

# STATUS OF SEEDS ENTERING THE UNITED STATES FOR PLANTING - UNDER FOREIGN QUARANTINE 7CFR319.37

Revised April 30, 2002

## A. SUMMARY - CANADIAN ORIGIN OR US ORIGIN RETURNED

All seed for planting in category A. (except seed of corn, wheat, cotton and rice which are covered under separate regulations) that are grown in Canada or have been previously imported to Canada from the US must be accompanied by a phytosanitary certificate or form PPQ925 or form CFIA5289 in lieu of phytosanitary certificate. Seed of corn, wheat, cotton and rice are exempt from the requirements of the regulation 7CFR 319.37 and do not require a phytosanitary certificate when originating in Canada or the US but under separate regulations they may have permit or other requirements as noted below.

### 1. Field crop and vegetable seeds

Except as indicated in the special requirements section below, seeds in this category are enterable under oral permit. APHIS does not require a written permit. Seeds in this category are subject to the import provisions of the Federal Seed Act. Each lot must be accurately labeled as to kind, variety, origin, and lot designation. If the seed is treated, the declaration of labeling and each container must be further labeled. Plant Protection and Quarantine (PPQ) inspectors will sample and inspect each lot of field crop and vegetable seed at the port of entry. If PPQ inspectors find noxious weeds or other pests, they may refuse admission or allow the seed to be cleaned or processed under supervision. Canadian-origin crop and vegetable seed must be accompanied by a Seed Analysis Certificate (PPQ form 925) in lieu of sampling.

**See special requirements section below for certain kinds of crop seeds.**

### 2. Flower, and other herbaceous plant seeds (as distinguished from seeds of trees and shrubs).

Except as indicated below, seeds in this category are enterable under oral permit. APHIS does not require a written permit. However, all seeds in this category are subject to inspection and, if findings warrant, to such treatment needed to prevent the risks of pest introduction.

*Special requirements for seeds in the above two categories:*

**Bamboo and related genera** - prohibited from all sources.

**Broad Bean (*Vicia faba*)** - see Vetch.

**Citrus (*Citrus* spp.) and related genera** (See Rutaceae) - enterable with written permit.

**Coated or pelleted seed** - Commercial seed shipments allowed entry without treatment or other restrictions if accompanied by form PPQ925 or CFIA5289 or a phytosanitary certificate.

An authorized sampler will draw an official seed sample from each lot before the seed is processed in the country of origin.

**Corn (*Zea*)** - enterable from Canada under written permit. Federal Seed Act requirements still apply for commercial amounts.

**Cotton (*Gossypium*)** - entry limited to North Atlantic ports and subject to fumigation. Written permit required.

**Hibiscus (*Hibiscus* spp.)** - enterable under written permit. Treatment required.

**Kenaf (*Hibiscus cannabinus*)** - enterable under written permit. Treatment required.

**Okra (*Abelmoschus* spp.)** - enterable under written permit. Treatment required.

**Parasitic plants** - prohibited except under plant pest permit.

**Rice (*Oryza* spp.)** - prohibited from all sources.

**Sweet pea or Peavine (*Lathyrus* spp.)** - enterable under written permit.

**Vetch (*Vicia* spp.)** - enterable under written permit.

**Weeds** - Federal noxious weeds are prohibited except under plant pest permit. Write for details giving genus and species or refer to Federal noxious weed list.

**Wheat** - Federal Seed Act requirements still apply for commercial amounts.

### 3. Woody plant seeds (Trees, shrubs, palms and other plants of a woody nature).

Seeds in this category are generally enterable except for the following:

**Avocado (*Persea americana*)** - written permit.

**Barberry (*Berberis* spp.), Mahonia, and Mahoberberis** - prohibited from all sources.

**Coconut (*Cocos* spp.)** - prohibited from all sources except Jamaica and Costa Rica. Written permit required from Jamaica and Costa Rica.

**Coffee, unroasted (*Coffea* spp.)** - prohibited from all sources into Hawaii and Puerto Rico; enterable to other destinations in the US under written permit.

***Prunus* spp.** - because of plum pox disease, *Prunus* spp. other than *Prunus avium*, *P. cerasus*, *P. canescans*, *P. mahaleb*, *P. padus*, *P. serotina*, *P. serrula*, *P. serrulata*, *P. subhirtella*, *P. laurocerasus*, *P. virginiana*, *P. effusa*, *P. sargentii*, and *P. yedoensis* from Canada must be accompanied by a phytosanitary certificate declaring the seeds were produced in a nursery free of plum pox virus.

