other <i>Leersia</i> articles are included under <i>Poaceae</i>).	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Lens</i> spp. seed (lentil)	South America	<i>Uromyces viciae-fabae</i> (Pers.) Schroet. (Rust).
<i>Leptochloa</i> spp. (sprangletop) seed only (all other <i>Leptochloa</i> articles are included under <i>Poaceae</i>).	All	<i>Xanthomonas campestris</i> pv. <i>oryzae</i> (Ishiyama) Dye.
<i>Ligustrum</i> spp. (privet)	Europe	<i>Ligustrum</i> mosaic diseases.
<i>Livistona</i> spp. (fan palm)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Mahoberberis</i> spp. (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Mahoberberis</i> spp. destined to an eradication State listed in § 301.38-2(a) of this chapter (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Mahoberberis</i> spp. seed	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Mahonia</i> spp. (mahonia) (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).

<i>Mahonia</i> spp. (mahonia) destined to an eradication State listed in §301.38-2(a) of this chapter (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with §301.38-1 of this chapter).	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Mahonia</i> spp. seed	All	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Malus</i> spp. (apple, crabapple) not meeting the conditions for importation in § 319.37-5(b).	All	A diversity of diseases including but not limited to those listed for <i>Malus</i> in § 319.37-5(b)(1).
<i>Mangifera</i> spp. (mango) seed only	All except North and South America (excluding Barbados, Dominica, French Guiana, Guadeloupe, Martinique, and St. Lucia).	<i>Cryptorhynchus mangiferae</i> F. (mango weevil).
<i>Manihot</i> spp. (cassava)	All except Canada	A diversity of diseases, insects, and other pests including but not limited to: <i>Mononychellus tanajoa</i> (Bondar) (cassava mite); <i>Phenacoccus manihotis</i> Matile-Ferrero (cassava mealybug); <i>Xanthomonas manihotis</i> (Arthand-Berthet) Starr (Bacterial blight); Cassava brown streak virus; Cassava latent virus; Cassava African mosaic virus; Cassava common mosaic virus.
<i>Mascarena</i> spp	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Morus</i> spp. (mulberry)	India, Japan, Korea, People's Republic of China, Thailand, and the geographic area formerly known as the Union of Soviet Socialist Republics.	Mulberry dwarf or mulberry mosaic diseases.
<i>Nannorrhops</i> spp. (mazaripalm) ...	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Neodypsis</i> spp. (palm)	All	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Persea</i> spp. (avocado) seed	Central and South America, and Mexico	<i>Heilipus lauri</i> Boh. (Avocado weevil); <i>Stenomoma catenifer</i> Wals. (Avocado seed moth); <i>Conotrachelus</i> spp.
<i>Philadelphus</i> spp. (mock orange)	Europe	Elm mottle virus.
<i>Phoenix</i> spp. (date)	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Picea</i> spp. (spruce)	Europe, Japan, and Siberia	<i>Chrysomyxa ledi</i> (Alb. & Schw.) d By var. <i>rhododendri</i> (DC) Savile. (Rhododendron-spruce needle rust).
<i>Pinus</i> spp. (pine) (2- or 3-leaved)	Europe	<i>Phacidiopycnis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker).
	Europe and Japan	<i>Cronartium flaccidium</i> (Alb. & Schw.) Wint. (Rust causing serious stunting of hard pines.)
	Japan.	Gall-forming rust.

