

Summary of Federal Plant Regulatory Legislation

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Insect Pest Act of 1905 (33 Stat. 1269, 7 U. S. C. 141). This was the first plant pest legislation enacted by the Congress, having been approved March 3, 1905. It prohibits the importation or interstate movement, by any means of transportation, of any living insect that is notoriously injurious to cultivated crops. A heavy fine is provided for violation of the act. This act is still of considerable importance since it is applicable to the entry of insects by airplane.

The Plant Quarantine Act of 1912 (37 Stat. 315, 7 U. S. C. 154). This act, approved August 20, 1912, is the most important of all Federal legislation enacted to protect the United States against the entry of dangerous insects and plant diseases and to prevent the widespread distribution of such pests if they accidentally gain a foothold here. This act gives the Secretary of Agriculture broad authority to prevent the entry of plant pests that might infest or infect imported plants or plant products and to prevent the spread of an introduced pest of limited distribution in the United States.

Sections 1 to 5 of the act authorize the Secretary of Agriculture to establish conditions and regulations governing entry into the United States of nursery stock and other plants and plant products, and to require that permits be secured for such importations. Section 7 authorizes the Secretary to prohibit the entry of nursery stock and other plants and products from a country or locality where a plant disease or injurious insect exists. In addition, section 8 authorizes the Secretary to promulgate quarantines and regulations restricting interstate movement of plants or plant material, or any other article of any character whatsoever, capable of carrying any dangerous plant disease or insect infestation that may be specified in a quarantine as "new to or not heretofore widely prevalent or distributed within and throughout the United States." Penalties are provided for violation of the act.

Amendments to the act were approved March 4, 1913; March 4, 1917; May 31, 1920; April 13, 1926; May 1, 1928; and July 31, 1947. In order of their approval, these amendments have, among other items, authorized (1) the importation for experimental or scientific purposes by the Department of Agriculture of plants and

plant products, (2) the promulgation of an interstate quarantine without the necessity for determining that the area involved is actually infested, (3) the regulation of the movement of plants and plant products into the District of Columbia, (4) the several States to quarantine, in the absence of an applicable Federal quarantine, against the shipment through or into their environs of plants, plant products, and other articles from other States in which a dangerous plant disease or insect infestation exists; (5) the halting and without warrant, inspection, search, and examination of persons, vehicles, receptacles, boats, ships, or vessels, and seizure and destruction or other disposition of plants or other articles found to be moving in violation of the act or any regulation issued thereunder; and (6) the added condition for the importation of nursery stock under permit that, when deemed necessary, such stock must be grown in post-entry quarantine for the purpose of determining its freedom from infestation or infection.

Mexican Border Act (56 Stat. 40, 7 U. S. C. 149). This act, approved January 31, 1942, authorizes the Secretary of Agriculture to regulate the entry from Mexico of all vehicles, freight, express, baggage and other materials which may carry insect pests and plant diseases. The Secretary is also authorized to provide facilities for inspection, cleaning, and disinfection of such vehicles and materials, and to collect fees for such services.

Export Certification Act (58 Stat. 735, 7 U. S. C. 147a (b)). This act, included as Section 102 (b) of the "Department of Agriculture Organic Act of 1944," approved September 21, 1944, authorizes the Secretary of Agriculture to provide for the inspection of domestic plants and plant products to meet the phytosanitary requirements of foreign countries.

Terminal Inspection Act (38 Stat. 1113, 7 U. S. C. 166). This act, approved March 4, 1915, provides, under specified conditions, for inspection by State plant pest officials at mail terminals of plants and plant products moving interstate. This permits the States, in cooperation with the Post Office Department, to protect themselves against the entry of infested or infected plants or plant products through the mails.



Pickleworm.