**Rutaceae** - enterable under written permit.

### 4. Endangered Species

Some seeds are regulated by the Endangered Species Act (ESA) and Convention on International Trade in Endangered Species (CITES). If the seeds are not common species, US citizens contact the USDA-PPQ Permit Unit <http://www.aphis.usda.gov/ppq/permits/index.html> for a list of ESA- and CITES- regulated seeds.

## 5. Genetically Engineered Seeds

For the importation, interstate movement and environmental release of genetically engineered seeds, US citizens apply using APHIS Form 2000, Application for Permit or Courtesy Permit. <http://www.aphis.usda.gov/ppq/permits/index.html>

### **B. - SUMMARY -- ORIGIN OTHER THAN CANADA OR US**

**All seed for planting in category B. re-exported from Canada requires either a phytosanitary certificate or a form CFIA5289 in lieu of a phytosanitary certificate. See below for specific restrictions.**

#### **1. Field crop and vegetable seeds**

Except as indicated in the special requirements section below, seeds in this category are enterable under oral permit. APHIS does not require a written permit. Seeds in this category are subject to the import provisions of the Federal Seed Act. Each lot must be accurately labeled as to kind, variety, origin, and lot designation. If the seed is treated, the declaration of labeling and each container must be further labeled. Plant Protection and Quarantine (PPQ) inspectors will sample and inspect each lot of field crop and vegetable seed at the port of entry. If PPQ inspectors find noxious weeds or other pests, they may refuse admission or allow the seed to be cleaned or processed under supervision. Canadian-origin crop and vegetable seed must be accompanied by a Seed Analysis Certificate (PPQ form 925) in lieu of sampling.

See special requirements section below for certain kinds of crop seeds.

#### **2. Flower, and other herbaceous plant seeds (as distinguished from seeds of trees and shrubs).**

Except as indicated below, seeds in this category are enterable under oral permit. APHIS does not require a written permit. However, all seeds in this category are subject to inspection and, if findings warrant, to such treatment needed to prevent the risks of pest introduction.

*Special requirements for seeds in the above two categories:*

**Bamboo and related genera** - prohibited from all sources.

**Broad Bean (*Vicia faba*)** - see Vetch.

**Citrus (*Citrus* spp.) and related genera** (See Rutaceae) - enterable with written permit.

Treatment required.

**Coated or pelleted seed** - generally prohibited because it cannot be inspected. Commercial seed shipments otherwise allowed entry to the United States without treatment or other restrictions will be considered for entry under a new protocol. Importers must submit a

permit application (PPQ from 587), a statement from Plant Protection Organization of the country of origin stating the name of the sampling officials, a phone and fax number for the sampling official, and a letter from the sampling official stating that the sampling will be done according to International Seed Testing Association requirements. If approved, authorized samplers will draw an official seed sample from each lot before the seed is processed in the country of origin. The sealed sample will accompany the shipment of coated or pelleted seed for inspection by PPQ at the port of entry.

**Corn (*Zea*) and related genera (*Andropogon*, *Coix*, *Chionachne*, *Echinochloa*, *Eleusine*, *Euchlaena*, *Miscanthus*, *Panicum*, *Pennisetum*, *Polytoca*, *Saccharum*, *Sclerachne*, *Setaria*, *Sorghum*, *Trilobachne*, *Tripsacum*.)** - enterable from approved sources under written permit; prohibited from other sources. Write to USDA for details naming seeds, country of origin, and purpose of importation.

**Cotton (*Gossypium*)** - entry limited to North Atlantic ports and subject to fumigation. Written permit required.

**Hibiscus (*Hibiscus* spp.)** - enterable under written permit. Treatment required.

**Kenaf (*Hibiscus cannabinus*)** - enterable under written permit. Treatment required.

**Lentils (*Lens* spp.)** - prohibited from South America. Enterable from other sources under written permit. Treatment required.

**Niger (*Guizotia abyssinica*)** - heat treatment required (which devitalizes the seed). Niger seed contains many noxious weeds and quarantine-significant seeds.

