

Circular
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Soil (01/2010) Revised

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Plant Protection and Quarantine
4700 River Road, Unit 133
Riverdale, Maryland 20737-1228

HOW TO IMPORT FOREIGN SOIL AND HOW TO MOVE SOIL WITHIN THE UNITED STATES

Why is soil regulated?

Soil can contain numerous animal and plant pests, and/or noxious weed seeds, or other propagules. These pests include bacteria, plant viruses, fungi, nematodes, and life stages of destructive mollusks, acari, and insects. In addition, screening soil for the spectrum of organisms which might be harmful is expensive. APHIS regulations protect the health and value of American agriculture and natural resources from the introduction of destructive plant and animal diseases and pests. Soil from all foreign countries, U.S. territories and areas within states that are under Federal quarantine can be moved into or through the continental US only if conditions and safeguards prescribed by the US Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) are met. The Code of Federal Regulations 7(CFR) 330.300 lists the federal authority for these conditions and safeguards.

What is soil?

Soil is a mixture of inorganic and **organic** materials, when the organic materials are unidentifiable plant and/or animal parts. It is the loose surface material of the earth which comprises the major medium for plant growth. This mixture can support biological activity, and therefore carries and introduces harmful pests or diseases. Some examples of soil or soil constituents are: topsoil, forest litter, wood or plant compost, humus, and earthworm castings.

Soil amendments or nutrient additives may be regulated as garbage. (7CFR330.400) if they are derived from plant or plant products such as composted forest or garden litter, wood or food waste.

What is not soil?

Materials **free of organic matter**, such as: pure sand, clay (laterites, bentonite, china clay, attapulgitite, tierrafino, etc.), talc, rocks, volcanic pumice, chalk, salt, iron ore, and gravel. These materials must be mined or collected so they are free of organic material, such as roots, grasses, plant debris, or leaf litter.

Fertilizers or other additives with the exception of those derived from composted animal and plant products that contain minerals, bone meal, and crushed grain **are not soil**. Grains in the mix, however, must be processed to prevent sprouting, or they remain regulated. Additional information for regulating imported grains is at the Code of Federal Regulations (7 CFR **PART 319—FOREIGN QUARANTINE NOTICES**): <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=b66ad794ef9bd21c71d62b90480bd8b1&rgn=div5&view=text&node=7:5.1.1.1.6&idno=7> . Specific regulations include - corn relatives (7 CFR 319.24 & 41); rice relatives (7 CFR 319.55); and wheat relatives (7 CFR 319.59).

What may be considered soil or may have organic matter in it but PPQ determined is exempt from USDA soil regulations?

The following items **are exempt**:

- Peat, cosmetic mud and other mud products from fresh water **estuaries** or the earth's upper surface, if processed to a uniform consistency, and **free of plant parts or seeds**
- Volcanic rock, pumice, geologic samples, drilling cores, or mud, if mined so it is free of organic material
- Any sediment, mud, or rock from the **oceans** of the earth

NOTE: All shipments may be inspected at a US port to identify the material and verify it is free of pests and prohibited contaminants. A shipment may be refused entry or require treatment based upon inspection findings.

How is soil packaged for movement from point of origin to its US destination, and subsequently treated?

Soil must be shipped in a securely closed, watertight or leak-proof container (primary container, test tube, vial, etc.) which must be enclosed in a second, durable watertight or leak-proof container (secondary container). Each container must be able to contain the soil independently. Three categories of treatments are authorized for soil: (1) Dry heat at 250° F. for at least two hours, or (2) Steam heat at the same temperature for 30 minutes at 15 lbs/p.s.i. pressure, or (3) Other treatments and conditions such as: (a) destructive analysis, (b) acid washing, (c) hydroclave, and (d) incineration. Under facility specific conditions, small amounts of soil in water may be flushed into sewage drains if the water is processed in a tertiary treatment system, (such as a municipal sewage system).

