



**November 10, 2014**

**To: Bob LaGasse**

**From: DCLRS**

**Sub: APHIS Requirements**

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Soil is strictly controlled under APHIS quarantine regulations [7 CFR 330](#) because it can readily provide a pathway for the introduction of a variety of dangerous organisms into the United States.

Importation of soil into the United States from foreign sources is prohibited, and movement within the continental U.S. is restricted unless authorized by APHIS under specific conditions, safeguards and controlled circumstances described in a permit and/or compliance agreement.

- [Apply for a Permit](#) - Use PPQ Form 525-A, Application for Permit to Receive Soil or PPQ Form 526, Application for permit to move live plant pests, biological control agents, or noxious weeds

[Shipping Labels](#) Shipping requirements for importing regulated soil requiring black, white, green, and yellow labels.

[Frequently Asked Questions](#) View a list of the commonly asked questions and concerns associated with the application process for a soil permit.

[Circular](#) Soil can contain numerous diseases and pests. Soil from almost all foreign countries and from many States of the United States can move only if conditions and safeguards are met. For more information on how to import and move soil, view circular.

[Permit Process](#) The importation and movement of untreated soil is considered by APHIS to be an extremely high risk activity. For this reason, several levels of review and approval are required before a permit can be provided. For more information, view soil permit process.

[Permit Eligibility For Graduate Students and Post-doctoral Workers](#)

[Hand-Carry Conditions](#) This web page contains information related to hand-carry conditions for all authorized soil hand carry events.

[Foreign Soil Under 3 pounds](#) A permit can be issued by the Permit Unit usually within 2 weeks if the applicant has requested an authorization for less than three pounds of soil (per shipment), and the soil can be heat sterilized by PPQ at ports with appropriate facilities.

**Foreign Soil Over 3 pounds** Soil which cannot be treated at the port of entry may be authorized for movement to a facility approved in advance and authorized under a permit issued by PPQ. Specific safeguard provisions are described in the permit and also in a compliance agreement with the facility.

**Domestic Soil** Soil from Guam, Hawaii, Puerto Rico, and the U.S. Virgin Islands is handled as foreign soil and is authorized movement into the continental U.S. under the provisions described for foreign soil.

**Canadian Soil** Soil cannot enter the U.S. if from the following areas:

- Alberta: A farm unit and associated land located near the municipality of Fort Saskatchewan; and a farm unit and associated land located near the municipality of Spruce Grove.
- British Columbia: That portion of the municipality of Central Saanich on Vancouver Island, east of the west Saanich Road.
- Newfoundland and Labrador: The entire Island of Newfoundland.
- Quebec: The municipality of Saint- Amble.

Soil from other parts of Canada imported into the U.S. is subject only to inspection and verification of the origin.

## **Isolating Organisms**

## **Importation of Plant Growth Enhancers**

### **Importation of Soil Amendments or Plant Health Enhancers, (Including Fertilizers, Compost, Sludge, and Other Materials Used to Enhance Plant Growth**

Last Modified: Sep 2, 2014

[Print](#)

The Animal and Plant Health Inspection Services (APHIS) of the United States Department of Agriculture (USDA) is charged with protecting the health and value of American agriculture and natural resources from the introduction of destructive plant and animal diseases and pests. USDA-APHIS processes permit applications for a variety of organic soil amendments/plant health enhancers from various countries for commercial purposes. These commodities have numerous names that typically are descriptive of their intended use, but the products typically contain living microorganisms and plant and/or plant parts that may have been composted or mechanically processed. Permits or other documentation may be required for entry of these products into the U.S. from foreign countries, and in the absence of these documents, shipments can be denied entry. The following guidance is intended to assist potential importers of these commodities. Individuals wishing to import these commodities must also follow the statutes of other regulatory agencies and programs such as the Environmental Protection Agency (EPA), Centers for Disease Control (CDC), Food and Drug Administration (FDA), and Fish and Wildlife Services (FWS), etc. State Departments of Agriculture may regulate fertilizers, and they may issue permits or other documentations authorizing the use of domestic products within their States. Please note that State Departments of Agriculture do not regulate foreign commerce, and their documentation is not sufficient for the entry of these products into the U.S.

### **What are soil amendments/ plant health enhancers?**

Soil amendments/plant health or growth enhancers are materials that typically are added to soil, plants, or the plant-growth environment to enhance plant growth. These include fertilizers, compost, sludge, manure,

microbes, additives, and others or combinations thereof. For regulatory purposes any material that meets this definition will be called ‘Plant Growth Enhancer.’

