

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

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**Title 7 -- Agriculture**

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

**PART 330 FOREIGN QUARANTINE NOTICES**

**Subpart--Movement of Soil, Stone, and Quarry Products**

**Sec.**

**330.300** Soil from Foreign Countries or Territories or possessions.

**330.300a** Administrative Instructions Exempting Soil from Parts of Canada from Certain Restrictions.

**330.300 Soil from foreign countries or territories or possessions.<sup>1</sup>**

No soil shall be moved into or through the United States from any place outside thereof or from any Territory or possession into or through any other Territory or possession or the Continental United States, whether the soil is moved as such or incidentally adhering to means of conveyance or other articles, except as authorized in 319.60, 319.37-16a or 319.69 of this chapter, or this subpart. However this section shall not apply to the movement of soil from Mexico through Mexican Border ports, which movement is subject to the requirements in part 320 of this chapter and, as applicable, 319.36-16a and 319.69 of this chapter.

(a) Permits authorized. The Deputy Administrator may issue permits under this section for movements of soil not governed by 319.60, 319.37-16a, or 319.69, or part 320 of this chapter, for research, analytical, religious, ceremonial, patriotic, or similar purposes, or such other purposes as he shall deem consistent with the objectives of this part, specifying in the permit or in the related correspondence, the safeguards, including methods of treatment, or other conditions which he deems necessary for the purpose of preventing the dissemination of plant pests into the United States or interstate. Whenever it is possible to formulate a general rule specifying such conditions, it shall be promulgated in administrative instructions and the applicable provisions thereof may be incorporated into a permit by citation, but shall be applicable whether or not so cited.

(b) Application for permits. Only persons resident in the United States may apply for permits under this section to move soil into the United States from any place outside thereof, or from any other Territory or possession or the Continental United States. Persons resident in the United States contemplating such movements, or any persons contemplating movement through the United States of soil under this section, shall first make application

for permits authorizing such movement by submitting the the Plant Protection and Quarantine Programs the form provided therefor by the Plant Protection and Quarantine Programs or by submitting, in the form of a letter or other written communication, the following information: Origin of the shipment, destination, quantity, method of shipment, proposed port of first arrival in the United States, port of export (if applicable), approximate date of arrival in the United States, intended use, measures to be employed to prevent danger of plant pest dissemination, method of final disposition, and the number of parcels expected to be moved. In acting upon the application for permits for such movement of soil, the Deputy Administrator will follow the procedures outlined in 330.202 for the consideration of applications for permits to move plant pests insofar as they are applicable.

(c) Issuance of permits; conditions of permits. Upon the approval of an application for a permit authorizing the movement of soil under this section, the permit will be issued. The permit may contain any conditions which are necessary, in the opinion of the Deputy Administrator, to prevent dissemination of plant pests into the United States or interstate, including conditions with respect to routing, packing, and labeling of the soil. The Deputy Administrator may require the applicant to agree in writing to such conditions prior to the issuance of the permit. The importer will receive, as a part of the permit, information on the manner in which the importation is to be made. A permit without conditions may be issued orally.

(d) Containers; labels. All containers for soil moved under this section shall be stoutly constructed so as to prevent breakage in transit and danger of plant pest dissemination and shall be appropriately labeled as to contents. If the soil is moved by mail, special mailing labels will be issued to the importer, with instructions for their use, which he is to send to the foreign shipper. The quantity of mailing labels issued

will be sufficient for the foreign shipper to attach one to each parcel moved by mail. Such mailing labels will indicate to the postal and the plant quarantine officials that the movement is authorized under the conditions specified in this permit. Importations arriving by mail without labels will be subject to refusal of entry into the United States, or interstate movement, by the inspector unless treated, at the expense of the owner, in a manner to remove danger of plant pest dissemination. The Deputy Administrator may issue mailing labels for the movement into or through the United States from any place outside thereof, or from any Territory or possession into or through any other Territory or possession of the continental United States, of earth other than soil, when the movement might otherwise be impeded because of the similarity to soil subject to this section.

330.300a Administrative instructions exempting soil from parts of Canada from certain restrictions.

Soil of Canadian origin except soil from Newfoundland and the Land District of South Saanich on Vancouver Island of British Columbia may be moved into or through the United States from Canada free from the permit requirements of 330.300 and the release requirements of 330.105 but subject to inspection under 330.105 and disposal under 330.106, if the inspection discloses any plant pest new to or not theretofore widely prevalent or distributed within and throughout the United States. Such soil is also subject to all applicable requirements under part 319 of this chapter.<sup>1</sup>

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<sup>1</sup> Sod from Canada is regulated by 319.37-5 of this chapter.