Note: *Sterilization process of water residues (effluents)*

The treatment of water residues (effluents) from the processing of soil samples by 'boiling for one minute' is **no longer allowed** as an acceptable sterilization procedure. Any and all water residues (effluents) from the processing of soil samples must be treated by an approved procedure.

Who does these treatments?

There are three options for treating the soil:

OPTION 1: Through a USDA-APHIS-PPQ office

At some US ports of entry (Plant Inspection Stations¹), PPQ can perform the treatment **at no cost, if**:

- A PPQ Form 525-A is completed. (Download the PPQ Form 525-A from the Internet at:
http://www.aphis.usda.gov/plant_health/permits/downloads/forms/ppqform525a.pdf
- The shipment is 3 pounds or less.
- PPQ is consulted in advance and determined that treatment equipment is available and the shipment can meet the port's conditions. The soil must be in **sturdy, leak-proof containers** which can be heat treated without removing the soil. Documents associated with the shipment must be kept in a manner that prevents damage during soil treatment.

- The permit holder paid forwarding costs for the shipment after it is treated and released by PPQ.
- A copy of the permit and PPQ Form 508 label is attached on the exterior of the package(s) with each shipment. Label instructions are provided in the permit conditions).

NOTE: All arrangements must be made with port office prior to shipment.

¹A list of Plant Inspection Stations with contact information is at:
http://www.aphis.usda.gov/import_export/plants/plant_imports/plant_inspection_stations.shtml

OPTION 2: *Applicant – Authorized facilities*

An applicant's facility must be inspected and authorized by USDA APHIS before a permit can be approved to receive and treat soil. To get a facility inspected, the applicant must:

- Complete and submit a PPQ Form 525-A online through ePermits at: http://www.aphis.usda.gov/permits/login_epermits.shtml (applicant needs to be eAuthenticated).

OR

Download the PPQ Form 525-A from the Internet at: http://www.aphis.usda.gov/plant_health/permits/downloads/forms/ppqform525a.pdf, and complete and mail it to: USDA/APHIS/PPQ/Permit Services, 4700 River Road, Riverdale, MD 20737. This form is also available from Permit Services at (301) 734-5519 or the destination state's State Plant Health Director: A list of State Plant Health Offices is at: http://www.aphis.usda.gov/services/report_pest_disease/report_pest_disease.shtml

- Have a secure, appropriately equipped facility for receiving and storing untreated soil. Homes, apartments, conveyances, public facilities, and some types of rented laboratory space do not provide sufficient security to qualify as USDA-APHIS inspected facilities.
- Directly control all areas, activities, equipment, and personnel involved with untreated soil.

- Limit access to the untreated soil to those who understand the requirements of how to handle the soil.
- Produce security protocols for packing, shipping, record keeping, storing, treatment, and disposal responsibilities.
- Possess, obtain, and maintain the appropriate treatment equipment.
- Maintain records that describe the weight, general composition, and origin of each incoming shipment. Maintain records that describe the weight, general composition, treatments to sterilize, and destination or disposal of each outgoing shipment.
- Allow the facility to be inspected by a PPQ officer and State regulatory official. This includes allowing reinspections.
- Sign a compliance agreement and initial your willingness and ability to meet all permit conditions. The agreement and permit conditions outline stipulations of the State and Federal regulations that pertain to the movement, tracking, storage, access to facility and its records; treatment and soil disposal; soil residue or effluent; and materials and equipment associated with the soil.
- Allow the identity, location and permit status for the inspected facility to be published as public information. However, PPQ will not give the permit or permit number to the public without permit holder's written permission.

OPTION 3: Authorized facility and alternate permit holder:

If one does not have a facility that is authorized by USDA APHIS to receive soil, the use of a facility that had been inspected and authorized by USDA-APHIS to receive and treat soil can be made with the consent and approval of the permit holder of that facility. A list of inspected and authorized facilities in a destination state is at:

<https://web01.aphis.usda.gov/PPQ/AuthSoilLabs.nsf/web?openform> Note: there may be a charge for the use of a facility. The permit holder at that facility must make all necessary arrangements to move the soil to the facility, including maintaining a valid permit and meeting all permit conditions associated with the movement, containment, and disposition of the soil shipment.

