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## M A C D O N A L D C O L L E G E

## FACULTY OF AGRICULTURE

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THESIS

A study of the laws relating to the importation and movement of nursery stock, and the control of insect pests and fungous diseases in Canada and the United States.

by

J. S. Buchanan  
-----Taken in the Department of Horticulture.  
-----

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Date *May 25, 1922* .....

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## FOREWORD.

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The object of the thesis is to make a study of the situation in reference to the present laws which exist in Canada and the United States relating to the importation and movement of nursery stock and the methods adopted in these countries to control insect pests and fungous diseases; and to make an investigation of any legislation relating to the control of insect pests and fungous diseases in the provinces of Nova Scotia, Quebec, Ontario and British Columbia, and in the states of New York, Massachusetts, Pennsylvania, Ohio, Michigan and California. <sup>With</sup> This this end in view a personal letter was written to each of the State Inspection Officials of the six states above-mentioned; to each of the inspection officers of the four Canadian provinces above-mentioned; and also to the United States Federal Horticultural Board, the Chief, Division of Foreign Pests Suppression, Department of Agriculture, Ottawa, the Divisions of Botany and Entomology, Department of Agriculture, Ottawa, and John Watson, Secretary, American Association of Nurserymen, asking for a copy of the regulations relating to the control of insect pests and fungous diseases, and the prevention of the introduction of these pests or new ones, and other information pertaining to this subject, respectively.

Due to lack of time the treatment of the subject involved in the thesis has been only general. An attempt has been made to study the federal laws of Canada and the United States, as they exist to-day, as regards their scope and the general organization enforcing the measures. In addition, a comparison has been made of the laws of these two countries.

Also, lack of time prevented the author from making a study of the laws of the various provinces and states previously mentioned.

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## INTRODUCTION AND HISTORY.

In North America, the nursery business, as we now know it, is practically an institution of the last century, although there were nurseries more than a century ago. The first independent general nursery in the New World appears to have been that established by William Prince at Flushing, Long Island, and this was continued under four generations.

It was some little time before the nursery industry showed signs of advancement and progress, but with the development of horticultural interests, especially in orcharding, the industry became permanently established. The nursery industry gradually extended and with the development of transportation facilities, it was not long before nursery stock was being imported into Canada and the United States from foreign countries. Due to the fact that American nurserymen discovered that fruit stocks could be bought in France and imported into America for less than they themselves could grow them, importations of foreign nursery stock increased from year to year.

The importation of nursery stock into Canada and the United States was the means of introducing and distributing new and dangerous insect pests and fungous diseases which

to-day constitute a serious economic problem and a menace to prosperity. The destructive work of these pests has incurred serious losses. Important among these destructive pests are the gipsy moth (*Porthetria dispar*), the brown-tail moth (*Euproctis chrysorrhoea*), San José scale (*Aspidiotus perniciosus*), white pine blister rust (*Cronartium ribicola*) and many others. The gipsy and brown-tail moths are now established in both Canada and the United States. They have repeatedly defoliated and killed valuable street and forest trees and have caused losses of millions of dollars. The San José scale has caused enormous losses to horticulture, estimated at \$5,000,000 per annum. In the United States there is spent every year another \$5,000,000 for the control of this insect pest.

In an attempt to check the introduction and distribution of destructive pests in Canada and the United States efforts were made to secure legislation, whereby laws of an exclusionary character would be enacted to prevent the introduction and wholesale distribution of insect pests and plant diseases.

Exclusionary measures are of two types, - first, laws enacted by legislative bodies; and, second, - regulations based on these laws, and laid down by legislative action or by the official agents charged with the administration of the laws. The scope of these laws may be affected as to territory, character and provisions.

The first exclusion measures or laws were provincial (state), and sought to protect only very limited localities. However, as the realization of the seriousness of conditions with respect to the injurious work of insect pests and plant diseases became apparent to more people, greater interest was shown, and more laws were enacted as a means for protection. These laws were valuable, and helped to a large degree in checking the distribution of new insect pests and plant diseases carried in with imported nursery stock. They, however, failed in one respect, in that they were not enacted in the interests of the country as a whole, and therefore North America had not the necessary protection against the possibility of the careless introduction of destructive insect pests and plant diseases.

