

§ 301.93-3

7 CFR Ch. III (1-1-05 Edition)

Myrtle, downy rose (*Rhodomyrtus tomentosa*)
 Natal plum (*Crissa grandiflora*)
 Nectarine (*Prunus persica* var. *nectarina*)
 Oleander, yellow (*Thevetia peruviana*)
 Orange, calamondin (*Citrus reticulata* x. *fortunella*)
 Orange, Chinese (*Fortunella japonica*)
 Orange, king (*Citrus reticulata* x. *C. sinensis*)
 Orange, sweet (*Citrus sinensis*)
 Orange, Unshu (*Citrus reticulata* var. *Unshu*)
 Oriental bush red pepper (*Capsicum frutescens abbreviatum*)
 Otaheite apple (*Spondias dulcis*)
 Palm, syrup (*Jubaea spectabilis*)
 Papaya (*Carica papaya*)
 Passionflower (*Passiflora edulis*)
 Passionflower, softleaf (*Passiflora mollissima*)
 Passionfruit (*Passiflora edulis*) (yellow liliko)
 Peach (*Prunus persica*)
 Pear (*Pyrus communis*)
 Pepino (*Solanum muricatum*)
 Pepper, sweet (*Capsicum frutescens* var. *grossum*)
 Persimmon, Japanese (*Diospyros kaki*)
 Pineapple guava (*Feijoa sellowiana*)
 Plum (*Prunus americana*)
 Pomegranate (*Punica granatum*)
 Prickly pear (*Opuntia megacantha*) (*Opuntia ficus indica*)
 Prune (*Prunus domestica*)
 Pummelo (*Citrus grandis*)
 Quince (*Cydonia oblonga*)
 Rose apple (*Eugenia jambos*)
 Sandalwood (*Santalum paniculatum*)
 Sandalwood, white (*Santalum album*)
 Santol (*Sandericum koetjape*)
 Sapodilla (*Manilkara zapota*)
 Sapodilla, chiku (*Manilkara zapota*)
 Sapota, white (*Casimiroa edulis*)
 Seagrape (*Coccoloba uvifera*)
 Sour orange (*Citrus aurantium*)
 Soursop (*Annona muricata*)
 Star apple (*Chrysophyllum cainito*)
 Surinam cherry (*Eugenia uniflora*)
 Tomato (*Lycopersicon esculentum*)
 Tropical almond (*Terminalia catappa*) (*Terminalia chebula*)
 Velvet apple (*Diospyros discolor*)
 Walnut (*Juglans hindsii*)
 Walnut, English (*Juglans regia*)
 Wampi (*Citrus lansium*)
 West Indian cherry (*Malpighia puniceifolia*)
 Ylang-Ylang (*Cananga odorata*)

Any fruits, nuts, vegetables, or berries that are canned or dried or frozen below -17.8 °C. (0 °F.) are not regulated articles.

(b) Soil within the drip area of plants that are producing or have produced the fruits, nuts, vegetables, or berries listed in paragraph (a) of this section.

(c) Any other product, article, or means of conveyance not covered by

paragraph (a) or (b) of this section that an inspector determines presents a risk of spread of the Oriental fruit fly and notifies the person in possession of it that the product, article, or means of conveyance is subject to the restrictions of this subpart.

[58 FR 8521, Feb. 16, 1993; 58 FR 29028, May 18, 1993]

§ 301.93-3 Quarantined areas.

(a) Except as otherwise provided in paragraph (b) of this section, the Administrator will list as a quarantined area in paragraph (c) of this section each State, or each portion of a State, in which the Oriental fruit fly has been found by an inspector, in which the Administrator has reason to believe that the Oriental fruit fly is present, or that the Administrator considers necessary to regulate because of its proximity to the Oriental fruit fly or its inseparability for quarantine enforcement purposes from localities in which the Oriental fruit fly has been found. Less than an entire State will be designated as a quarantined area only if the Administrator determines that:

(1) The State has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are substantially the same as those imposed by this subpart on the interstate movement of regulated articles; and

(2) The designation of less than the entire State as a quarantined area will prevent the interstate spread of the Oriental fruit fly.

