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**Plant Importer's Responsibilities**  
**Circular Q37-2**  
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Importers of plants and seeds for planting have five important responsibilities:

1. Before placing an order, the importer should obtain any required import permit or make certain that existing permits are valid and provide for the entry of the desired material. See [Circular Q37-1](#), 'Guidance to Applicants for Permits to Import Plant Material for Planting', for information about applying for an import permit.
2. The importer should transmit appropriate permit, label, and import instructions to the foreign shipper.
3. The importer should make advance arrangements for meeting all of U.S. Customs and Border Protection (CBP) or other government agency requirements.
4. The importer should supply labor and materials or arrange for this through a broker or agent, when necessary.
5. The importer should make the necessary shipping arrangements that ensure permitted plants and seeds are delivered for inspection to a USDA, Plant Protection and Quarantine (PPQ) plant inspection station (PIS). Movement of restricted plant material to and from the PIS is the responsibility of the consignee and/or broker.

**What to Tell the Foreign Shipper?**

The permittee should make sure that the foreign shipper uses the desired means of transportation and approved packing material for exportation to the United States. The importer should remind the exporter that the plant material must be free from soil, must not be established in growing media except where exempted by the regulations in 7 CFR 319 Subpart- Plants for Planting, must be within the size-age limitations, and must be properly labeled, invoiced, and accompanied by the original phytosanitary certificate. If the Permit Unit has issued shipment labels for a permit, the exporter must be instructed in the proper use of the labels. Plants for planting that require a permit must enter the United States through ports with an Inspection Station.

Freedom from soil and growing media:

All plant material must be free from sand, soil, earth and growing media, except for those plants approved to enter in growing media from APHIS-approved facilities (see Plants for Planting Manual). Leaf mold and other decayed vegetable molds are considered soil. Plants arriving in or contaminated with sand, soil, earth, or in a growing medium from an unapproved source, may be refused entry.

### Packing material:

Packing material may only be used if plants are packed in the packing material immediately prior to shipment and must not have been previously used as packing material or otherwise. Only approved packing material may be used. A complete list of approved packing materials can be found in the Plants for Planting Manual. The commonly used approved packing materials include ground peat, sphagnum moss, perlite, pulp-free coconut or other vegetable fibers (excluding sugarcane and cotton), osmunda fiber, excelsior, wood or cork shavings, sawdust, rock wool, ground cork, buckwheat hulls, polymer stabilized cellulose, and exfoliated vermiculite.

Plants for planting material which has been wrapped, coated, dipped, sprayed, or otherwise packaged in plastic, wax or other impermeable material that prevents adequate inspection or treatment may be refused entry.

### Size-age limitations:

The size-age restrictions are found in the General Restrictions chapter in the Plants for Planting Manual.

### Labeling:

All plant material must be plainly and legibly labeled with scientific names (genus, species, and if possible, variety). Plants or bundles of plants should be individually labeled. Lack of labeling results in handling delays.

### Invoices:

Plant Protection and Quarantine requires copies of invoices in addition to those required by CBP, the broker, and the importer.

For cargo importations: A copy must be filed at the time U.S. Customs and Border Protection (CBP) entry is made. In addition, a packing list must accompany each container of material or a copy of the invoice must be enclosed within container No. 1 for shipments having more than one container.

For importations by mail: One copy of the invoice must be enclosed within the parcel or within one of the parcels in the event of a lost shipment.

### Certification:

Title 7 CFR 319.37-6 requires that plants for planting offered for importation must be accompanied by an original phytosanitary certificate issued by the appropriate plant quarantine official in the country of origin. Also, please note that certain plants, or plants from certain countries, may require “additional declarations” on the phytosanitary certificate (see Plants for Planting Manual for specific requirements).

For cargo importations: The original certificate must be attached to the CBP entry documents. A copy of the certificate may be attached to each container.

For importations by mail: A copy of the certificate must be attached to the outside of each parcel, and the original certificate must be enclosed within the parcel or within one of the parcels in the event of a lost shipment.