The careless introduction of the brown-tail moth and gipsy moth in shipments of nursery stock imported from France into Canada and the United States awakened the federal authorities of these countries to the fact that already great damage had been done through the introduction of destructive insect pests and fungous diseases carried with imported nursery stock, and that, if steps were to be taken with a view to protection, action would have to be immediate. Accordingly, the federal authorities of Canada and the United States made efforts to secure federal legislation, which they did in due time.



Of these two countries Canada was the first to obtain federal legislation. In May, 1910, the Dominion Parliament passed the Destructive Insect and Pest Act, and two years later, in August, 1912, the United States federal authorities passed the Plant Quarantine Act.

At the present time, there exist in addition to the federal legislation of Canada and the United States, provincial and state laws for the purpose of controlling the inter-provincial or inter-state movement of nursery stock, which operate in conjunction with the federal laws.

The laws to be considered are as follows:-

1. The United States Plant Quarantine Act, August 20th, 1912.
2. The United States Quarantine No. 37.
3. The Destructive Insect and Pest Act of Canada and regulations.
4. Quarantine No. 1 (domestic) of Canada.

## The Exclusionary Measures of the United States.

### I. Historical.

#### Early legislation in the United States.

The first legislation in the United States relative to the control of communicable fungous diseases of plants is to-day about forty-seven years old. It began in Michigan with the peach yellows law of 1875. According to Erwin F. Smith in 1896 there were twelve states which had laws of some sort for the prevention of the spread of plant diseases. These enactments were devised to meet special exigencies; some of them being well, and others ill adapted to accomplish the ends desired.

As the knowledge of the method of spread of plant diseases became more exact, and as progressive agriculturists and horticulturists became more alive to their own interests there was a large extension to this class of legislation.

#### Conditions which proved the need of federal legislation.

Prior to 1912 the United States was the only great power without protection from the importation of insect-infected or diseased plants, and thus had become a sort of dumping ground for European refuse nursery and ornamental stock. The introduction of altogether new and dangerous insect pests and plant diseases with imported nursery stock led to a widespread distribution of injurious pests harmful to the

country in general.

The immediate danger which led to the effort in 1911 to secure federal legislation was the discovery of nests of the brown-tail moth on nursery stock imported from France. During the years 1909 and 1910 such infested nursery stock was carried into twenty-two states, covering the country from the Atlantic seaboard to the Rocky Mountains. During the first of these years no less than seven thousand winter nests of the brown-tail moth, containing approximately three million larvae, were found in shipments into New York State alone - seed material enough to infest the whole United States, within a few years.

In a limited district in New England more than a million dollars a year were spent for a long period in a mere effort to control the brown-tail and gipsy moth, and the federal government was appropriating three hundred thousand dollars annually to endeavour to check their spread. These expenditures did not take into account the actual damage done, but they did serve as a measure of the danger to the whole country from the distribution of these two insects on imported nursery stock. In addition to these two insects there were other insects and also plant diseases introduced and distributed, which seriously jeopardized the farm, orchard, and forest products of this country.



More than half of the important insect pests and plant diseases established in the United States in 1912 were brought in on imported nursery stock, and new insect pests and plant diseases were being thus introduced every year.

#### History of efforts to procure federal legislation.

The San José scale had become established in California on stock introduced from China about 1870 and was known to be one of the most serious of orchard pests. With proper supervision and quarantine it undoubtedly could have been limited to the Pacific Coast definitely. A quite unimportant importation of stock from California by a prominent Missouri nurseryman in the early nineties established this scale in several eastern nurseries, and this led to the first concerted effort to obtain a national quarantine and inspection law. This first attempt took the form of a national convention held in the City of Washington, March 1897, to consider and recommend the most appropriate federal and state legislation for preventing the introduction or diffusion of noxious insects and fungi in the United States. The failure to reach an agreement among the nurserymen, fruit growers, and entomologists as to suitable legislation prevented anything coming from this effort although several

bills were introduced in Congress from time to time. In the meanwhile the San José scale became so widely distributed by transportation on nursery stock that quarantine against this insect was no longer practicable.

