

301.80 WITCHWEED

Federal Domestic Quarantine

A. Pest. Witchweed. Parasitic plants of the genus *Striga*, and any reproductive parts thereof, including seed.

B. Regulated Areas. See 301.80-2a.

C. Regulated Articles.

1. Soil, compost, decomposed manure, humus, muck, and peat, 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.

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.

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. Used crates, boxes, burlap bags, and cotton picking sacks and other used farm products containers.

18. Used farm tools (hand tools, rakes, hoes, shovels).

19. Used mechanized cultivating equipment and used harvesting machinery.

20. Used mechanized soil-moving equipment.

21. Any other products, articles, or means of conveyance of any character whatsoever, not covered by subparagraphs (1) through (20) of this paragraph, when it is determined by an inspector that they represent a hazard of spread of witchweed and the person in possession thereof has been so notified.

D. Restrictions.

1. **Certificate or Permit Required.** Unless exempted in 301.80-2b, any regulated article in subsection (C) above which is moved interstate from any regulated area described in 301.80-2a must be accompanied by a Federal certificate, limited permit, or restricted destination permit.

2. **Attachment and Disposition of Certificates or Permits.** Every container or, if there is none, the

regulated article itself, shall have a certificate, limited permit, or restricted destination permit securely attached to the outside thereof when offered for movement from a regulated area, except that when the regulated article is adequately described on a certificate or permit attached to the waybill or other shipping document, the attachment of a certificate or permit to each container or the article itself is not required.

In all cases, certificates, or permits must be furnished by the carrier to the consignee at destination of the shipment.

3. **Issuance of Certificates.** Certificates may be issued for movement of restricted articles that are eligible for certification to any destination under all Federal domestic plant quarantines applicable to such articles.

4. **Issuance of Limited Permits.** Limited permits may be issued for movement of restricted articles, not eligible for certification for witchweed, to specified destinations for limited handling, utilization, or processing, or for treatment in accordance with the Federal Treatment Manual, when the requirements of other applicable Federal domestic quarantines have been met.

5. **Issuance of Restricted Destination Permits.** Restricted destination permits may be issued for movement of restricted articles to any destination permitted under all applicable Federal domestic plant quarantines (for other than scientific purposes) if such articles are not eligible for certification under all such quarantines, but would otherwise qualify for certification for witchweed.

6. **Issuance of Scientific Permits.** Scientific permits may be issued by the Director, Plant Pest Control Division, for interstate movement of regulated articles for scientific purposes under conditions prescribed in each specific case by the Director.

7. **Articles Originating Outside of Regulated Areas.** No certificate or permit is required for movement of regulated articles originating outside of the regulated areas and moving through or reshipped from a regulated area when the point of origin is clearly indicated, their identity has been maintained, and they have been safeguarded against infestation while in the regulated area.

8. **Movement of Witchweed.** Witchweed is prohibited movement interstate except under permit from the Director, Plant Pest Control Division, and the permit must be attached to the outside of the container. The arrival of any such shipment should be immediately reported to the Bureau of Plant Quarantine, Sacramento.

E. Disposition. Restricted articles arriving in violation of this quarantine should be refused admittance into California under authority of and in accordance with Sections 6301, and 6521 to 6524, inclusive, Agricultural Code, at the option and expense of the owner.

REGULATED AREAS

301.80-2a

The following are designated as witchweed regulated areas:

North Carolina:

Generally infested areas: None.

Suppressive areas: Counties of **Bladen***, **Cumberland***, **Pender***, **Robeson*** and **Sampson***.

South Carolina:

Generally infested areas: None.

Suppressive areas: Counties of **Horry*** and **Marion***.

*Portion of County.

EXEMPT ARTICLES**

301.80-2b

10/25/77

a. The following articles are exempt from the certification, permit, and other requirements of this subpart if they meet the applicable conditions prescribed in paragraph (a 1-5) 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 designated facility.
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).

1. **Seed cotton**, if moving to a designated gin.

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

c. Soil samples for processing, testing, or analysis may be moved interstate from the regulated area (without a certificate or permit) only to approved laboratories or only in emergencies under authorization from the Plant Protection Division, USDA.

NOTE: Unless official notice is received in advance of shipment, or the shipment is accompanied by an official letter, certificate, permit, or other official document signed by the inspector at origin, evidencing that the processing plant, oil

mill, warehouse, storage facility, origin to which the shipment is destined has been officially "designated" as provided above, the Sacramento office should be notified and the shipment held until its status can be determined.

Hay and straw made into wreaths would be considered a processed product and would be exempt from the quarantine.