### Means of importation:

The importer should provide instructions to the foreign shipper as to the means of importation. Mail shipments, whether by letter mail, parcel post, air parcel post, or other classes of mail, do not require a bonded carrier to transport the material to a USDA plant inspection station. Importations made by air express, air freight, and other means do require a bonded carrier. Air express and air freight (cargo) should not be confused with air mail and air parcel post. Also, see the section below about baggage entries.

### Mail shipments:

If you are importing plants and seeds by mail, please instruct your supplier to attach to your parcel(s) the green-and-yellow labels (PPQ Form 508) provided with your permit. For mail shipments, it is especially important that the permittee's name, address, telephone number, and permit number be enclosed within each parcel. Instruct your supplier to place **ONLY** the green and yellow label, and **NOT** your name or address, on the outside of the parcel. Not all countries offer air parcel post; moreover, the character of air parcel post service may vary by country. From some countries, air parcel post moves by air only to the port of first arrival and thence by surface transportation to the destination. Other countries provide air movement to the final destination; still other countries provide both types of air parcel post service, allowing the shipper to select the type desired.

Information on air parcel post can best be obtained from the foreign shipper or your local post office. Letter-rate airmail, sometimes used for seeds or valuable cuttings when air parcel post is not available, carries material through to the destination by air.

Regardless of the address on the green-and-yellow mailing label, the plant materials for propagation will be cleared at the first U.S. port of arrival which has a USDA plant inspection station. Ports with inspection stations are Jamaica, New York; Linden, New Jersey; Miami and Orlando, Florida; Atlanta, Georgia; Los Indios and Houston, Texas; Nogales, Arizona; San Diego, Los Angeles (El Segundo), and San Francisco, California; Seattle, Washington; Honolulu, Hawaii; San Juan, Puerto Rico; and Barrigada, Guam. Please remember that we do not have control over routing or in transit handling of international mail. Air transport may result in delivery of the plants to any approved port address.

After agricultural clearance at the USDA PIS, mail shipments are returned to the mail system and go forward to the destination under the original postage. Note: If the value of the shipment is *less than \$1000.00*, duty, if any, is collected at the post office of the destination. If valued at *\$1000.00 or more*, the shipment goes to the U.S. Customs and Border Protection port closest to the destination post office where the importer must either make the formal entry directly or employ a customs broker or agent. The importer is notified by CBP of the arrival of the shipment and the port at which entry must be made.

### Shipments other than by mail:

Importations arriving by means other than mail require a CBP entry regardless of value. The importer or importer's agent must arrange for delivery to a USDA PIS, if necessary, and onward to the final destination.

### Shipments by Express Carrier:

1) The importer must meet all permit requirements regarding green and yellow labels and your shipment must be accompanied by a copy of the permit at the time of arrival into the United States. In addition, the importer must inform the exporter to place inside the package a U.S. domestic airway bill from the

express carrier being used (e.g. FEDEX, DHL, UPS, etc.); include the account number to be used for charging the shipment in the appropriate box. The domestic airway bill will facilitate forwarding of packages after the USDA PIS has cleared the shipment.

2) An invoice must accompany the shipment. This is especially important if you are importing more than one genus or species.

3) If applicable, the documentation required by the permit must include the correct scientific name for the material.

4) If the plants or seeds you are importing by express carrier are perishable, you are encouraged to schedule the arrival of your shipments at the USDA PIS as early in the week as possible to avoid delivery problems that may occur over weekends and holidays. PPQ Form 368 is designed for this purpose and collects the types of information PPQ needs to arrange an inspection.

5) If a plant or seed shipment is refused entry at the USDA PIS, you will be asked to re-export or destroy the materials generally within 48 or 72 hours from the time you are notified by PPQ.

