

§ 360.200

7 CFR Ch. III (1-1-12 Edition)

Responsible person. The person who has control over and will maintain control over the movement of the noxious weed and assure that all conditions contained in the permit and requirements in this part are complied with. A responsible person must be at least 18 years of age and must be a legal resident of the United States or designate an agent who is at least 18 years of age and a legal resident of the United States.

State. Any of the several States of the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

Taxon (taxa). Any grouping within botanical nomenclature, such as family, genus, species, or cultivar.

Through the United States. From and to places outside the United States.

United States. All of the States.

[41 FR 49988, Nov. 12, 1976, as amended at 75 FR 68953, Nov. 102, 2010]

§ 360.200 Designation of noxious weeds.

The Administrator has determined that it is necessary to designate the following plants<sup>1</sup> as noxious weeds to prevent their introduction into the United States or their dissemination within the United States:

(a) Aquatic and wetland weeds:

- Azolla pinnata R. Brown (mosquito fern, water velvet)
Caulerpa taxifolia (Vahl) C. Agardh, Mediterranean strain (killer algae)
Eichhornia azurea (Swartz) Kunth
Hydrilla verticillata (Linnaeus f.) Royle (hydrilla)
Hygrophila polysperma T. Anderson (Miramar weed)
Ipomoea aquatica Forsskal (water-spinach, swamp morning-glory)

1One or more of the common names of weeds are given in parentheses after most scientific names to help identify the weeds represented by such scientific names; however, a scientific name is intended to include all subordinate taxa within the taxon. For example, taxa listed at the genus level include all species, subspecies, varieties, and forms within the genus; taxa listed at the species level include all subspecies, varieties, and forms within the species.

- Lagarosiphon major (Ridley) Moss
Limnophila sessiliflora (Vahl) Blume (ambulia)
Melaleuca quinquenervia (Cavanilles) S.T. Blake
Monochoria hastata (Linnaeus) Solms-Laubach
Monochoria vaginalis (Burman f.) C. Presl
Ottelia alismoides (L.) Pers.
Sagittaria sagittifolia Linnaeus (arrowhead)
Salvinia auriculata Aublet (giant salvinia)
Salvinia biloba Raddi (giant salvinia)
Salvinia herzogii de la Sota (giant salvinia)
Salvinia molesta D.S. Mitchell (giant salvinia)
Solanium tampicense Dunal (wetland nightshade)
Sparganium erectum Linnaeus (exotic bur-reed)

(b) Parasitic weeds:

- Aeginetia spp.
Alectra spp.
Cuscuta spp. (dodders), other than following species:
Cuscuta americana Linnaeus
Cuscuta applanata Engelmman
Cuscuta approximata Babington
Cuscuta attenuata Waterfall
Cuscuta boldinghii Urban
Cuscuta brachycalyx (Yuncker) Yuncker
Cuscuta californica Hooker & Arnott
Cuscuta campestris Yuncker
Cuscuta cassyoides Nees ex Engelmman
Cuscuta ceanothi Behr
Cuscuta cephalanthi Engelmman
Cuscuta compacta Jussieu
Cuscuta coryli Engelmman
Cuscuta cuspidata Engelmman
Cuscuta decipiens Yuncker
Cuscuta dentatasquamata Yuncker
Cuscuta denticulata Engelmman
Cuscuta epilinum Weihe
Cuscuta epithymum (Linnaeus) Linnaeus
Cuscuta erosa Yuncker
Cuscuta europaea Linnaeus
Cuscuta exaltata Engelmman
Cuscuta fasciculata Yuncker
Cuscuta glabrior (Engelmman) Yuncker
Cuscuta globulosa Bentham
Cuscuta glomerata Choisy
Cuscuta gronovii Willdenow
Cuscuta harperi Small
Cuscuta howelliana Rubtzoff
Cuscuta indecora Choisy
Cuscuta leptantha Engelmman
Cuscuta mitrififormis Engelmman
Cuscuta obtusiflora Kunth
Cuscuta odontolepis Engelmman
Cuscuta pentagona Engelmman
Cuscuta planiflora Tenore
Cuscuta plattensis A. Nelson
Cuscuta polygonorum Engelmman
Cuscuta rostrata Shuttleworth ex Engelmman & Gray
Cuscuta runyonii Yuncker
Cuscuta salina Engelmman
Cuscuta sandwichiana Choisy

