



Appendix S

Fruits and Vegetables in Transit from Hawaii, Puerto Rico, and the U.S. Virgin Islands

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Introduction

The *Fruits and Vegetables in Transit from Hawaii, Puerto Rico, and the U.S. Virgin Islands* appendix provides directions for regulating prohibited fruits and vegetables transiting the continental United States from Hawaii, Puerto Rico, and the U.S. Virgin Islands.

Determine Whether to Allow Fruits and Vegetables from Hawaii or Puerto Rico to Transit the Continental United States

The following items provide an overview of the inspection procedures that are involved in regulating prohibited fruits and vegetables which transit the continental United States.

- ◆ Shipment Identification
- ◆ Marking Requirements
- ◆ Handling of Fruits and Vegetables
- ◆ Movement of Fruits and Vegetables
- ◆ Emergency Notification

- ◆ Transloading
- ◆ Restrictions and Requirements

To determine whether to allow fruits and vegetables from Hawaii or Puerto Rico to transit the continental United States, see **Table S-1-1** below.

TABLE S-1-1 Determine Whether to Allow Fruits and Vegetables from Hawaii or Puerto Rico to Transit the Continental U.S.

If the produce is:	And the produce:	And:	Then:
Listed in the reference as approved without treatment	—————→		1. INSPECT 2. AUTHORIZE movement
Listed in the reference as approved but only with treatment	Was treated	—————→	
	Was not treated (hence, prohibited)	Lacks a Transit Permit (PPQ Form 597)	REFUSE transit movement
Not listed in the Reference section (Prohibited)	—————→	Has a Transit Permit (PPQ Form 597)	1. ENSURE that the shipment complies with the requirements of the Transit Permit and 7CFR 318.13 or 7CFR 518.58 2. INSPECT, following <i>Inspection Procedures</i> below 3. AUTHORIZE movement 4. ISSUE a Limited Permit (PPQ Form 530) from the port of origin 5. GO to Table S-1-2
	—————→	Lacks a Transit Permit (PPQ Form 597)	REFUSE transit movement

Inspection Procedures

The following are restrictions and requirements for prohibited fruits and vegetables that transit the continental United States for export. The specific inspection procedures (identified by number) to be performed are indicated for each requirement, as follows: [1] Port of Origin (embarkation), [2] Port of Arrival/Transloading, and [3] Port of Exit (export)¹.

¹ As a guide, the Port of Exit (export) should inspect the first shipment that is authorized to transit the continental United States under a specific Transit Permit number. Additional shipments that are authorized by the same number should be inspected (monitored) at the discretion of the port to assure compliance. If a monitoring alert is issued by Port Operations, Riverdale, MD, the number of shipments to be inspected will be specified in the monitoring alert.

Shipment Identification

Shipment identification should be performed at: [1] Port of Origin.

Verify that the specific type and quantity of prohibited fruits and vegetables being shipped are accurately described in the accompanying documentation.

Marking Requirements

Marking requirements to be performed at: [1] Port of Origin, as follows:

1. Ensure that each of the smallest packaging units are marked as follows:
 - ❖ Description of the specific type of fruits or vegetables being shipped (only scientific or English names are acceptable)
 - ❖ Quantity or weight of the unit
 - ❖ Origin of the fruits or vegetables
 - ❖ Transit Permit number
 - ❖ Statement "Distribution in the United States is Prohibited"
2. Attach a copy of the Limited Permit either to the cargo, waybill, manifest, or bill of lading that accompanies the shipment.

Handling of Fruits and Vegetables

The handling of fruits and vegetables is to be performed at: [1] Port of Origin; [2] Port of Arrival/Transloading, as follows:

1. Ensure that prohibited fruits and vegetables are **not** shipped in the same sealed container with articles that are intended for entry and distribution in the United States.
2. Additional handling of fruits and vegetables, as follows, is to be performed at: [1] Port of Origin, [2] Port of Arrival/Transloading, [3] Port of Exit²:
 - A. Ensure that shipments of prohibited fruits and vegetables remain intact.
 - B. **Do not** authorize changes in the shipment size, packaging, or marking unless in response to an uncontrollable circumstance.

Movement of Fruits and Vegetables

The movement of fruits and vegetables, as follows, is to be performed at: [1] Port of Origin, [2] Port of Arrival/Transloading:

Ensure that prohibited fruits and vegetables are shipped in sealed (sealable) containers which are sturdy, impenetrable, and separable from the means of conveyance.

² As a guide, the Port of Exit (export) should inspect the first shipment that is authorized to transit the continental United States under a specific Transit Permit number. Additional shipments that are authorized by the same number should be inspected (monitored) at the discretion of the port to assure compliance. If a monitoring alert is issued by Port Operations, Riverdale, MD, the number of shipments to be inspected will be specified in the monitoring alert.