(b) The Administrator or an inspector may temporarily designate any nonquarantined area in a State as a quarantined area in accordance with the criteria specified in paragraph (a) of this section for listing quarantined areas. The Administrator will give written notice of this temporary designation to the owner or person in possession of the nonquarantined area; thereafter, the interstate movement of any regulated article from an area temporarily designated as a quarantined area is subject to this subpart. As soon as practicable, this area will be added to the list in paragraph (c) of this section or the designation will be terminated by the Administrator or an

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

(c) The areas described below are designated as quarantined areas:

CALIFORNIA

Los Angeles County. That portion of Los Angeles County in the Westchester area bounded by a line as follows: Beginning at the intersection of Culver Boulevard and South Sepulveda Boulevard; then southeast on South Sepulveda Boulevard to Jefferson Boulevard; then north, east, and north on Jefferson Boulevard to Rodeo Road; then east on Rodeo Road to West Martin Luther King Junior Boulevard; then southeast on West Martin Luther King Junior Boulevard to Crenshaw Boulevard; then south on Crenshaw Boulevard to West Slauson Avenue; then east on West Slauson Avenue to South Western Avenue; then south on South Western Avenue to West Florence Avenue; then east on West Florence Avenue to South Vermont Avenue; then south on South Vermont Avenue to West El Segundo Boulevard; then west on West El Segundo Boulevard to Western Avenue; then south on Western Avenue to Redondo Beach Boulevard; then southwest on Redondo Beach Boulevard to Artesia Boulevard; then west on Artesia Boulevard to Gould Avenue; then northwest and southwest on Gould Avenue to Manhattan Avenue; then northwest on Manhattan Avenue to Manhattan Beach Boulevard; then southwest on Manhattan Beach Boulevard to Manhattan Beach Pier; then southwest on Manhattan Beach Pier to the State of California coastline; then northwest along the State of California coastline to Ballona Creek; then northeast along Ballona Creek to Culver Boulevard; then northeast on Culver Boulevard to the point of beginning.

Orange County. That portion of Orange County in the Santa Ana area bounded by a line as follows: Beginning at the intersection of South Euclid Street and West Broadway; then east on West Broadway to East Broadway; then east on East Broadway to South East Street; then northwest on South East Street to East Lincoln Avenue; then east on East Lincoln Avenue to West Lincoln Avenue; then east on West Lincoln Avenue to East Lincoln Avenue; then east on East Lincoln Avenue to Nohl Ranch Road; then east and northeast on Nohl Ranch Road to South Imperial Highway; then south and southwest on South Imperial Highway to Edison Ridge Road; then east and northeast on Edison Ridge Road to Nohl Ranch Road; then southeast on Nohl Ranch Road to Serrano Avenue; then southwest on Serrano Avenue to northern boundary of Santiago Oaks Regional Park; then east, southwest, west, south, and

west along the park boundary line to Santiago Creek; then southeast along Santiago Creek to the boundary of Irvine Regional Park; then northeast, southeast, south, southeast, northeast, southeast, south, southwest, and northwest along the park boundary line to Peters Canyon Road; then south and southwest on Peters Canyon Road to Santiago Canyon Road; then southeast on Santiago Canyon Road to the Eastern Transportation Corridor; then south along an imaginary line from the intersection of Santiago Canyon Road and the Eastern Transportation Corridor to the northernmost point of Culver Drive; then southwest on Culver Drive to Walnut Avenue; then northwest on Walnut Avenue to Jamboree Road; then southwest on Jamboree Road to Alton Parkway; then northwest on Alton Parkway to Red Hill Avenue; then southwest on Red Hill Avenue to Macarthur Boulevard; then northwest on Macarthur Boulevard to State Highway 55; then southwest on State Highway 55 to Interstate Highway 405; then west and northwest on Interstate Highway 405 to Magnolia Street; then north on Magnolia Street to McFadden Avenue; then west on McFadden Avenue to Newland Street; then north on Newland Street to Garden Grove Boulevard; then east on Garden Grove Boulevard to Magnolia Street; then north on Magnolia Street to Magnolia Avenue; then north on Magnolia Avenue to South Magnolia Avenue; then north on South Magnolia Avenue to West Ball Road; then east on West Ball Road to Ball Road; then east on Ball Road to South Euclid Street; then north on South Euclid Street to the point of the beginning.

[58 FR 8521, Feb. 16, 1993, as amended at 60 FR 18728, Apr. 3, 1995; 62 FR 45142, Aug. 26, 1997; 62 FR 47552, Sept. 10, 1997; 62 FR 53225, Oct. 14, 1997; 63 FR 16878, Apr. 7, 1998; 64 FR 31964, June 15, 1999; 64 FR 52214, Sept. 28, 1999; 64 FR 55812, Oct. 15, 1999; 65 FR 26488, May 8, 2000; 69 FR 56159, Sept. 20, 2004; 69 FR 67042, Nov. 16, 2004]

§ 301.93-4 Conditions governing the interstate movement of regulated articles from quarantined areas.

Any regulated article may be moved interstate from a quarantined area only if moved under the following conditions:²

(a) With a certificate or limited permit issued and attached in accordance

²Requirements under all other applicable Federal domestic plant quarantines and regulations must also be met.