Can I maintain untreated samples?

In some cases yes, if stated in the permit conditions. Museums, certain laboratories, and other businesses may wish to archive samples that cannot be

destroyed or sterilized. If the permit holder demonstrates adequate safeguards, the untreated soil may be stored for an indefinite period of time. Condition(s) authorizing storage of untreated soil must be in the permit. The permit holder must make a request within the application describing safeguarding mechanisms, and must ultimately treat the soil according to the conditions of the permit, even if the permit expired.

Receipt and use of soil contaminated with hazardous substances, i.e., toxic wastes/ chemicals, untreated radio active materials, etc.: Contaminated soil that cannot be treated or destroyed may be authorized by PPQ in small amounts (under 10 pounds) in sealed containers for storage in sites such as EPA approved landfills. Under these circumstances, the permit holder is responsible for the storage site. In any event, if untreated soil is to be moved from an approved location, the local PPQ office must be contacted. PPQ must approve the new location prior to any movement.

Soil as growing Media: Untreated soil is not authorized as a growing medium for plants unless the soil is used in controlled conditions within an inspected facility or growth chamber as authorized in the permit conditions. PPQ does not allow greenhouse and/or field work with untreated soil. All unconsumed soil, containers, and effluent must be autoclaved, incinerated, or properly sterilized by the permit holder at the conclusion of the project as authorized in the permit conditions.

Can I isolate and culture live organisms from soil?

Yes, however the isolation and/or culture of live organisms from imported or interstate movement of soil must be authorized under a PPQ Form 526 Plant Pest Permit. Apply and submit an application online through ePermits at: http://www.aphis.usda.gov/permits/login_epermits.shtml. (Applicant needs to be eAuthenticated).

OR

Download the PPQ Form 526 at: http://www.aphis.usda.gov/plant_health/permits/downloads/forms/ppqform526.pdf. Then submit the completed PPQ 526 application form to: USDA/APHIS/PPQ/Permit Services, 4700 River Road, Riverdale, MD 20737. The PPQ 526 permit will specify how to sterilize the soil after the organisms are isolated.

From what locations is soil regulated?

- All foreign sources, Hawaii, and all US territories

- Parts of US States under federal quarantine as authorized under 7CFR 301 regulations and quarantines. For more information on which domestic soils are regulated, contact the local Plant Protection and Quarantine office or Permit Services in Riverdale, Maryland at (301) 734-8645; fax (301) 734-5786, or the State Plant Regulatory Officials of destination state. Access Title 7 of CFR, Part 330.300 at:

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=b66ad794ef9bd21c71d62b90480bd8b1&rgn=div5&view=text&node=7:5.1.1.1.8&idno=7>

What locations are not regulated?

- 1) Most parts of Canada, however, soil is regulated from, (a) Alberta: a farm unit and associated land located near the municipality of Fort Saskatchewan, (b) a farm unit and associated land located near the municipality of Spruce Grove and British Columbia, (c) that portion of the Municipality of Central Saanich on Vancouver Island, east of the West Saanich Road, Newfoundland and Labrador, (d) the entire island of Newfoundland and Quebec, (e) the municipality of Saint-Amable. (Title 7CFR, Part 330.300). The applicant must look for any current Federal Orders pertaining to regulated areas not yet updated in 7CFR 301.
- 2) Non-quarantined parts of the continental U.S.

What else do I need to know about receiving soil from foreign sources?

All foreign shipments of soil must be packaged as previously described to prevent spillage or pest escape while in transit. A PPQ Form 550 or 508 label and copy of the PPQ Form 525 soil permit (or PPQ Form 526 with PPQ label Form 599) must be affixed to the exterior of each package. Imported soil packages must be shipped via bonded carrier. APHIS PPQ may authorize hand-carry of imported soil under the 525 Soil Import Permit on a case by case basis when requested by the applicant in the application.

