

**PART 360-NOXIOUS WEED REGULATIONS Authority:  
7 U.S.C. 2803 and 2809; 7 CFR 2.22, 2.80, and 371.2(c).**

**Aquatic and wetland weeds**

**Parasitic weeds**

**Terrestrial weeds**

**Sec. 360.100 Definitions.**

(a) As used in this part, words in the singular form shall be deemed to import the plural and vice versa, as the case may require.

(b) As used in this part, the terms as defined in section 3 of the Act (7 U.S.C. 2802) shall apply with equal force and effect. In addition and except as may be provided otherwise in this part the following words shall be construed, respectively, to mean:

Department. The U.S. Department of Agriculture.

Deputy Administrator. The Deputy Administrator of the Plant Protection and Quarantine Programs of the Animal and Plant Health Inspection Service of the Department, or any other officer or employee of the Plant Protection and Quarantine Programs to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

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Plant Protection and Quarantine Programs. The Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service of the Department. [41 FR 49988, Nov. 12, 1976]

**Sec. 360.200 Designation of noxious weeds.\|1\|**

\|1\| One or more common names of weeds are given in parentheses after most scientific names to help identify the weeds represented by such scientific names; however, a scientific name is intended to include all weeds within the genus or species represented by the scientific name, regardless of whether the common name or names are as comprehensive in scope as the scientific name.

Pursuant to the provisions of section 10 of the Federal Noxious Weed Act of 1974 (7 U.S.C. 2809) the Secretary of Agriculture, after publication of the required notice of proposal and after public hearing on the proposal when requested by any interested person, has determined based upon the information received at any such hearing and other information available to the Secretary, that the following plants are within the definition of a ``noxious weed'' in section 3(c) of the Act (7 U.S.C. 2802(c)) and that their dissemination in the United States may reasonably be expected to have, to a serious degree, an effect specified in said section 3(c) of the Act:

**(a) Aquatic and wetland weeds:**

Azolla pinnata R. Brown (mosquito fern, water velvet)  
Caulerpa taxifolia (Mediterranean clone)  
Eichornia azurea (Swartz) Kunth (anchored waterhyacinth, rooted waterhyacinth)  
Hydrilla verticillata (Linnaeus f.) Royle (hydrilla)  
Hygrophila polysperma T. Anderson (Miramar weed)  
Ipomoea aquatica Forsskal (water-spinach, swamp morning-glory)  
Lagarosiphon major (Ridley) Moss  
Limnophila sessiliflora (Vahl) Blume (ambulia)  
Melaleuca quenquinervia (Cav.) Blake (broadleaf paper bark tree).  
Monochoria hastata (Linnaeus) Solms-Laubach  
Monochoria vaginalis (Burman f.) C. Presl  
Ottelia alismoides (L.) Pers.  
Sagittaria sagittifolia Linnaeus (arrowhead)  
Salvinia auriculata Aublet (giant salvinia)  
Salvinia biloba Raddi (giant salvinia)  
Salvinia herzogii de la Sota (giant salvinia)  
Salvinia molesta D.S. Mitchell (giant salvinia)  
Solanum tampicense Dunal (wetland nightshade)  
Sparganium erectum Linnaeus (exotic bur-reed)

**(b) Parasitic weeds:**

Aeginetia spp.  
Alectra spp.  
Cuscuta spp. (dodders), other than following species:  
Cuscuta americana Linnaeus  
Cuscuta applanata Engelmann  
Cuscuta approximata Babington  
Cuscuta attenuata Waterfall  
Cuscuta boldinghii Urban  
Cuscuta brachycalyx (Yuncker) Yuncker  
Cuscuta californica Hooker & Arnott  
Cuscuta campestris Yuncker  
Cuscuta cassyoides Nees ex Engelmann  
Cuscuta ceanothii Behr  
Cuscuta cephalanthii Engelmann  
Cuscuta compacta Jussieu  
Cuscuta corylii Engelmann  
Cuscuta cuspidata Engelmann  
Cuscuta decipiens Yuncker  
Cuscuta dentatasquamata Yuncker  
Cuscuta denticulata Engelmann