In view of the wide distribution in the United States of the brown-tail moth and other pests, a new bill was drafted and submitted to Congress. This measure passed the House, and would undoubtedly have become law in due course except for the objection made to it by the legislative committee of the National Association of nurserymen. This committee expressed itself as recognizing the need of legislation, but desired certain changes, made in the proposed bill, and in response to their request this bill was withdrawn for conference and amendment. To satisfy the nurserymen a number of changes were made, and the bill, as amended, was introduced during the second session of the Sixty-first Congress, and was favourably reported on from the Agricultural Committee of the House on January 6th, 1911. Then the bill was brought up before the Congress twice but on both occasions it failed to pass.

At the next meeting of Congress in 1912, the bill, differing in many respects from the previous one, was brought up again for consideration. The new bill was approved by Congress on August 20th, 1912, and went into effect October 1st, 1912. The bill was entitled the Plant Quarantine Act (See A. Appendix).

## 2. The Plant Quarantine Act.

The Plant Quarantine Act conferred on the federal government of the United States authority to take precautionary measures against the introduction into the United States of foreign insect pests and fungous diseases, or to restrict the spread of pests already present in the country. The methods adopted in the act to prevent the introduction and distribution of destructive pests in the United States are achieved by regulating the importation of nursery stock and other plants and plant products; by enabling the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; and by permitting and regulating the movement of fruits, plants and vegetables therefrom, and for other purposes.

For the purpose of carrying out the provisions of this Act a Federal Horticultural Board consisting of five members is appointed by the Secretary of Agriculture. The actual working organization which enforces the law consists of the Secretary of Agriculture who issues a permit to importers of nursery stock authorizing them to ~~to~~ import nursery stock from those foreign countries which have provided for inspection and certification of nursery stock in conformity with the requirements of the Plant Quarantine Act, the state inspection officials, and the customs officers.

The Plant Quarantine Act has the whole territory of the United States at interest. It does not impose a general quarantine against all plant diseases and insect pests, but only against those which, after they have been shown to be new and dangerous, are made the subject of special quarantine orders. Regulations are provided for the importation and inspection of the nursery stock. (See definition, page two, Plant Quarantine Act.)

The provisions of the Plant Quarantine Act provide that the Secretary of Agriculture may, whenever he determines it necessary, make and promulgate quarantines to prevent the introduction and spread of a dangerous plant disease or insect infestation new to or not widely distributed within the United States. Since the passage of this Act a large number of quarantines have been promulgated (See page ten, Appendix B.), the one of most importance as regards nursery stock being Quarantine No. 37 (Appendix B.), which governs the importation of nursery stock and other plants and seeds in the United States.

### 3. Quarantine No. 37.

#### The need for a nursery stock, plant and seed quarantine in the United States.

The need of additional restrictions or prohibitions, particularly with respect to the entry of certain classes of nursery stock and other plants and seeds on account of exceptional risks involved, was under consideration by the

Federal Horticultural Board of the United States Department of Agriculture for some time. This consideration has relation particularly to (1) plants imported with earth about the roots as "balled" plants, and (2) plants and seeds of all kinds for propagation from little-known or little-explored countries. The large risk from importations of these two classes of plants comes from the impossibility of ~~improperly~~ inspecting plants with earth, or of disinfecting the attached earth, and from the dangers which cannot be foreseen with respect to plants coming from regions where plant enemies - insect and disease - have been studied very meagrely or not at all. Inspection of such material is necessarily in the blind, and the discovery of infesting insects, particularly if hidden in bark or wood, or of evidence of disease, is largely a matter of chance. The inspection and disinfection of both these classes of plants as a condition of entry, therefore, is a very imperfect safeguard.

There developed throughout the country a wide interest in this subject, which manifested itself in numerous requests for greater restriction on plant imports from official bodies representing the State Department of Agriculture, the inspection officials of the States, entomological and phytopathological associations, forestry associations, etc.

As a basis for such additional quarantine restrictions a public hearing was conducted May 28th, 1918, at which the whole subject was fully discussed with all the interests concerned, including both the importing nurserymen and seedsmen, as well as the producing nurserymen of the United States.