### **Plant Growth Enhancers (PGEs)**

PGEs may enhance plant growth by various mechanisms. These include: providing supporting nutrients (fertilizers), and improving soil condition (i.e., adjusting the pH of the soil, improving soil structure and texture, aeration adjustment, and moisture conservation among others), or controlling or suppressing plant pests. These PGEs could contain organic and inorganic components, and could be of natural or synthetic origin. Inorganic PGEs are composed of synthetic chemicals and/or minerals, while organic PGEs are often composed of organic matter from plant/animal sources, and/or microbes. Thus, organic amendments may include materials such as manure, earthworm castings, soil, sphagnum peat, grass clippings, straw, wood chips, various composts, seaweed, guano, or naturally occurring mineral deposits (e.g. saltpeter), and living microorganisms among others.

### **Regulatory policy pertaining to the importation of PGEs into the U.S**

PGEs have the potential to contain pests or plants and plant parts that present a risk to American agriculture and the environment. Therefore, release of these commodities into the environment could be detrimental to U.S. agriculture and the environment. APHIS regulates living organisms that could impact animal and plant health. These products could contain human and animal pathogens, which may be regulated by other agencies. APHIS has the authority to regulate microbial organisms that are biocontrol organisms or have biopesticidal properties. More information can be obtained from the [Permits and Certifications APHIS Web site](#). Select link entitled, “[Guidelines and Regulations for Microbial Pathogens Used to Control Invertebrate Plant Pests](#)”

APHIS may also regulate many of the following components: microbial organisms, mollusks, arthropods, nematodes, plants and plant parts, noxious weed seeds, soil, earthworm castings and animal products such as manure and bedding materials. Animal products that may present a risk to animal health are regulated by APHIS Veterinary Services (VS). VS may be contacted by email at [AskNCIE.Products@aphis.usda.gov](mailto:AskNCIE.Products@aphis.usda.gov) or by phone at 301-851-3300. For information pertaining to soil, plant and plant products, organisms, and biocontrol/microbial biopesticides, contact APHIS Plant Protection and Quarantine (PPQ) by email at [pest.permits@aphis.usda.gov](mailto:pest.permits@aphis.usda.gov), or by phone at 866-524-5421. Other Federal, State, and local Agencies may also regulate these products.

### **Permitting policy pertaining to the importation of PGEs into the U.S**

- APHIS can either authorize importation through the issuance of a permit, or deny the application, because there is no acceptable safeguard to mitigate the risk associated with a commodity that contains plant pests or biocontrol/biopesticide organism, if the application is for environmental release.
- APHIS could authorize importation of the commodity into containment for further research, but deny its release into the environment.
- Permit applications for environment release require rigorous evaluation and may be subject to regulations of other Agencies. Permits for research that includes environmental release can only be authorized for field studies of 10 acres or less. See below for a questionnaire that will enable importers to provide required information to APHIS.
- APHIS also evaluates the media in which the organisms are contained to ensure that it is free of plant or animal health risk.
- If APHIS determines that the PGEs do not represent a pest risk to American agriculture or the environment, APHIS is still required to meet the requirements of the National Environmental Policy

Act (NEPA) and the FWS Endangered Species Act (ESA) prior to authorization of the entry and release of these commodities into the U.S. APHIS will issue letters of decision on a case-by-case basis following the evaluation of the risk associated with the components of the product.

- Letters of decision include; “letters of denial,” “letters of no permit required,” or “letters of no jurisdiction.” Letters of no permit required or letters of no jurisdiction should accompany shipments in order to facilitate entry into the U.S. A letter of denial will indicate that APHIS will not issue a permit, based on the risk to American agriculture.
- If a product is authorized to enter the U.S., certificates of purity and identity may be required.

### What is not regulated?

- PGEs that are free of organic material; organic materials that are exempt from USDA regulations are described in the [soil circular](#). These include volcanic rock, pumice, and peat (if processed to uniform consistency and are free of plant parts and seed). Sterile media is not regulated, and certification of the sterilization process is required.
- PGEs that only contain pure cultures of organisms of known identity that are not human, animal, or plant pests or pathogens or biocontrol organisms/biopesticides.

### From what locations are the PGEs regulated?

- All foreign sources, Hawaii, and all U.S. territories.
- Parts of U.S. under Federal quarantine as authorized under [7CFR 301](#) regulations and quarantines.

### What information is required by APHIS to facilitate the evaluation and decision process?

[Questionnaire]

1. Does the material contain live organisms?
2. If it contains live microorganisms, for each microbe provide its complete scientific name including specific strain name, the country where the organism was originally isolated and the environment where it was isolated (e.g., soil, water, animal, plant, detritus).
3. Does it contain soil?
4. Does it contain earthworm castings, sludge, manure, farm waste, or other organic materials? Please describe.
5. Does it contain plant matter including decaying materials? Where is the plant matter derived from?
6. Does it contain peat or other material derived from peat? Where is the peat derived from?
7. Has it been treated to destroy contaminants? If yes, give details of process and procedures.
8. Has the final product been tested or analyzed for the presence/absence of microorganisms? If yes, please list **all** microorganism found present in your analysis.
9. Provide a brief summary of how your product is intended to enhance plant growth.
10. Does it control a plant pest or noxious weed?
11. Does it target a plant pest(s)? If so, what is the target pest(s)?
12. Have the microbes been reported in the scientific literature to produce toxins or antibiotics? If yes, do you believe these have a role in providing the intended plant health benefit? Please describe.
13. Provide data and scientific literature citations addressing whether the microbe is pathogenic (or non-pathogenic) to plants, humans, animals, and non-target organisms likely to be present in the environment where the material will be released.