- Cuscuta squamata* Engelmänn  
*Cuscuta suaveolens* Seringe  
*Cuscuta suksdorfii* Yuncker  
*Cuscuta tuberculata* Brandegee  
*Cuscuta umbellata* Kunth  
*Cuscuta umbrosa* Beyrich ex Hooker  
*Cuscuta veatchii* Brandegee  
*Cuscuta warneri* Yuncker  
*Orobanche* spp. (broomrapes), other than the following species:  
*Orobanche bulbosa* (Gray) G. Beck  
*Orobanche californica* Schlechtendal & Chamisso  
*Orobanche cooperi* (Gray) Heller  
*Orobanche corymbosa* (Rydberg) Ferris  
*Orobanche dugesii* (S. Watson) Munz  
*Orobanche fasciculata* Nuttall  
*Orobanche ludoviciana* Nuttall  
*Orobanche multicaulis* Brandegee  
*Orobanche parishii* (Jepson) Heckard  
*Orobanche pinorum* Geyer ex Hooker  
*Orobanche uniflora* Linnaeus  
*Orobanche valida* Jepson  
*Orobanche vallicola* (Jepson) Heckard  
*Striga* spp. (witchweeds)
- (c) *Terrestrial weeds:*
- Acacia nilotica* (Linnaeus) Wildenow ex Delile (gum arabic tree, thorny acacia)  
*Ageratina adenophora* (Sprengel) King & Robinson (crofton weed)  
*Ageratina riparia* (Regel) R.M. King and H. Robinson (creeping croftonweed, mistflower)  
*Alternanthera sessilis* (Linnaeus) R. Brown ex de Candolle (sessile joyweed)  
*Arctotheca calendula* (Linnaeus) Levyns (capeweed)  
*Asphodelus fistulosus* Linnaeus (onionweed)  
*Avena sterilis* Linnaeus (including *Avena ludoviciana* Durieu) (animated oat, wild oat)  
*Carthamus oxyacantha* M. Bieberstein (wild safflower)  
*Chrysopogon aciculatus* (Retzius) Trinius (pilipiliula)  
*Commelina benghalensis* Linnaeus (Benghal dayflower)  
*Crupina vulgaris* Cassini (common crupina)  
*Digitaria abyssinica* (Hochstetter ex A. Richard) Stapf (African couchgrass, fingergrass)  
*Digitaria velutina* (Forsskal) Palisot de Beauvois (velvet fingergrass, annual couchgrass)  
*Drymaria arenariodes* Humboldt & Bonpland ex J.A. Schultes (lightning weed)  
*Emex australis* Steinheil (three-cornered jack)  
*Emex spinosa* (Linnaeus) Campdera (devil's thorn)  
*Euphorbia terracina* Linnaeus (false caper, Geraldton carnation weed)  
*Galega officinalis* Linnaeus (goatsrue)  
*Heraclium mantegazzianum* Sommier & Levier (giant hogweed)  
*Imperata brasiliensis* Trinius (Brazilian satintail)
- Imperata cylindrica* (Linnaeus) Palisot de Beauvois (cogongrass)  
*Inula britannica* Linnaeus (British elecampane, British yellowhead)  
*Ischaemum rugosum* Salisbury (murainograss)  
*Leptochloa chinensis* (Linnaeus) Nees (Asian sprangletop)  
*Lycium ferocissimum* Miers (African boxthorn)  
*Lygodium flexuosum* (Linnaeus) Swartz (maidenhair creeper)  
*Lygodium microphyllum* (Cavanilles) R. Brown (Old World climbing fern)  
*Melastoma malabathricum* Linnaeus  
*Mikania cordata* (Burman f.) B. L. Robinson (mile-a-minute)  
*Mikania micrantha* Kunth  
*Mimosa diplotricha* C. Wright (giant sensitive-plant)  
*Mimosa pigra* Linnaeus var. *pigra* (catclaw mimosa)  
*Moraea collina* Thunberg (apricot Cape-tulip)  
*Moraea flaccida* (Sweet) Steudel (one-leaf Cape-tulip)  
*Moraea miniata* Andrews (two-leaf Cape-tulip)  
*Moraea ochroleuca* (Salisbury) Drapiez (red Cape-tulip)  
*Moraea pallida* (Baker) Goldblatt (yellow Cape-tulip)  
*Nassella trichotoma* (Nees) Hackel ex Arechavaleta (serrated tussock)  
*Onopordum acaulon* Linnaeus (stemless thistle)  
*Onopordum illyricum* Linnaeus (Illyrian thistle)  
*Opuntia aurantiaca* Lindley (jointed prickly pear)  
*Oryza longistaminata* A. Chevalier & Roehrich (red rice)  
*Oryza punctata* Kotschy ex Steudel (red rice)  
*Oryza rufipogon* Griffith (red rice)  
*Paspalum scrobiculatum* Linnaeus (Kodo-millet)  
*Pennisetum clandestinum* Hochstetter ex Chiovenda (kikuyugrass)  
*Pennisetum macrourum* Trinius (African feathergrass)  
*Pennisetum pedicellatum* Trinius (kyasumagrass)  
*Pennisetum polystachion* (Linnaeus) Schultes (missiongrass, thin napiergrass)  
*Prosopis alpataco* R. A. Philippi  
*Prosopis argentina* Burkart  
*Prosopis articulata* S. Watson  
*Prosopis burkartii* Munoz  
*Prosopis caldenia* Burkart  
*Prosopis calingastana* Burkart  
*Prosopis campestris* Griseback  
*Prosopis castellanosi* Burkart  
*Prosopis denudans* Bentham  
*Prosopis elata* (Burkart) Burkart  
*Prosopis farcta* (Banks & Solander) J.F. Macbride  
*Prosopis ferox* Grisebach  
*Prosopis fiebrigii* Harms  
*Prosopis hassleri* Harms  
*Prosopis humilis* Gillies ex Hooker & Arnott  
*Prosopis kuntzei* Harms

