

PLANT IMPORTING PROCEDURES AND RESPONSIBILITIES OF PLANT IMPORTERS

1. To avoid delay in the clearance of importations of plant propagating material, importers have four important responsibilities to assume. Failure to assume any one of these may result in loss or deterioration of material.

● *These responsibilities are:*

- To obtain, before placing order, an import permit or to make certain that an existing permit provides for the entry of the desired material.
- To transmit appropriate instructions to the foreign shipper. *Please read carefully #2 below and the paragraphs cited therein.*
- To make advance arrangements for meeting all Customs requirements. *See #10, #11, #12, and #13.*
- To supply labor and materials through broker or agent, when necessary. *See #15.*

WHAT THE FOREIGN SHIPPER MUST BE TOLD

2. The permittee *should* instruct the foreign shipper concerning the freedom from soil requirement; the use of approved packing materials; the size-age limitations; the need for labeling, invoicing, and certification; and the means by which shipment is to be made. *Information on these requirements appears in #3 to #12 which follow.*

3. **FREEDOM FROM SOIL.** All plant material must be free from sand, soil, and earth. Leafmold and other decayed vegetable molds are considered as soil. Plants arriving in or contaminated with sand, soil, or earth will be refused entry.

4. PACKING MATERIAL:

- Only approved packing material should be used. *Please see Title 7 CFR 319.37-9.* Among the commonly used packing materials which are approved are *ground peat, sphagnum, pulp-free coconut or other vegetable fibers (excluding sugarcane and cotton), osmunda fiber, excelsior (woodwool), wood shavings, sawdust, ground cork, buckwheat hulls, polymer stabilized cellulose, and exfoliated vermiculite.*
- Nursery stock which has been *wrapped, coated, dipped, sprayed,* or other wise packaged in *plastic, wax, or other impermeable material* that prevents adequate inspection or treatment may be refused entry if the objectionable condition is not corrected by the importer.

5. SIZE-AGE LIMITATIONS:

- Only plants, no more than two years of age when they have been grown from cuttings or seeds or having no more than one year's growth after severance from the parent plant when produced by layers, or having no more than two years growth from the bud or graft when they have been produced by budding or grafting, are admissible except that for *rhododendron (including azalea) or other genera or species of similar slow growth habit,* an additional year is allowed. The size-age limitations do not apply to naturally dwarfed or miniature forms of woody plants not exceeding 12 inches in height from the soil line nor to artificially dwarfed forms of the character popular in parts of the Orient.
- Cactus cuttings (*without roots or branches*) may not be more than *6 inches in diameter and 4 feet in length.*
- Cacti, cycads, yuccas, dracaenas, and other plants (*other than cuttings*) whose growth habits simulate the woody character of trees and shrubs *may not be more than 18 inches in height from the soil line to the farthest terminal growing point.*
- Stem cuttings, such as *dracaena or yucca, (without leaves, roots, sprouts, or branches) (other than cactus cuttings)* may not be more than 4 inches in diameter.

6. LABELING. All material must be plainly and legibly labeled with genus, species, and variety. Lack of labeling delays handling. Therefore, it is important that plants or bundles of plants be labeled, preferably with scientific names. If the latter are not available, a well known English common name may suffice.

7. **INVOICES.** The copies of invoices required for Plant Protection and Quarantine clearance are in addition to those required by Customs, the broker, and the importer. **For cargo importations:** A copy must be filed at the time Customs entry is made. In addition, a packing list must accompany each container of material or a copy of the invoice must be enclosed within container No. 1. **For importations by mail:** One copy of the invoice must be enclosed within the parcel or within one of the parcels in the event of a lot shipment.

8. **CERTIFICATION.** Title 7 CFR 319.37 requires that material be approximately certified by the proper plant quarantine official in the country of origin.

- **For cargo importations:** The original certificate must be attached to the Customs entry documents. A copy of the certificate may be attached to each container.
- **For importations by mail:** A copy of the certificate must be attached to the outside of each parcel, and the original certificate must be enclosed within the parcel or within one of the parcels in the event of a lot shipment.

9. **MEANS OF IMPORTATION.** The importer may import material either by mail or freight and should instruct the foreign shipper as to the means by which shipment is to be made. Mail shipments, whether by letter mail, parcel post, air parcel post, or other classes of mail do not require a bonded carrier to get the material to an inspection station. This does not apply to importations made by other means. ***AIR EXPRESS AND AIR FREIGHT (CARGO) SHOULD NOT BE CONFUSED WITH AIR MAIL AND AIR PARCEL POST.*** Also, see #14, Baggage entries.