How quickly can I get a soil permit?

- Within six weeks or less after submitting an application if the soil is intended to be treated at a USDA-APHIS-PPQ Plant Inspection Station at the port of entry.
- Permits for the movement of soil to be treated at a facility that has been inspected and authorized by USDA-APHIS-PPQ to receive soil, may take 90 days or longer to be issued.

- As soon as contact is made and approval obtained from an existing permit holder to use his/her facility services. Note: fees may be charged. The permit holder must make the necessary arrangements to receive the soil, and there is no need to contact the permit office. A list of soil facilities inspected and authorized in the destination state is at:

<https://web01.aphis.usda.gov/PPQ/AuthSoilLabs.nsf/web?openform>. Select a company; request and obtain a copy of their permit; a 550 label; and a written letterhead statement that they will take responsibility for the shipment(s). Send a copy of their permit, address, and soil label to your foreign shipper. Direct the foreign shipper to attach the permit and label on the exterior of the package, and send the shipment to the addressed facility (i.e. soil lab).

How long is the soil permit valid?

Three years maximum.

How is a permit cancelled?

- The applicant may voluntarily request, in writing, to terminate the permit.
- If a violation of the permit occurs, APHIS may cancel the permit. A violation may result in **civil or criminal penalties**.

How do I qualify to apply for a soil permit?

The applicant must be a United States citizen, or a permanent resident of the United States with a valid Green Card.

How do I get and complete the application to import soil?

- 1) Complete and submit a PPQ Form 525-A online through ePermits at: http://www.aphis.usda.gov/permits/login_epermits.shtml (applicant needs to be eAuthenticated).

OR

Download the PPQ Form 525-A form the Internet at:

http://www.aphis.usda.gov/plant_health/permits/downloads/forms/ppqform525a.pdf and complete and mail it to: USDA/APHIS/PPQ/Permit Services, 4700 River Road, Riverdale, MD 20737. This form is also available from Permit Services at (301) 734-5519 or the destination state's State Plant Health

Director. A list of State Plant Health Offices is at:
http://www.aphis.usda.gov/services/report_pest_disease/report_pest_disease.shtml

- 2) Fill in all the required information (Parts 1 – 12) of the form. This must include the following:
 - Full name, mailing and e-mail addresses, phone and fax numbers
 - Type of treatment
 - Method of packaging
 - Destination
 - How soil will be used
 - Precautions to prevent pest dissemination
 - The method of final disposition
 - The printed name of the applicant who is responsible for the soil
 - If you wish to import from numerous countries, select various under 'Country of origin'

- 3) If completing a paper application, send the completed application form to:
USDA-APHIS-PPQ, Permit Services, 4700 RIVER RD., UNIT 133,
RIVERDALE, MD 20737

Can I import soil for religious purposes?

APHIS PPQ may authorize importation of soil for religious purposes under a PPQ 525 permit. The requested soil must be three pounds or less and must be treated at an APHIS Plant Inspection Station prior to release. Alternatively, soil shipments up to three pounds for religious purposes may be permitted if accompanied by a phytosanitary certificate from the country of origin with an additional declaration stating that the soil was heat treated at 250 degrees Fahrenheit (121 degrees Celsius) for two hours in layers no thicker than 1/2 inches (1.27 centimeters).

What are my responsibilities when I receive my permit?

- **Follow all instructions** and conditions on the permit.

- The permit holder is responsible for maintaining a valid permit for as long as the soil is in his/her possession. The permit holder must submit a new permit application at least three months prior to the expiration of this permit, to obtain a new permit to continue uninterrupted authorization for the soil approved under this permit.

Contact Information:

For more information on soil permits, contact Permit Services at (301) 734- 0841