Prohibited article (includes seeds only if specifically mentioned)	Foreign places from which prohibited	Plant pests existing in the places named and capable of being transported with the prohibited article
<i>Poaceae</i> (vegetative parts of all grains and grasses, except species of <i>Bambuseae</i>).	All except Canada	A wide diversity of plant diseases, including but not limited to: banana streak virus, barley yellow mosaic virus, barley yellow striate mosaic virus, brome streak mosaic virus, cereal chlorotic mosaic virus, cocksfoot mild mosaic virus, corn stunt Spiroplasma, Cynodon chlorotic streak virus, cynosurus mottle virus, Echinochloa ragged stunt virus, European aster yellows MLO, European wheat striate mosaic virus, Iranian maize mosaic virus, maize bushy stunt MLO, maize chlorotic mottle virus, maize mosaic virus, maize mottle/chlorotic stunt virus, maize rough dwarf virus, maize streak virus, maize stripe virus, northern cereal mosaic virus, oat red streak mosaic virus, oat sterile dwarf virus, rice dwarf virus, rice gall dwarf virus, rice tungro virus, rice wilted stunt virus, rice yellow mottle virus, rice yellow dwarf agent, yellow dwarf agent, sugarcane white leaf MLO, wheat yellow leaf virus, and wheat yellowing stripe bacterium.
<i>Populus</i> spp. (aspen, cottonwood, poplar).	Europe	<i>Xanthomonas populi</i> Ride (Canker).
<i>Pritchardia</i> spp	All	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Prunus</i> spp. (almond, apricot, cherry, cherry laurel, English laurel, nectarine, peach, plum, prune) not meeting the conditions for importation in §319.37-5(b).	All	A diversity of diseases including but not limited to those listed for <i>Prunus</i> in §319.37-5(b)(1).
<i>Prunus</i> spp. seed only (almond, apricot, nectarine, peach, plum, and prune, but not species in subgenus <i>Cerasus</i>) not meeting the conditions for importation in §319.37-5(j).	All	Plum pox (Sharka) virus.
<i>Pseudolarix</i> spp. (golden larch)	Provinces of New Brunswick and Nova Scotia in Canada, Europe, and Japan.	<i>Lachnellula willkommii</i> (Hartig) Dennis (European larch canker).
<i>Pseudotsuga</i> spp. (Douglas fir)	Europe	<i>Phaciidiopycnis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker).
<i>Pyrus</i> spp. (pear) not meeting the conditions for importation in §319.37-5(b).	All	A diversity of diseases including but not limited to those listed for <i>Pyrus</i> in §319.37-5(b)(1).
<i>Quercus</i> spp. (oak)	Japan	<i>Stereum hiugense</i> Imazeki (White rot); a gall-forming rust.
<i>Ravenea</i> spp. (palm)	All	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Ribes</i> spp. (currant, gooseberry) ..	Europe and New Zealand	Black currant reversion agent.
<i>Rosa</i> spp. (rose)	Australia, Bulgaria, Italy, and New Zealand	Rose wilt virus.
<i>Salix</i> spp. (willow)	Federal Republic of Germany (West), German Democratic Republic (East), Great Britain, and The Netherlands.	<i>Erwinia salicis</i> (Day) Chester (Watermark disease).
Seeds of all kinds when in pulp ...	All except Canada	Fruit flies, or other injurious insects.

<p><i>Solanum</i> spp. (potato) (tuber bearing species only—Section Tuberarium), including potato tubers.</p> <p><i>Solanum</i> spp. true seed (tuber bearing species only—Section Tuberarium).</p> <p><i>Sorbus</i> spp. (mountain ash)</p> <p><i>Syringa</i> spp. (lilac) not meeting the conditions for importation in §319.37–5(i).</p> <p><i>Theobroma</i> spp. (cacao)</p> <p><i>Trachycarpus</i> spp. (windmill palm) All</p> <p><i>Ulmus</i> spp. (elm) (including seeds) Europe</p> <p><i>Veitchia</i> spp. All</p> <p><i>Vitis</i> spp. (grape) not meeting the conditions for importation in §319.37–5(b). All</p> <p><i>Watsonia</i> spp. (bugle lily)</p> <p><i>Zizania</i> spp. (wild rice) seed only (all other <i>Zizania</i> articles are included under Poaceae). All except Canada</p>	<p>All except Canada (except Newfoundland and that portion of the Municipality of Central Saanich in the Province of British Columbia east of the West Saanich Road)..</p> <p>All except Canada, New Zealand, and the X region of Chile (that area of Chile between 39° and 44° South latitude—see § 319.37–5(o)).</p> <p>Czechoslovakia, Denmark, Federal Republic of Germany</p> <p>Europe</p> <p>All</p> <p>All</p> <p>Europe</p> <p>All</p> <p>All</p> <p>Africa</p> <p>Africa, Brazil, France, Italy, Malta, Mauritius, Portugal</p> <p>Argentina, Uruguay</p> <p>All except Canada</p>	<p>Andean potato latent virus; Andean potato mottle virus; potato mop top virus; dulcamara mottle virus; tomato blackring virus; tobacco rattle virus; potato virus Y (tobacco vein necrosis strain); potato purple top wilt agent; potato marginal flavescence agent; potato purple top roll agent; potato witches broom agent; stolbur agent; parastolbur agent; potato leaflet stunt agent; potato spindle tuber viroid; arracacha virus B; potato yellowing virus.</p> <p>Andean potato latent virus, potato virus T, tobacco ringspot virus (Andean potato calico strain); arracacha virus B; potato yellowing virus.</p> <p>Mountain ash variegation or ringspot mosaic disease.</p> <p>Elm mottle virus.</p> <p>A diversity of diseases and pests including but not limited to: cocoa swollen shoot virus, cocoa mottle leaf virus, cocoa yellow mosaic virus, cocoa necrosis virus, <i>Crinipellis perniciosus</i> (Stahel) Singer (witches broom fungus), <i>Monilia roerei</i>—<i>Moniliophthora roerei</i> (CiF.) H.C. Evans <i>et al.</i> (watery pod rot), cocoa isolates of <i>Ceratocystis fimbriata</i> Ellis and Halst (wilts), <i>Trachysphaera fructigena</i> Tabor and Bunting (mealy pod agents of cushy gall disease), <i>Oncobasidium theobromae</i> Talbot and Keane (vascular streak die-back), <i>Xyleborus</i> spp. beetles and <i>Acrocercops cramella</i> (Snellen) (cocoa moth).</p> <p>A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.</p> <p>Elm mottle virus.</p> <p>A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.</p> <p>A diversity of diseases including but not limited to those specified for <i>Vitis</i> in § 319.37–5(b)(1).</p> <p><i>Puccinia mcleanii</i> Doidge (rust), <i>Uredo gladioli-buettneri</i> Bub. (rust), <i>Uromyces gladioli</i> P. Henn. (rust), <i>U. nyikensis</i> Syd. (rust).</p> <p><i>U. transversalis</i> (Thuem.) Wint. (rust).</p> <p><i>U. gladioli</i> P. Henn. (rust).</p> <p><i>Xanthomonas campestris</i> pv. <i>oryzae</i> (Ishiyama) Dye.</p>
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(b) The following listed articles from all foreign places except Canada are prohibited articles and are prohibited from being imported or offered for entry into the United States except as provided in paragraph (c) of this section:

(1) *Rhododendron* spp. (rhododendron and azalea) or other genera or species of similar slow growth habit, other than artificially dwarfed plants meeting the conditions in §319.37-5(q):

(i) Exceeding 3 years of age if grown from seeds or cuttings; or

(ii) Exceeding 2 years of age after severance from the parent plant if produced by layers; or

(iii) Having more than 3 years' growth from the bud or graft if produced by budding or grafting.

(2) Any naturally dwarf or miniature form of tree or shrub exceeding 305 millimeters (approximately 12 inches) in length from the soil line.

(3) Herbaceous perennials (except epiphytes) imported in the form of root crowns or clumps exceeding 102 millimeters (approximately 4 inches) in diameter.

(4) Stem cuttings without leaves, without roots, without sprouts, and without branches (other than cactus cuttings and cuttings of epiphytes) exceeding 102 millimeters (approximately 4 inches) in diameter or exceeding 1.83 meters (approximately 6 feet) in length; and stem cuttings of epiphytes with or without aerial roots (without leaves, without sprouts, and without branches) exceeding 102 millimeters (approximately 4 inches) in diameter or exceeding 1.83 meters (approximately 6 feet) in length.

(5) Cactus cuttings (without roots or branches) exceeding 153 millimeters (approximately 6 inches) in diameter or exceeding 1.22 meters (approximately 4 feet) in length.

(6)(i) Plants (other than stem cuttings, cactus cuttings, artificially dwarfed plants meeting the conditions in §319.37-5(q), and palms and plants whose growth habits simulate palms) exceeding 460 millimeters (approximately 18 inches) in length from soil line (top of rooting zone for plants produced by air layering) to the farthest terminal growing point and whose growth habits simulate the woody hab-

its of trees and shrubs, including but not limited to cacti, cycads, yuccas, and dracaenas.

(ii) Palms and plants whose growth habits simulate palms, that exceed a total length (stem plus leaves) of 915 millimeters (approximately 36 inches) in length.

(7) Any tree or shrub of a type not listed above, other than an artificially dwarf plant meeting the conditions in §319.37-5(q), and:

(i) Exceeding 2 years of age if grown from seeds or cuttings; or

(ii) Exceeding 1 year of age after severance from the parent plant if produced by layers; or

(iii) Having more than 2 years' growth from the bud or graft if produced by budding or grafting.

(c) Any article listed as a prohibited article in paragraph (a) or (b) of this section may be imported or offered for entry into the United States if:

(1) Imported by the United States Department of Agriculture for experimental or scientific purposes;

(2) Imported at the Plant Germplasm Quarantine Center, Building 320, Beltsville Agricultural Research Center East, Beltsville, MD 20705 or at a port of entry designated by an asterisk in §319.37-14(b);

(3) Imported pursuant to a Departmental permit issued for such article and kept on file at the port of entry;

(4) Imported under conditions specified on the Departmental permit and found by the Deputy Administrator to be adequate to prevent the introduction into the United States of plant pests, i.e., conditions of treatment, processing, growing, shipment, disposal; and

(5) Imported with a Departmental tag or label securely attached to the outside of the container containing the article or securely attached to the article itself if not in a container, and with such tag or label bearing a Departmental permit number corresponding to the number of the Departmental permit issued for such article.

[45 FR 31585, May 13, 1980; 45 FR 35305, May 27, 1980, as amended at 56 FR 19790, Apr. 30, 1991; 57 FR 334, Jan. 6, 1992; 57 FR 43145, 43147, 43148, Sept. 18, 1992; 59 FR 9918, Mar. 2 1994; 59 FR 44610, Aug. 30, 1994; 60 FR 8924, Feb. 16, 1995; 62 FR 50238, Sept. 25, 1997; 63 FR 13485, Mar. 20, 1998; 67 FR 53730, Aug. 19, 2002]