10. **MAIL SHIPMENTS:**

- There are several kinds of mail services as mentioned in the preceding paragraph. All mail shipments require use of a green-and-yellow label. Not all countries offer air parcel post; moreover, the character of air parcel post service may vary with the country. From some countries, air parcel post moves by air only to the U.S. port of first arrival and thence by surface transportation to destination; other countries provide air movement to final destination; still other countries provide both types of air parcel post service leaving the shipper to select the type desired. Information on air parcel post can best be obtained from the foreign shipper or at your local post office. Letter-rate airmail, sometimes used for seeds, valuable cuttings, etc., when air parcel post is not available, carries material through to destination by air.

Shipments sent letter-rate airmail or first class mail should be marked "*This , parcel may be opened for inspection.*" Importers who plan importing by air will find that when air parcel post is not available, there will be times when even letter-rate airmail is as economical as air express.

-- Regardless of the address on the green-and-yellow mailing label, the plant materials will be cleared at the first U.S. port of arrival which has an inspection station. Ports with inspection stations are *New York (JFK International Airport and Hoboken, New Jersey); Miami, Florida; New Orleans, Louisiana; Brownsville, El Paso, and Houston, Texas; Nogales, Arizona; San Diego (San Ysidro), Los Angeles (Inglewood), and San Francisco, California; Seattle, Washington; Honolulu, Hawaii; and San Juan, Puerto Rico.* Please remember that we do not have control over routing or intransit handling of international mail. Also, air traffic may result in delivery of the plants to any approved port address.

-- After Plant Protection and Quarantine (PPQ) clearance at inspection station, mail shipments are returned to the mails and go forward to destination under the original postage. If the value of the shipment is *less than \$1000.00*, Customs duty, if any, is collected at the post office of destination. If valued at *\$1000.00 or more*, the shipment goes to the Customs port closest to the destination post office where the importer must either make the formal entry directly or employ a customs broker or agent. The importer is notified by Customs of the arrival of the shipment and the port at which entry must be made.

-- *Addressing mail shipments.* When shipments are to be imported by mail, the permittee should request a green-and-yellow mailing label for each parcel. Instructions for its use appears on the reverse side of the label. Instructions in *French, German, and Spanish* will be supplied to the permittee upon request. For mail shipments, it is especially important that the permittee's name, address, telephone number, and permit number be enclosed with each parcel. GREEN-AND YELLOW LABELS SHOULD BE USED ONLY FOR MAIL IMPORTATIONS.

11. SHIPMENTS OTHER THAN BY MAIL:

- Importations arriving by means other than mail require a Customs entry regardless of value. The importer or importer's agent must arrange for delivery to an inspection station, if necessary, and onward to final destination.

- ***Addressing cargo, express, or freight shipments.*** Each case, box, or other container of a shipment shall be clearly and plainly marked to show the general nature and quantity of the contents and the country where grown, bear distinguishing marks, be individually numbered, and be addressed in the following way:

"United States Customs Service _____
(Name of port where material is authorized to clear quarantine)
For delivery to the Plant Protection and Quarantine Inspection Station.
For account of _____ Permit No. _____
(Name and address of permittee)
From _____."
(Name and address of foreign shipper)

12. ***MEETING CUSTOMS REQUIREMENTS. For Non-Parcel Post Importations.***

- Numerous delays resulting in loss or deterioration of material occur because importers fail to make arrangements in advance for a customs broker or other agent to attend to Customs formalities in connection with freight, air freight, express, or air express consignments. Such shipments are in Customs custody and unless under an *Immediate Transportation (IT)* entry (*see subparagraph (c)(3)*), cannot go forward until all Customs requirements have been completed. **PPQ OFFICERS ARE WITHOUT AUTHORITY TO ACT AS OR RENDER THE SERVICES OF A CUSTOMS BROKER.** Government employees cannot employ a customs broker on behalf of an importer nor should they be requested to recommend one.

- Arrangements with the customs broker or other agent should be made well in advance. To avoid unnecessary delay in clearing the plant material, the expected date and time of arrival, the flight number or name of vessel, invoice number and permit number, type of Customs entry, and forwarding instructions should be provided to the customs broker or agent. The broker or agent is in a position to arrange on the importer's behalf for transportation, labor, and materials if needed.