*Cuscuta epilinum* Weihe  
*Cuscuta epithymum* (Linnaeus) Linnaeus  
*Cuscuta erosa* Yuncker  
*Cuscuta europaea* Linnaeus  
*Cuscuta exalta* Engelmann  
*Cuscuta fasciculata* Yuncker  
*Cuscuta glabrior* (Engelmann) Yuncker  
*Cuscuta globulosa* Benthams  
*Cuscuta glomerata* Choisy  
*Cuscuta gronovii* Willdenow  
*Cuscuta harperi* Small  
*Cuscuta howelliana* Rubtzoff  
*Cuscuta indecora* Choisy  
*Cuscuta jepsonii* Yuncker  
*Cuscuta leptantha* Engelmann  
*Cuscuta mitriformis* Engelmann  
*Cuscuta nevadensis* I. M. Johnston  
*Cuscuta obtusiflora* Humboldt, Bonpland, & Kunth  
*Cuscuta occidentalis* Millspaugh ex Mill & Nuttall  
*Cuscuta odontolepis* Engelmann  
*Cuscuta pentagona* Engelmann  
*Cuscuta planiflora* Tenore  
*Cuscuta plattensis* A. Nelson  
*Cuscuta polygonorum* Engelmann  
*Cuscuta rostrata* Shuttleworth ex Engelmann  
*Cuscuta runyonii* Yuncker  
*Cuscuta salina* Engelmann  
*Cuscuta sandwichiana* Choisy  
*Cuscuta squamata* Engelmann  
*Cuscuta suaveolens* Seringe  
*Cuscuta suksdorfii* Yuncker  
*Cuscuta tuberculata* Brandegee  
*Cuscuta umbellata* Humboldt, Bonpland, & Kunth  
*Cuscuta umbrosa* Beyrich ex Hooker  
*Cuscuta vetchii* Brandegee

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*Cuscuta warneri* Yuncker  
Orobanche spp. (broomrapes), other than the following species:  
*Orobanche bulbosa* (Gray) G. Beck  
*Orobanche californica* Schlechtendal & Chamisso  
*Orobanche cooperi* (Gray) Heller  
*Orobanche corymbosa* (Rydberg) Ferris  
*Orobanche dugesii* (S. Watson) Munz

Orobanche fasciculata Nuttall  
Orobanche ludoviciana Nuttall  
Orobanche multicaulis Brandegee  
Orobanche parishii (Jepson) Heckard  
Orobanche pinorum Geyer ex Hooker  
Orobanche uniflora Linnaeus  
Orobanche valida Jepson  
Orobanche vallicola (Jepson) Heckard  
Striga spp. (witchweeds)

**(c) Terrestrial weeds:**

Ageratina adenophora (Sprengel) King & Robinson (crofton weed)  
Alternanthera sessilis (Linnaeus) R. Brown ex de Candolle (sessile joyweed)  
Asphodelus fistulosus Linnaeus (onionweed)  
Avena sterilis Linnaeus (including Avena ludoviciana Durieu) (animated oat, wild oat)  
Carthamus oxyacantha M. Bieberstein (wild safflower)  
Chrysopogon aciculatus (Retzius) Trinius (pilipiliula)  
Commelina benghalensis Linnaeus (Benghal dayflower)  
Crupina vulgaris Cassini (common crupina)  
Digitaria scalarum (Schweinfurth) Chiovenda (African couchgrass, fingergrass)  
Digitaria velutina (Forsskal) Palisot de Beauvois (velvet fingergrass, annual conchgrass)  
Drymaria arenarioides Humboldt & Bonpland ex Roemer & Schultes  
(lightning weed)  
Emex australis Steinheil (three-cornered jack)  
Emex spinosa (Linnaeus) Campdera (devil's thorn)  
Galega officinalis Linnaeus (goatsrue)  
Heracleum mantegazzianum Sommier & Levier (giant hogweed)  
Imperata brasiliensis Trinius (Brazilian satintail)  
Imperata cylindrica (Linnaeus) Raeuschel (cogongrass)  
Ischaemum rugosum Salisbury (murainograss)  
Leptochloa chinensis (Linnaeus) Nees (Asian sprangletop)  
Lycium ferocissimum Miers (African boxthorn)  
Melastoma malabathricum Linnaeus  
Mikania cordata (Burman f.) B. L. Robinson (mile-a-minute)  
Mikania micrantha Humboldt, Bonpland, & Kunth  
Mimosa invisa Martius (giant sensitive plant)  
Mimosa pigra Linneaus var. pigra (catclaw mimosa)  
Nassella trichotoma (Nees) Hackel ex Arechavaleta (serrated tussock)  
Opuntia aurantiaca Lindley (jointed prickly pear)  
Oryza longistaminata A. Chevalier & Roehrich (red rice)  
Oryza punctata Kotschy ex Steudel (red rice)  
Oryza rufipogon Griffith (red rice)  
Paspalum scrobiculatum Linnaeus (Kodo-millet)  
Pennisetum clandestinum Hochstetter ex Chiovenda (kikuyugrass)

