

Witchweed Quarantine Restrictions on Interstate Movement of Specified Regulated Articles

7 CFR 301.80

No common carrier or other person shall move interstate from any quarantined State any of the following articles (defined in § 301.80-1 as regulated articles), except in accordance with the conditions prescribed in this subpart:

1. Soil, compost, peat, humus, muck, and decomposed manure, separately or with other things; sand; and gravel.
2. Plants with roots.
3. Grass sod.
4. Plant crowns and roots for propagation.
5. True bulbs, corms, rhizomes, and tubers of ornamental plants.
6. Root crops, except those from which all soil has been removed.
7. Peanuts in shells and peanut shells, except boiled or roasted peanuts.
8. Small grains and soybeans. See below for information regarding exempted articles.
9. Hay, straw, fodder, and plant litter of any kind.
10. Seed cotton and gin trash.
11. Stumpwood.
12. Long green cucumbers, cantaloupes, peppers, squash, tomatoes, and watermelons, except those from which all soil has been removed.
13. Pickling cucumbers, string beans, and field peas. See below for information regarding exempted articles.
14. Cabbage, except firm heads with loose outer leaves removed.
15. Leaf tobacco, except flue-cured leaf tobacco.
16. Ear corn, except shucked ear corn.
17. Sorghum.
18. Used crates, boxes, burlap bags, and cotton-picking sacks, and other used farm products containers.
19. Used farm tools. See below for information regarding exempted articles.
20. Used mechanized cultivating equipment and used harvesting equipment. See below for information regarding exempted articles.
21. Used mechanized soil-moving equipment. See below for information regarding exempted articles.
22. Any other products, articles, or means of conveyance, of any character whatsoever, not covered by paragraphs (1) through (21) of this section, when it is determined by an inspector that they present a hazard of spread of witchweed, and the person in possession thereof has been so notified.

[35 FR 10553, June 30, 1970, as amended at 36 FR 24917, Dec. 24, 1971; 41 FR 27372, July 2, 1976; 58 FR 216, Jan. 5, 1993; 66 FR 21052, Apr. 27, 2001; 87 FR 80011, Dec. 29, 2022]

Exempted Articles

The articles hereby exempted remain subject to applicable restrictions under other quarantines.

- a. The following articles are exempt from the certification and permit and other requirements of this subpart if they meet the applicable conditions prescribed in paragraphs (a) (1) through (5) of this section and have not been exposed to infestation after cleaning or other handling as prescribed in said paragraph:
 1. Small grains, if harvested in bulk or into new or treated containers, and if the grains and containers for the grains have not come in contact with the soil or if they have been cleaned at a designed facility. Information as to designated facilities, gins, oil mills, and processing plants may be obtained from an inspector. Any facility, gin, oil mill, or processing plant is eligible for designation under this subpart if the operator thereof enters into a compliance agreement (as defined in § 301.80-1(b)).
 2. Soybeans, when determined by an inspector that the soybeans were grown, harvested, and handled in a manner to prevent contamination from witchweed seed.
 3. Pickling cucumbers, string beans, and field peas, if washed free of soil with running water.
 4. Used farm tools, if cleaned free of soil.
 5. Used mechanized cultivating equipment and used mechanized soil-moving equipment, if cleaned free of soil.
- b. The following article is exempt from the certification and permit requirements of § 301.80-4 under the applicable conditions as prescribed in paragraph (b)(1) of this section:
 1. Seed cotton, if moving to a designated gin. Information as to designated facilities, gins, oil mills, and processing plants may be obtained from an inspector. Any facility, gin, oil mill, or processing plant is eligible for designation under this subpart if the operator thereof enters into a compliance agreement (as defined in § 301.80-1(b)).

[42 FR 56334, Oct. 25, 1977, as amended at 53 FR 24924, July 1, 1988; 87 FR 80011, Dec. 29, 2022]