Safe Operating Procedure

(Revised 12/12)

NON-GENETICALLY ENGINEERED PLANT-RELATED ARTICLES REQUIRING APHIS TRANSFER PERMITS

(For assistance, please contact EHS at (402) 472-4925, or visit our web site at http://ehs.unl.edu/)

Introduction

The United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS), Plant Protection and Quarantine (PPQ) regulates the importation, transit, domestic movement, and environmental release of organisms that impact plants, and the importation and transit of plants and plant products. The APHIS-PPQ regulations are based on a permit system. There are two basic categories of permits, which are discussed in greater detail later in this SOP:

- Organism and soil permits
- Plant and plant product permits

Scope

This SOP is limited in scope to federal authority for plant protection permits issued by USDA-APHIS. This SOP does not address:

- State of Nebraska Department of Agriculture regulations regarding the domestic import of plants, plant products, and plant pests into Nebraska. Refer to the Nebraska Department of Agriculture website, http://www.agr.ne.gov/plant/index.html, for information about Nebraska requirements.
- Export regulations. The UNL Office of Research compliance is responsible for administering the UNL export compliance program. Export restrictions are beyond the scope of this SOP.
- Genetically engineered plant-related materials, including field trials. For additional information on this topic, see http://www.aphis.usda.gov/biotechnology/.
- Plant pathogens that are regulated as select agents. See EHS SOP, ***Select Agents***, for additional information.

Organism and Soil Permits

An APHIS-PPQ permit is required for the following regulated materials:

- Insects and mites
  A PPQ 526 permit is required for the importation, interstate movement and environmental release of all insects and mites that feed upon or infest plants or plant products, including agricultural crops, trees, shrubs, native plants, etc.

- Bees
  APHIS does not regulate the interstate movement of bees in the continental United States. In general a permit is required for the import of bees and related restricted articles, such as dead bees of any genus, beeswax for beekeeping, honey for bee feed, and bee feeding equipment.

- Butterflies and moths
  A permit is required for the importation and interstate movement of live butterflies and moths. A permit is not required for dead butterflies or dead moths

- Biocontrol organisms
  Use of biocontrol organisms is highly regulated and requires substantial effort, beyond application for a permit.

- Plant pathogenic bacteria, viruses, fungi, mycoplasms, and nematodes
  Permits are required for import and domestic transfer. Generally, plant pathogens are recognized as bacteria, fungi, nematodes, phytoplasmas, viroids, viruses, and similar/allied organisms. But for the purposes of this regulation, plant pathogens also include non-genetically engineered infectious substances which can directly or indirectly injure, cause disease, or damage in any plants, plant parts, or plant products. If the organism is imported on/in host material, no separate permit is required if the host material is not intended for propagation

- Snails and slugs
  A PPQ 526 permit is required if snails move across state lines or are imported into the United States. Live snails or slugs under permit must not be released into the environment. A permit is not required for dead snails or slugs.

- Federally listed noxious weeds and parasitic plants
  A permit is required for the importation and/or interstate movement of federal noxious weeds (aquatic and wetland, parasitic and terrestrial). USDA maintains a list of "noxious weeds."

- Earthworms
  A permit is required for importation of earthworms from all countries except Canada. A permit is not required for the domestic movement of earthworms except for movement to Hawaii, Puerto Rico, U.S. Virgin Islands and the U.S. Territories.

- Soil
  Importation and domestic movement of soil requires a permit.

- Widely prevalent regulated organisms
  This is generally a domestic interstate transport permit that applies to plant pests and pathogens that are common and of domestic origin. These permits are often delegated to the State. Organisms that fall into this category are listed at http://www.aphis.usda.gov/plant_health/permits/organism/wpp/index.shtml.

In addition, the movement of insects, mites and ticks that affect animals or vector animal diseases may require a permit from the APHIS-Veterinary Services (APHIS-VS); and the movement of insects, mites and tick that affect man or vector human diseases may require a permit from the United States Department of Health and Human Services, Centers for Disease Control (CDC).

Plant and Plant Product Permits

A variety of permits fall under this category. In general, this category of permits applies to the importation of regulated plants and plant products for consumption or propagation. The various permits available under this category are summarized below.

- Timber or timber products
  A permit is required for the importation of logs, lumber, and other unmanufactured wood products.

- Plants for planting (including seeds)
  A permit is required for the importation of certain, listed living plants, plant parts, and seeds intended for planting (7 CFR 319.37).

- Fruits and vegetables
  A permit is required for importing fresh and/or frozen fruits and vegetables (including fresh herbs and sprouts) for consumption from all foreign sources.

- Rice and related articles
  An import permit is required.

- Indian corn or maize, broomcorn, and related plants
  An import permit is required.

- Miscellaneous products associated with Khapra Beetle
  An import permit is required for certain articles that can harbor the khapra beetle, such as seeds of the plant family Cucurbitaceae, brassware and wooden screens, goatskins, lambskins, and sheepskins, plant gums shipped as bulk cargo, used jute or burlap bagging that contains cargo or used as a packing material, whole chilies, red peppers, and cumin seeds in new jute or burlap bags.

- Sugarcane products and by-products
  Sugarcane and its related products, including cuttings, canes, leaves, and bagasse are generally prohibited from import.

- Foreign cotton and covers
  Generally prohibited from import.

- Cut flowers
  Import permits are required for cut flowers that have berries attached, or are regulated under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

- Prohibited plants and plant products for experimental purposes
  USDA issues permits for small research samples of prohibited plants or plant products intended for experimental purposes (i.e., cotton seed, sugarcane, corn from certain locations, etc.)

Obtaining a Federal Permit

It is the responsibility of the Principal Investigator (PI) to make application for and obtain required APHIS-PPQ permits before engaging in a regulated activity. Forms are provided on the APHIS PPQ web site at http://www.aphis.usda.gov/plant_health/permits/index.shtml.

Standard Permit Conditions

- Intrastate transportation of regulated materials does not usually require APHIS permits unless the permit contains related restrictions.
- Articles obtained under a permit must be destroyed at the conclusion of the intended purpose, generally by autoclaving or incinerating.
- Permits are issued with a stated expiration date. The permit must be renewed or the articles destroyed upon expiration of the permit.
- Permits are typically issued for a recipient, particular site, and purpose. Deviations are not allowed.