*Pennisetum macrourum* Trinius (African feathergrass)  
*Pennisetum pedicellatum* Trinius (kyasumagrass)  
*Pennisetum polystachion* (Linnaeus) Schultes (missiongrass, thin napiergrass)  
*Prosopis alpataco* R. A. Philippi  
*Prosopis argentina* Burkart  
*Prosopis articulata* S. Watson  
*Prosopis burkartii* Munoz  
*Prosopis caldenia* Burkart  
*Prosopis calingastana* Burkart  
*Prosopis campestris* Grisebach  
*Prosopis castellanossii* Burkart  
*Prosopis denudans* Benthams  
*Prosopis elata* (Burkart) Burkart  
*Prosopis farcta* (Solander ex Russell) Macbride  
*Prosopis ferox* Grisebach  
*Prosopis fiebrigii* Harms  
*Prosopis hassleri* Harms  
*Prosopis humilis* Gillies ex Hooker & Arnott  
*Prosopis kuntzei* Harms  
*Prosopis pallida* (Humboldt & Bonpland ex Willdenow) Humboldt, Bonpland, & Kunth  
*Prosopis palmeri* S. Watson  
*Prosopis reptans* Benthams var. *reptans*  
*Prosopis rojasiana* Burkart  
*Prosopis ruizlealii* Burkart  
*Prosopis ruscifolia* Grisebach  
*Prosopis sericantha* Gillies ex Hooker & Arnott  
*Prosopis strombulifera* (Lamarck) Benthams  
*Prosopis torquata* (Cavanilles ex Lagasca y Segura) de Candolle  
*Rottboellia cochinchinensis* (Lour.) W. Clayton  
*Rubus fruticosus* Linnaeus (complex) (wild blackberry)  
*Rubus moluccanus* Linnaeus (wild raspberry)  
*Saccharum spontaneum* Linnaeus (wild sugarcane)  
*Salsola vermiculata* Linnaeus (wormleaf salsola)  
*Setaria pallide-fusca* (Schumacher) Stapf & Hubbard (cattail grass)  
*Solanum torvum* Swartz (turkeyberry)  
*Solanum viarum* Dunal (tropical soda apple)  
*Spermacoce alata* (Aublet) de Candolle  
*Tridax procumbens* Linnaeus (coat buttons)  
*Urochloa panicoides* Beauvois (liverseed grass)

**[48 FR 20039, May 4, 1983, as amended at 49 FR 25223, June 20, 1984; 57 FR 8838, Mar. 13, 1992; 60 FR 35832, July 12, 1995; 64 FR 12883, Mar. 16, 1999]**

**Sec. 360.300 General prohibitions and restrictions on the movement of noxious weeds; permits.**

(a) No person may move a Federal noxious weed into or through the United States, or interstate, unless:

(1) He or she obtains a permit for such movement in accordance with paragraphs (b) through (e) of this section; and

(2) The movement is consistent with the specific conditions contained in the permit.

(b) The Deputy Administrator will issue a written permit for the movement of a noxious weed into or through the United States, or interstate, if application is made for such movement and if the Deputy Administrator determines that such movement, under conditions specified in the permit, would not involve a danger of dissemination of the noxious weed in the United States, or interstate; otherwise such a permit will not be issued.

(c) All such permits issued shall contain in written form in the permit any conditions (other than those conditions specified in this part) under which the permit is to be granted, e.g. conditions with respect to shipment, storage, and destruction.

(d) If the permit is denied, the applicant shall be furnished the reasons therefor.

(e) The Deputy Administrator may revoke any outstanding permit issued under this section, and may deny future permit applications, if the Deputy Administrator determines that the issuee has failed to comply with any provision of the Act or this section, including conditions of any permit issued. Upon request, any permit holder will be afforded an opportunity for a hearing with respect to the merits or validity of any such revocation involving his or her permit.

(Approved by the Office of Management and Budget under control number 0579-0054)  
(44 U.S.C. 35)[41 FR 49988, Nov. 12, 1976, as amended at 48 FR 57466, Dec. 30, 1983;  
59 FR 67611, Dec. 30, 1994; 64 FR 41009, July 29, 1999]