The further movement, as follows, is to be performed at: [1] Port of Origin; [2] Port of Arrival/Transloading; [3] Port of Exit²:

1. Verify that containers used for shipment by sea, overland truck, or rail remain sealed. Maintain the prohibited fruits and vegetables at a temperature of 60°F or cooler. (Under uncontrollable circumstances, these shipments may be transloaded once if done under PPQ supervision).
2. Ensure that shipments by air of prohibited fruits and vegetables remain in sealed containers. (Shipments by air must begin in sealable containers, and in the continental United States, one transloading of the cargo from the original container is authorized if done under PPQ supervision.)
3. Check the shipping documents to ensure that shipments of prohibited fruits and vegetables only move through PPQ-staffed ports in the United States.
4. Check the shipping documents to ensure that shipments of prohibited fruits and vegetables that transit the continental United States **do not** pass through the States of Alabama, Arizona, California, Florida, Georgia, Kentucky, Louisiana, Mississippi, Nevada, New Mexico, North Carolina, South Carolina, Tennessee, Texas (**except** Dallas/Fort Worth, D/FW) or Virginia. D/FW is an authorized stop for air cargo which may move out of D/FW as air cargo or overland directly into the authorized corridor. No other authorization is provided for Texas. (See **Figure V-1-1 on page V-1-19** for a map of approved areas of movement.)
5. Ensure that shipments of prohibited fruits and vegetables are **not** diverted or delayed from the itinerary described in the Transit Permit or accompanying Limited Permit. If an APHIS inspector determines that a change would **not** significantly increase the risk of introduction of plant pests or diseases, a change may be authorized.

Emergency Notification

Emergency notification is to be performed at: [2] Port Arrival/Transloading, as follows:

1. Inform the person in charge of the means of conveyance that the PPQ office at the Port of Arrival must be notified in case of an emergency. An accident or an unavoidable deviation from the itinerary described in the Transit Permit or the Limit Permit may be considered an emergency.
2. If you receive notice that a transit shipment emergency has occurred, contact the PPQ office nearest the shipment for the necessary action.

Transloading at Port of Arrival

Transloading of fruits and vegetables at the port of arrival is to be performed at: [2] Port of Arrival/Transloading, as follows:

1. Shipments by Sea: Ensure that refrigerated and sealed shipping containers of prohibited fruits and vegetables are transloaded only once from a ship to another ship, truck, or freight car.
2. Shipments by Air: Ensure that shipments of prohibited fruits and vegetables are transloaded only once into another aircraft or truck within a secure area of the airport.
3. Shipments by Air: If prohibited fruits and vegetables are transloaded to an aircraft or truck, ensure that the prohibited fruits and vegetables are in sealed containers. Authorize transloading when the shipment is as follows:
 - ❖ Sealed container is loaded to an aircraft or truck
 - ❖ Contents are either transferred from one sealable container to another sealable container and then loaded onto an aircraft or truck, or transferred to a sealable truck or aircraft

Transloading at Port of Exit

Transloading at Port of Exit is to be performed at: [3] Port of Exit³:

1. Shipments by Sea: Ensure that refrigerated and sealed shipping containers of prohibited fruits and vegetables are transloaded from the truck or freight car to a ship. No other transloading is allowed, **except** under extenuating circumstances and if an APHIS inspector determines that transloading would **not** significantly increase the risk of introduction of plant pests or diseases.

Restrictions and Requirements

Restrictions and requirements are to be applied at: [1] Port of Origin, [2] Port of Arrival/Transloading, [3] Port of Exit,³ as follows:

1. Apply the restrictions and requirements of 7CFR 318.13 (Hawaii) or 7CFR 318.58 (Puerto Rico or U.S. Virgin Islands), the Transit Permit, and Limited Permit to anyone who ships, maintains, unloads, transloads, transports, exports or otherwise handles, moves or possesses prohibited fruits and vegetables that enter and transit the continental United States.
2. If the Permittee does **not** comply with the conditions described in the Transit Permit or Limited Permit, **and with the concurrence of the Permit Unit in Riverdale, MD**, withdraw the authorization that allows the transit of prohibited fruits and vegetables through the continental United States. (In response to an uncontrollable circumstance, an inspector may authorize deviations from the conditions described in the Transit Permit or Limited Permit if it is determined that the change would **not** significantly increase the risk of introduction of plant pests or

³ As a guide, the Port of Exit (export) should inspect the first shipment that is authorized to transit the continental United States under a specific Transit Permit number. Additional shipments that are authorized by the same number should be inspected (monitored) at the discretion of the port to assure compliance. If a monitoring alert is issued by Port Operations, Riverdale, MD, the number of shipments to be inspected will be specified in the monitoring alert.

diseases. Also, changes must conform to the requirements and restrictions of 7CFR 318.13 for Hawaii or 318.58 for Puerto Rico or U.S. Virgin Islands).