**Okra (*Abelmoschus* spp.)** - enterable under written permit. Treatment required.

**Parasitic plants** - prohibited except under plant pest permit.

**Peanut (*Arachis* spp.)** - prohibited from Burkino Faso, the People's Republic of China, Cote d'Ivoire, India, Indonesia, Ivory Coast, Japan, the Philippines, Senegal, Thailand, and Taiwan because of *peanut stripe virus*.

**Potato true seeds (*Solanum tuberosum*)** - prohibited from all sources except Canada, New Zealand, and Region of Chile.

**Rice (*Oryza* spp.)** - prohibited from all sources.

**Sweet pea or Peavine (*Lathyrus* spp.)** - enterable under written permit. Treatment required.

**Vetch (*Vicia* spp.)** - enterable under written permit. Treatment required.

**Weeds** - Federal noxious weeds are prohibited except under plant pest permit. Write for details giving genus and species or refer to Federal noxious weed list.

**Wheat - (*Triticum aestivum*)** - prohibited entry from many sources. Write for details giving country of origin and purpose of importation.

**Wild rice (*Zizania* spp.)** - prohibited from all sources except Canada.

### **3. Woody plant seeds (Trees, shrubs, palms and other plants of a woody nature).**

Seeds in this category are generally enterable under a written permit, except for the following:

**Avocado (*Persea americana*)** - prohibited from Mexico, Central America and South America.

**Barberry (*Berberis* spp.), Mahonia, and Mahoberberis** - prohibited from all sources.

**Chestnut (*Castanea* spp.)** - enterable under written permit with treatment required.

**Coconut (*Cocos spp.*)** - prohibited from all sources except Jamaica and Costa Rica. Written permit required from Jamaica and Costa Rica.

**Coffee, unroasted (*Coffea spp.*)** - prohibited from all sources into Hawaii and Puerto Rico; enterable to other destinations under written permit.

**Elm (*Ulmus spp.*)** - prohibited from Europe; enterable under written permit from other sources.

**Mango (*Mangifera spp.*)** - prohibited from all except North and South America (excluding Barbados, Dominica, French Guiana, Guadeloupe, Martinique, and St. Lucia).

**Oak (*Quercus spp.*)** - enterable under written permit. Treatment required.

**Prunus spp.** - because of plum pox disease, *Prunus spp.* other than *Prunus avium*, *P. cerasus*, *P. canescans*, *P. mahaleb*, *P. padus*, *P. serotina*, *P. serrula*, *P. serrulata*, *P. subhirtella*, *P. laurocerasus*, *P. virginiana*, *P. effusa*, *P. sargentii*, and *P. yedoensis* from Europe must be accompanied by a phytosanitary certificate declaring the seeds were produced in a nursery free of plum pox virus in Belgium, France, Federal Republic of Germany, the Netherlands, or Great Britain, and the seeds are free from plum pox virus based on testing of parent stock. Seeds of *Prunus spp.* susceptible to plum pox disease from all countries outside of Europe, Cyprus, Syria, and Turkey, must be accompanied by a phytosanitary certificate declaring the seeds were grown in the country specified on the certificate and plum pox virus does not occur in that country.

**Rutaceae** - enterable under written permit. Treatment required if from certain countries listed in CFR 319.37-6(e).

#### 4. Endangered Species

Some seeds are regulated by the Endangered Species Act (ESA) and Convention on International Trade in Endangered Species (CITES). If the seeds are not a common species, **US citizens** should contact the Permit Unit <http://www.aphis.usda.gov/ppq/permits/index.html> for a list of ESA- and CITES- regulated seeds.

#### 5. Genetically Engineered Seeds

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#### Notes:

**US Citizens** - For detailed interpretation of the regulations below or for US importers to obtain permits contact:

**U.S. Department of Agriculture  
Animal and Plant Health Inspection Service  
Plant Protection and Quarantine  
4700 River Road, Unit 133  
Riverdale, Maryland 20737**

<http://www.aphis.usda.gov/ppq/>

**For a written permit, submit a PPQ form 587 permit application.**

**For a plant pest permit, submit a PPQ form 526.**

**For more specific information, refer to these regulations:**

**7 CFR 319 (foreign quarantines)**

**7 CFR 330 (Federal Plant Pest regulations)**

**7 CFR 340 (Genetically Engineered Organism regulations)**

**7 CFR 360 (Noxious weed regulations)**

**7 CFR 361 (Federal Seed Act regulations)**