

Golden Nematode Regulated Articles

§ 301.85-2(c)

Last update: April 20, 2004

No common carrier or other person shall move interstate from any quarantined State any of the following articles except in accordance with the conditions prescribed below:

1. Soil, compost, humus, muck, peat, and decomposed manure, separately or with other things.
2. Plants with roots, except soil-free aquatic plants.
3. Grass sod.
4. Plant crowns and roots for propagation.
5. True bulbs, corms, rhizomes, and tubers of ornamental plants.
6. Potatoes (*Solanum tuberosum*) as listed below:
 - a. Potatoes (*S. tuberosum*) for seed; and
 - b. Potatoes (*S. tuberosum*) unless:
 - i. Each is at least 1½ inches in diameter based on measurement by a sizing screen or sizing chain, each is substantially free of soil as a result of grading (a method of removing soil mechanically) under a compliance agreement in accordance with § 301.85-5(b), and they are moved in an approved container; or
 - ii. Each is substantially free of soil as a result of washing or fluming under a compliance agreement in accordance with § 301.85-5(b), and they are moved in an approved container; or
 - c. Potatoes (*S. tuberosum*) harvested from a field tested and found by an inspector to contain an identifiable population of viable golden nematodes, unless such field had been subsequently treated in accordance with 6 c i, ii, or iii of this section under the supervision of an inspector and in accordance with any additional conditions found necessary by the inspector to assure effective application of the pesticide used; and unless headlands and farm roads are treated in accordance with 6 c iv of this section:
 - i. Applications of 140.3 liters of Vorlex (1,3 dichloropropene; 1,2 dichloropropane, and other related compounds, 80 percent; plus methyl isothiocyanate, 20 percent active ingredients) per hectare (15 gallons per acre); two applications 5 to 10 days apart with a third application 5 to 10 days after the second application to areas in which the inspector finds upon microscopic examination of soil samples that viable golden nematodes may still exist; soil to be from 3 °C to 29 °C (38 °F to 84 °F).
 - ii. Applications of 280.6 liters of D-D (1,3 dichloropropene; 1,2 dichloropropane, and other related compounds, 100 percent active ingredients) per hectare (30 gallons per acre); two applications 5 to 10 days apart with a third application 5 to 10 days after the second

application to areas in which the inspector finds upon microscopic examination of soil samples that viable golden nematodes may still exist (consult product label for heavier dosage in muck or peat soils); soil to be from 4.5 °C to 29 °C (40 °F to 84 °F).

- iii. Applications of 168.4 liters of Telone II (1,3 dichloropropene, 92 percent active ingredient) per hectare (18 gallons per acre); two applications 5 to 10 days apart with a third application 5 to 10 days after the second application to areas in which the inspector finds upon microscopic examination of soil samples that viable golden nematodes may still exist (consult product label for heavier dosage in muck or peat soils); soil to be from 4.5 °C to 32 °C (40 °F to 90 °F).
- iv. Application of Vapam (sodium-N-methyl dithiocarbamate, 32.7 percent active ingredient) mixed with water at the rate of 1-part Vapam to 60 parts water and applied as a drench at the rate of 14.96 cubic meters per hectare (1600 gallons per acre); soil to be from 4.5 °C to 32 °C (40 °F to 90 °F).

- 7. Root crops other than potatoes (*S. tuberosum*).
- 8. Small grains and soybeans.
- 9. Hay, straw, fodder, and plant litter, of any kind.
- 10. Ear corn, except shucked ear corn.
- 11. Used crates, boxes, and burlap bags, and other used farm products containers.
- 12. Used farm tools.
- 13. Used mechanized cultivating equipment and used harvesting equipment.
- 14. Used mechanized soil-moving equipment.
- 15. Any other products, articles, or means of conveyance of any character whatsoever, not listed in 1-14 above, when it is determined by an inspector that they present a hazard of spread of golden nematode, and the person in possession thereof has been so notified.

Golden Nematode Exempted Articles

§ 301.85-2(d) Exempted articles¹.

Last update: February 25, 2002

1. The following articles are exempt from the certification and permit requirements of this subpart if they meet the applicable conditions prescribed in 1 a-d below and have not been exposed to infestation after cleaning or other handling as prescribed in said paragraphs:
 - a. Small grains, if harvested in bulk or directly into approved containers, and if the small grains and containers thereof have not come into contact with the soil; or, if they have been cleaned to meet State seed sales requirements.
 - b. Soybeans (other than for seed), if harvested in bulk or directly into approved containers, and if the soybeans and containers thereof have not come into contact with the soil.
 - c. Unshucked ear corn, if harvested in bulk or directly into approved containers, and if the corn and containers thereof have not come into contact with the soil.
 - d. Used farm tools, if cleaned free of soil.
2. The following articles are exempt from the certification and permit requirements of this subpart if they meet the applicable conditions prescribed in 2 a-b below and have not been exposed to infestation after cleaning or other handling as prescribed in said paragraphs: Provided, That this exemption shall not apply to any class of regulated articles specified by an inspector in a written notification to the owner or person in possession of the premises that the movement of such articles from such premises under this exemption would involve a hazard of spread of the golden nematode:
 - a. Root crops [other than potatoes (*S. tuberosum*) and sugar beets], if moved in approved containers.
 - b. Hay, straw, fodder, and plant litter, if moved in approved containers.
3. Containers of the following types are approved for the purposes of this section:
 - a. New paper bags; and consumer packages of any material except cloth or burlap.
 - b. Crates, pallet boxes, trucks, and boxcars, if free of soil.

¹ The articles hereby exempted remain subject to applicable restrictions under other quarantines and other provisions of this subpart.