Additional restrictions and requirements are to be applied at: [1] Port of Origin, as follows:

1. If the Permittee changes any of the following, then authorize movement of the shipment:
 - A. Duration and location of the storage area
 - B. Type of fruits and vegetables
 - C. Ports of transit as authorized by the Transit Permit



Although movement of a prohibited shipment is authorized by issuing a valid Limited Permit, the transit provisions of 7CFR 318.13 (Hawaii) or 318.58 (Puerto Rico or U.S. Virgin Islands) **do not** relieve shippers or growers from complying with the phytosanitary import requirements of the destination country which may include quarantine treatment for fruit fly host materials.

Shipments that are refused entry and returned from the destination country will be handled as prohibited foreign cargo. If these shipments transit the United States for export, they will be subject to the safeguards set forth in 7CFR 352. APHIS is under no obligation to accept returned cargo that does **not** meet the requirements of 7CFR 352.

Distribution of PPQ Form 530, Limited Permit

Distribute PPQ Form 530, Limited Permit, as directed in [Table S-1-2](#).

TABLE S-1-2 Distribution of PPQ Form 530, Limited Permit

If you are a:	And the copy is:	Then:
PPQ Officer at Port of Origin	Pink (consignee's copy)	ATTACH to the waybill, invoice or other shipping documents that accompany the shipment
	Yellow (destination officer's copy or photo copy)	FORWARD to PPQ officer at Port of Arrival and FORWARD photo copies to PPQ officer at Port of Transloading (if any) and Port of Exit
	White (issuing copy)	RETAIN in file
PPQ Officer at Port of Arrival	Yellow or photocopy	RETURN all copies to PPQ officer at Port of Origin after all verified copies from Transloading Port (if any) and Port of Exit are received
PPQ Officer at Transloading Port (if any) or Port of Exit	Yellow or photocopy	RETURN verified copy to PPQ officer at Port of Arrival

Definitions for Prohibited Fruits and Vegetables That Transit the Continental United States for Export

Corridor (Prohibited Fruits and Vegetables)—A tract of land that may be defined by interconnected States of the United States and forms a low, pest-risk passageway from the Port of Arrival to the Port of Exit. For prohibited fruits and vegetables that transit the continental United States, this passageway does **not** include the States of Alabama, Arizona, California, Florida, Georgia, Kentucky, Louisiana, Mississippi, Nevada, New Mexico, North Carolina, South Carolina, Tennessee, Texas (**except** Dallas/Fort Worth) and Virginia. See **Figure V-1-1 on page V-1-19** for a map of approved areas of movement.

Limited Permit—A document issued by an inspector to authorize the interstate movement of regulated articles to a specified destination for consumption, limited use, processing, or treatment, in conformity with a compliance agreement, or movement into or through the continental United States in conformity with a Transit Permit.

Port of Arrival (Prohibited Fruits and Vegetables)—The port of arrival is the first port where an article comes into the continental United States; however, the article does **not** enter the U.S. commerce. (This would be the Port of Entry if the article entered the U.S. commerce).

Port of Exit—The shipping point of an article that is leaving a country; however, the article has **never** entered that country's commerce. (Transiting only.)

Port of Origin—The shipping point that is located in the country or locality from which the article being shipped has been grown or manufactured.

Port of Transloading (Prohibited Fruits and Vegetables)—The port where a prohibited article is transferred from one sealable container to another sealable container.

Prohibited Fruits and Vegetables—Fruits and vegetables that are **not** specifically authorized entry into the United States are considered prohibited fruits and vegetables. Prohibited fruits and vegetables may enter the United States if a treatment that would eliminate the pest risk can be administered. Also, under certain restrictions, prohibited fruits and vegetables may transit the continental United States.

Transit Permit—A written authorization that is issued by the Administrator of APHIS through the Permit Unit for the movement of fruits and vegetables that are otherwise prohibited from movement into or through the continental United States.

Transload—Transfer of prohibited articles from one sturdy, sealed (sealable), impenetrable container to another similar, sealable container.

Uncontrollable Circumstances—An unplanned circumstance that adversely effects the containment of the pest risk associated with prohibited fruits and vegetables. For example, this may be the result of a vehicular accident, breakdown of a refrigerated container, or the unforeseen incompatibility of a sealed container with the equipment of a secondary carrier.