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*Prosopis pallida* (Humboldt & Bonpland ex Willdenow) Kunth  
*Prosopis palmeri* S. Watson  
*Prosopis reptans* Bentham var. *reptans*  
*Prosopis rojasiana* Burkart  
*Prosopis ruizlealii* Burkart  
*Prosopis ruscifolia* Grisebach  
*Prosopis sericantha* Gillies ex Hooker & Arnott  
*Prosopis strombulifera* (Lamarck) Bentham  
*Prosopis torquata* (Cavanilles ex Lagasca y Segura) de Candolle  
*Rottboellia cochinchinensis* (Lour.) W. Clayton  
*Rubus fruticosus* Linnaeus (complex) (wild blackberry)  
*Rubus moluccanus* Linnaeus (wild raspberry)  
*Saccharum spontaneum* Linnaeus (wild sugarcane)  
*Salsola vermiculata* Linnaeus (wormleaf salsola)  
*Senecio inaequidens* DC. (South African ragwort)  
*Senecio madagascariensis* Poir. (Madagascar ragwort)  
*Setaria pumila* (Poir.) Roem. & Schult. subsp. *pallidifusca* (Schumach.) B.K. Simon (cat-tail grass)  
*Solanum torvum* Swartz (turkeyberry)  
*Solanum viarum* Dunal (tropical soda apple)  
*Spermacoce alata* Aublet  
*Tridax procumbens* Linnaeus (coat buttons)  
*Urochloa panicoides* Beauvois (liverseed grass)

[48 FR 20039, May 4, 1983, as amended at 49 FR 25223, June 20, 1984; 57 FR 8838, Mar. 13, 1992; 60 FR 35832, July 12, 1995; 64 FR 12883, Mar. 16, 1999; 65 FR 33743, May 25, 2000; 66 FR 21060, Apr. 27, 2001; 71 FR 35381, June 20, 2006; 74 FR 53400, Oct. 19, 2009; 75 FR 68953, Nov. 10, 2010]

### § 360.300 Notice of restrictions on movement of noxious weeds.

No person may move a Federal noxious weed into or through the United States, or interstate, unless:

(a) He or she applies for a permit to move a noxious weed in accordance with § 360.301;

(b) The permit application is approved; and

(c) The movement is consistent with the specific conditions contained in the permit.

(Approved by the Office of Management and Budget under control number 0579–0054)

[75 FR 68954, Nov. 10, 2010]

### § 360.301 Information required for applications for permits to move noxious weeds.

(a) *Permit to import a noxious weed into the United States.* A responsible person

must apply for a permit to import a noxious weed into the United States.<sup>2</sup> The application must include the following information:

(1) The responsible person's name, address, telephone number, and (if available) e-mail address;

(2) The taxon of the noxious weed;

(3) Plant parts to be moved;

(4) Quantity of noxious weeds to be moved per shipment;

(5) Proposed number of shipments per year;

(6) Origin of the noxious weeds;

(7) Destination of the noxious weeds;

(8) Whether the noxious weed is established in the State of destination;

(9) Proposed method of shipment;

(10) Proposed port of first arrival in the United States;

(11) Approximate date of arrival;

(12) Intended use of the noxious weeds;

(13) Measures to be employed to prevent danger of noxious weed dissemination; and

(14) Proposed method of final disposition of the noxious weeds.

(b) *Permit to move noxious weeds interstate.* A responsible person must apply for a permit to move a noxious weed interstate.<sup>3</sup> The application must include the following information:

(1) The responsible person's name, address, telephone number, and (if available) e-mail address;

(2) The taxon of the noxious weed;

(3) Plant parts to be moved;

(4) Quantity of noxious weeds to be moved per shipment;

(5) Proposed number of shipments per year,

(6) Origin of the noxious weeds;

(7) Destination of the noxious weeds;

(8) Whether the noxious weed is established in the State of destination;

(9) Proposed method of shipment,

(10) Approximate date of movement;

(11) Intended use of the noxious weeds;

<sup>2</sup>Information on applying for a permit to import a noxious weed into the United States is available at [http://www.aphis.usda.gov/plant\\_health/permits/plantproducts.shtml](http://www.aphis.usda.gov/plant_health/permits/plantproducts.shtml).

<sup>3</sup>Information on applying for a permit to move a noxious weed interstate is available at [http://www.aphis.usda.gov/plant\\_health/permits/plantproducts.shtml](http://www.aphis.usda.gov/plant_health/permits/plantproducts.shtml).