- There are three kinds of Customs entries normally used for plant material imported other than through the mails. They are:

- ***Informal Entry.*** This type of entry may sometimes be employed to the advantage when the port of arrival is the same as the authorized port of PPQ clearance and the shipment is valued at *less than \$1000.00*. The duty must be *paid in cash or check* to a Customs Inspector at the port of entry.

At times, an informal entry may not be practical or convenient for the broker or agent.

-- ***Duty Paid Entry.*** Duty is paid in cash or by check and any increased or additional duties are generally covered by a bond. When the port of arrival is not the same as the authorized port of PPQ clearance, the shipment must move under a Customs Special Manifest to the approved port.

-- ***IT (Immediate Transportation) Entry.*** The broker or agent (or carrier acting as such) makes the entry and arranges for handling and movement to destination. At the Customs port closest to destination, the services of a customs broker or agent are again necessary to make a consumption type entry (*Informal or Duty Paid*) and to pay the duty before the shipment can be delivered. This "*double*" service makes a more costly type of entry.

PARAGRAPH 10 EXPLAINS CUSTOMS PROCEDURES GOVERNING MAIL IMPORTATIONS

13. ***BAGGAGE ENTRIES.*** The importation of most plant material (*except certain bulbs and flower seeds*) by baggage may prove more costly than entry by mail. The importer may have to arrange for a bonded carrier (*if available at the port of arrival*) to transport the material to the nearest inspection station. Also, upon completion of PPQ handling, someone will have to arrange to pay forwarding costs. For these reasons, travelers in foreign countries may wish to consider mailing plants to the United States whenever possible. *Please note that inspection stations (paragraph 11 (b)) are generally open from 8:30 a.m. to 5:00 p.m., Monday through Friday, except on Federal holidays.*

14. ***PORTS OF QUARANTINE CLEARANCE.*** Material may be offered for PPQ clearance at mainland destinations; *New York, New York (including John F. Kennedy International Airport and Hoboken, New Jersey); Miami and Orlando, Florida; New Orleans, Louisiana; Brownsville, El Paso, and Houston, Texas; Nogales, Arizona; Los Angeles (Inglewood), San Diego, and San Francisco, California; Seattle, Washington; and at Honolulu and San Juan, respectively, for destinations in Hawaii and Guam, and Puerto Rico and the American Virgin Islands.*

If your permit does not permit entry of your plants at the desired inspection station, please apply in writing for a permit revision. When applying, remember that uninspected and untreated material may not move long distances overland for clearance but must be inspected and treated (if necessary) at the authorized inspection station at the first U.S. port of arrival.

For example: European or African material arriving by air would enter at New York (John F. Kennedy International Airport) or enter at Seattle, Los Angeles, or San Francisco on an over-the-pole flight. South American material arriving by air may clear at Los Angeles, Miami, or New York (Including John F. Kennedy International Airport). The same material coming by sea would enter at New York and clear at Hoboken. Asiatic material coming by sea via the Suez Canal and African and European material arriving by sea usually clear at Hoboken. Most Mexican material entering by surface clears at Brownsville. By air, Mexican material may clear at Los Angeles, Miami, San Francisco, Seattle, or New York depending upon the time and method of dispatch from origin. *See #13* for hours during which inspection stations are open.

15. ***LABOR, SUPPLIES, ETC.*** The importer must pay all costs for labor, supplies, and special handling required to clear a shipment. Labor is usually required for the handling of shipments imported other than by mail. Labor is needed to unpack and repack material and to move containers into and out of the inspection station. Costs vary with the size of the shipment and the amount of work which may be involved. Supplies such as lumber, material for reconditioning, etc., may or may not be necessary depending upon the condition of the shipment.

16. ***TREATMENTS.*** The Plant Quarantine Act is intended to protect the United States from the introduction and dissemination of injurious plant pests and pathogens. In order to avoid treatment of plant material, the importer should emphasize to the shipper the necessity for sending pest-free, healthy material.

Treatments used for infested or potentially infested plant materials upon arrival in the United States are those which are the most effective for the pest concerned and least likely to cause injury to the plants involved. All treatments are applied at the risk of the importer. In most cases of alleged fumigation injury which we have investigated, the plant material reached the inspection station in a deteriorating condition because of too much or too little moisture, inadequate ventilation, or other adverse factors encountered during transportation.

It is important that only vigorous, healthy plants be shipped and that they are packed so as not to lose vitality in transit. ***Suggestions on packing plants will be sent upon request.***