

**UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
PLANT PROTECTION AND QUARANTINE**

Title 7--Agriculture

**CHAPTER III--Animal and Plant
Health Inspection Service**

PART 319 FOREIGN QUARANTINE NOTICES

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Subpart--Corn Diseases - Quarantine

§319.24 Notice of quarantine.

(a) The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that maize or Indian corn (*Zea mays L.*) and closely related plants are subject to certain injurious diseases, especially *Peronospora maydis* Raciborski, *Sclerospora sacchari* Miyake, and other downy mildews; also the *Physoderma* diseases of maize: *Physoderma zae-myadis* Shaw and *Physoderma maydis* Miyake, new to and not heretofore widely prevalent or distributed within and throughout the United States, and that these diseases occur in Southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands.

(b) On and after July 1, 1916, and until further notice by virtue of section 7 of the act of Congress approved August 20, 1912, known as the "Plant Quarantine Act" (37 Stat. 317; 7 U.S.C. 160), the importation into the United States in the raw or unmanufactured state from Southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Manchuria, Japan, and adjacent islands, of seed and all other portions of Indian corn or maize (*Zea mays L.*) and the closely related plants, including all species of Teosinte (*Euchlaena*), jobs-tears (*Coix*), Polytoca, Chionachne, and Sclerachne, except for experimental or scientific purposes by the Department of Agriculture, except as provided in the regulations supplemental hereto, is prohibited provided that whenever the Deputy Administrator of the Plant Protection and Quarantine Programs shall find that existing conditions as to pest risk involved in the importation of the articles to which the regulations supplemental thereto apply, make it safe to modify by making less stringent the restrictions contained in any of such regulations, he shall publish such findings in administrative instructions, specifying the manner in which the regulations shall be made less stringent, whereupon such modification shall become effective; or he may, when the public interests will permit with respect to the importation of such articles into Guam, upon request in specific cases, authorize such importation under conditions specified in the permit to carry out the purposes of this subpart that are less stringent than those contained in the regulations.

(c) As used in this subpart, unless the context otherwise requires, the term "United States" means the States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands of the United States.

§319.24a Administrative instructions relating to entry of corn into Guam.

Corn may be imported into Guam without further permit, other than the authorization contained in this section, but subject to compliance with §319.24-3. Such imports need not comply with the notice of arrival requirements of §319.24-4 in as much as information equivalent to that in a notice of arrival is available to the inspector from another source. Section §319.24-5 shall not be applicable to importations of corn into Guam. Such importations shall be subject to inspection at the port of entry. Corn found upon inspection to contain disease infection will be subject to sterilization in accordance with methods selected by the inspector from administratively authorized procedures known to be effective under the conditions in which applied.

Subpart--Corn Diseases - Regulations Governing Entry of Indian Corn or Maize

§319.24-1 Applications for permits for importation of corn.

Persons contemplating the importation of corn into the United States shall, before shipping the corn, make application for a permit on forms provided for that purpose to the Deputy Administrator of the Plant Protection and Quarantine Programs, Department of Agriculture, Washington, DC, stating the name and address of the exporter, the country and locality where grown, the port of departure, the proposed port of entry, and the name and address of the importer or of the broker in the United States to whom the permit should be sent.

§319.24-2 Issuance of permits.

(a) Upon receipt of an application and upon approval by an inspector, a permit will be issued specifying the conditions of entry and the port of entry to carry out the purposes of this subpart, and a copy will be supplied to the importer.

(b) Further, permits may be refused and existing permits revoked if the application therefor does not correctly give the locality where the corn was grown or is false or deceptive in any material particular.

§319.24-3 Marking as condition of entry.

Every bag or other container of corn offered for entry shall be plainly marked with such numbers or marks as will make it easily possible to associate the bags or containers with a particular importation.

§319.24-4 Notice of arrival of corn by permittee.

Immediately upon arrival of the corn at the port of entry, the permittee shall submit, in duplicate, notice to the Plant Protection and Quarantine Programs through the United States Collector of Customs, or in the case of Guam, through the Customs officer of the

Government of Guam on forms provided for that purpose stating the number of the permit, the number of bags or other containers of corn included in the shipment, the bag or other container numbers or marks, the country and locality where the corn was grown, the name and address of the exporter or foreign shipper, the port of departure, the date of arrival, the name of the ship or vessel, and the designation of the dock where the corn is to be landed.

§319.24-5 Conditions of entry.

The corn shall not be removed from the port of entry nor shall any bag or other container thereof be broken or opened, except for the purpose of sterilization, until a written notice is given to the United States Collector of Customs, or in the case of Guam, the Customs officer of the Government of Guam by an inspector of the Plant Protection and Quarantine Programs that the corn has been properly sterilized and released for entry without further restrictions so far as the jurisdiction of the Department of Agriculture extends thereto. All apparatus and methods for accomplishing such sterilization must be satisfactory to the Plant Protection and Quarantine Programs. Corn will be delivered to the permittee for sterilization upon the filing with the appropriate customs official of a bond in the amount of \$5,000 or in an amount equal to the invoice value of the corn, if such value is less than \$5,000 with approved sureties and conditioned upon sterilization of the corn under the supervision and the satisfaction of an inspector of the Plant Protection and Quarantine Programs and upon the redelivery of the corn to said customs official within 40 days from the arrival of the corn at the port of entry.