14. Provide a report that gives detailed chemical and microbiological analysis of the material that will be imported.

**Please Note:** Answers to the questions can be supplemented with file attachments, photos etc. Also, follow-up questions may be asked.

Commercial sale of imported PGEs containing organic matter and/or organisms of unknown identity is not authorized unless the material has been treated to destroy all organisms, Federal noxious weed seeds, and other contaminants. These treatments are similar to those approved for soil. For additional information, see the APHIS [Regulated Organism and Soil Permits Web site](#). Please contact APHIS before shipment of such materials.

### Contact Information

For further guidance and permit requirements, please contact:

APHIS/PPQ

Email: [pest.permits@aphis.usda.gov](mailto:pest.permits@aphis.usda.gov)

Telephone 866-524-5421.

For PPQ/VS

Email: [AskNCIE.Products@aphis.usda.gov](mailto:AskNCIE.Products@aphis.usda.gov)

Telephone: 301-851-3300.

**[APHIS Inspected Facilities Authorized to Receive Soil](#)** This is the updated list of facilities inspected by USDA-APHIS to receive foreign and interstate (domestic) soil samples. This list supersedes all previous lists. Facilities inspected to receive foreign soil samples must obtain a soil permit and sign a compliance agreement. The compliance agreement also authorizes the facility to receive domestic shipments. Facilities inspected to receive foreign soil samples have the permit expiration date in parenthesis following the name and address. Facilities shown without a date or with an asterisk are authorized to receive domestic soil only. Soil received by an inspected facility may not be re-shipped to any other facility unless the destination facility is shown in this list as eligible to receive that type of soil.

## IMPORT REQUIREMENTS

Plant Protection and Quarantine (PPQ) regulates the importation of plants and plant products under the authority of the Plant Protection Act. PPQ maintains its import program to safeguard U.S. agriculture and natural resources from the risks associated with the entry, establishment, or spread of animal and plant pests and noxious weeds.

### [Commodity Import Approval Process](#)

#### Permits

- [Organism and Soil Permits](#)
- [Plants and Plant Products Permits](#)
- [Transit Permit Information](#)

## Import Requirements for

- [Craft Industries](#)
- [Endangered Plant Species \(CITES\)](#)
- [Fruits and Vegetables](#)
- [Plant Growth Enhancers](#)
- [Plants and Products Covered by the Lacey Act](#)
- [Plants and Seeds for Planting](#)
- [Regulated Garbage](#)
- [Wood Packaging Materials](#)

## [Federal Import Orders](#)

### Accreditation and Certification Programs for Plant Imports

- [Greenhouse-Grown Plants from Canada](#)
- [Plants in Growing Media – Phalaenopsis](#)
- [Special Foreign Inspection and Certification – Pelargonium](#)
- [National Clean Plant Network](#)

## [Agriculture Quarantine Inspection \(AQI\)](#)

- [Plant Inspection Stations](#)
- [Predeparture](#)
- [Quarantine Treatments](#)
- [Quarantine Screening of Restricted Plant Materials](#)
- [Smuggling Interdiction and Trade Compliance](#)

### Offshore Plant Health Safeguarding Activities

- [Greater Caribbean Safeguarding Initiative](#)
- [Preclearance Activities](#)

## EXPORT REQUIREMENTS

### Export Services

The United States Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine (USDA-APHIS-PPQ) provides phytosanitary certification of both U.S. and foreign-origin agricultural commodities. The export program does not require certification of any U.S. exports, but rather provides certification of commodities as a service to U.S. exporters.

- [Opening New Markets for U.S. Commodities](#)
- [Export Program Manual](#)

### Frequently Asked Questions

[Frequently asked questions](#) about the phytosanitary certification of agricultural commodities and processed plant products.

## Export Certification

- [Ineligible Commodities](#)
- [Eligible Processed Commodities](#)
- [Phytosanitary Certificate Issuance and Tracking \(PCIT\) System](#)
- [Export Certificates and Application Forms](#)
- [User Fees for Export Certificates](#)

## Export Certification Specialists

Questions regarding the export program may be directed to the Export Certification Specialist in your State or the State of export.

## Export Assistance Programs

- [Wood Packaging Material](#)
- [National Seed Health System](#)
- [State National Harmonization Program for Seed Potatoes](#)
- [U.S. Nursery Certification Program](#)
- [U.S. Greenhouse Certification Program](#)