Addressing cargo, express, or freight shipments:

Each case, box, or other container of a shipment shall be clearly and plainly marked to show the general nature and quantity of the contents and the country where grown, bear distinguishing marks, be individually numbered, and be addressed in the following way:

"U. S. Customs and Border Protection \_\_\_\_\_  
(Name of port where material is authorized to clear quarantine)

For delivery to the Plant Protection and Quarantine Inspection Station. For account of  
\_\_\_\_\_ Permit No. \_\_\_\_\_  
(Name and address of permittee)

From \_\_\_\_\_."  
(Name and address of foreign shipper)

Meeting U.S. Customs and Border Protection requirements for non-parcel post importations:

Delays resulting in loss or deterioration of material may occur because importers do not make arrangements in advance for a Customs broker or other agent to attend to CBP formalities in connection with freight, air freight, express, or air express consignments. Such shipments are in CBP custody and unless under an Immediate Transportation (IT) entry, cannot go forward until all CBP requirements have been completed. PPQ Plant Health Safeguarding Specialists do not have the authority to act as, or render the services of, a Customs Broker. Government employees cannot employ a Customs Broker on behalf of an importer nor can they recommend one.

Arrangements with the broker or other agent should be made well in advance of the shipment's arrival. The expected date and time of arrival, the flight number or name of vessel, invoice number and permit number, type of Customs entry, and forwarding instructions should be provided to the customs broker or agent. The broker or agent can arrange for transportation, labor and materials, if needed. Contact the Department of Homeland Security, Customs and Border Protection for more information.

Baggage entries:

The importation of most plant material (except certain bulbs and flower seeds) by carry-on baggage may prove more costly than entry by mail. The importer may have to arrange for a bonded carrier (if available at the port of arrival) to transport the material to the nearest USDA PIS. Also, upon completion of PPQ inspection, the importer or broker will have to arrange to pay forwarding costs.

#### Ports with USDA Plant Inspection Stations:

Material may be offered for agricultural clearance at ports of arrival at which PISs are located.

Please note that USDA PISs are generally open from Monday through Friday, except on Federal holidays.

If the permit does not specify entry of the plants at the desired USDA PIS, please apply for a permit amendment either in writing or through the ePermits system. When applying, remember that uninspected and untreated material may not move long distances overland because the shipment must be inspected and treated, if necessary, at the authorized PIS at the first port of arrival.

Contacting your broker or shipper to understand the exact routing that your shipment will take, including at what U.S. port the shipment will first arrive at, may reduce delays and ensure that the shipment will be inspected promptly upon entry.

#### Labor, supplies, and handling:

The importer must make arrangements and pay all costs for the labor, supplies, and special handling required to clear a shipment. Labor is usually required for shipments imported other than by mail, for the unpacking and repacking of plant material and to move containers into and out of the USDA PIS. Costs vary with the size of the shipment and the amount of work that may be involved. Supplies such as lumber, packing material, etc., may be necessary depending upon the condition of the shipment.

#### Treatments:

The Plant Protection Act gives USDA, APHIS, PPQ the responsibility for protecting the United States from the introduction and dissemination of injurious arthropod plant pests, pathogens, and noxious weeds. Please be advised that approved methods used to control such organisms are not always available to eliminate pest risk and some treatments are phytotoxic. Improve your chances of avoiding such problems by communicating to the exporter the necessity for them to ship pest-free, healthy plant material using a timely means of conveyance.

Treatments used by PPQ to control pest infestations on imported plants and seeds are those which are the most effective for the pest concerned and believed to be least likely to cause injury to the plants involved. All treatments are applied at the risk of the importer. The importer should carefully consider other measures communicated in the Emergency Action Notification (PPQ Form 523) if action must be taken. These measures typically include the right to return the plant material to origin or destroy the plant material under official supervision at no cost to the government.

Perishable plant materials undergo much stress and are often weakened by adverse shipping conditions. Communicating to your supplier the importance of providing pest and disease free plants and seeds will help to reduce the chance of additional stress to the plants that may result from treatments on the shipment that are needed to keep foreign pests and diseases from entering the United States.