Following the hearing the subject was further studied by the experts of the Bureau of Plant Industry of the Department of Agriculture, including a field examination of the conditions throughout the country, to determine the essential needs as to future plant importations. The results of these extended investigations were embodied in a tentative plant quarantine order which was sent, August 29th, 1918, to plant trade journals and related societies, and to individuals who had manifested an interest in this subject, either by attending the hearing or by correspondence, with the request that the proposed quarantine be given careful consideration, with a view to a conference later to discuss and determine the desirability of the proposed restrictions. This conference was held October 18th, 1918, and the quarantine was amended in minor details and promulgated by the Department November 18th, 1918, to take effect June 1st, 1919.

The promulgation of Quarantine No. 37 by the Secretary of Agriculture applied new and important prohibitions and restrictions on the entry into the United States of nursery

stock, plants, and seeds. Under this quarantine three classes of entry are provided for.

(1) Entry of fruits, vegetables, cereals, and other plant products which are capable of propagation, intended for medicinal, food, or manufacturing purposes; and field, vegetable, and flower seeds. These classes are permitted entry without permit or other restrictions, and therefore no record has been kept by the board of such importations.

(2) Nursery stock and other plants and seeds for which permit is required but of which unlimited commercial importation is permitted. This class is restricted to five categories, chiefly certain bulbs, fruit stocks and rose stocks and seeds of trees and ornamental shrubs for propagation.

(3) Entry of any of the prohibited classes of nursery stock under special permits for the purpose of keeping the country supplied with new varieties and necessary propagating stock; in other words, for the establishment of reproduction enterprises in this country so that as soon as possible this country shall be independent of all foreign supplies of that character.

Since this quarantine<sup>was</sup> promulgated according to the provisions of the Plant Quarantine Act, the enforcement of this quarantine is in the hands of the same parties as required for the Plant Quarantine Act; but as regards scope,



the provisions of Quarantine No. 37 are limited, since it only deals with nursery stock, plants and seeds.

The specific nature of Quarantine No. 37 allows for the greater control in the United States of insect pests and ~~f~~ungous diseases introduced and distributed on nursery stock.

## The Exclusionary Measures of Canada.

### 1. Historical.

#### Early legislation in Canada.

According to Erwin F. Smith in Bulletin No. 11 published in 1896 by the Division of Vegetable Physiology and Pathology of the United States Department of Agriculture, the province of Ontario passed the first legislation in Canada relative to the control of plant diseases. In 1881 the legislative assembly of this province passed the following yellows law, -

An Act to prevent the spread of  
Yellows among peach, nectarine, and other  
trees.

(Assented to March 4, 1881)

This act was repealed in 1884, the following taking its place, -

An Act to prevent the spread of  
noxious weeds, and of diseases affecting  
fruit trees.

(Assented to March 25, 1884)

In 1893 the following additional legislation was enacted, -

An Act for the better prevention of  
certain diseases affecting fruit trees.

(Assented to May 27, 1893)

This act may be cited as the Yellows and Black Knot Act, 1893.

The outstanding feature of these three laws is the indication the provisions give that the knowledge of

plant diseases became more exact as time went on. Similar conditions were found to be true in the early legislations of the United States.

The province of British Columbia, according to Mr. Smith, also passed an early legislation relative to diseases of plants. In March, 1894, the legislative body of British Columbia passed the following act, -

An Act to consolidate and amend the acts respecting the provincial board of horticulture.

Sections 5, 7, 8, 9, 12, 14 and 15 of this act related to disease of plants.

A comparison of the early British Columbia legislation with that of Ontario shows that there was more progress in Ontario in the knowledge acquired of plant diseases. In this comparison allowance should be made for the fact that the province of Ontario is much older than the province of British Columbia.

#### Conditions which proved the need of federal Legislation.

Previous to the passing of the Destructive Insect and Pest Act in May, 1910, Canada, like the United States, was menaced with dangerous insect pests and plant diseases introduced with imported nursery stock and other classes of plants. The danger of the introduction of these injurious pests was probably greater in Canada than in

any other country due to the fact that, owing to the rapid development and opening up of the country, a large amount of vegetation of all kinds, trees, shrubs, seedlings, etc., was imported into Canada from countries in various parts of the world. All this vegetation, collectively termed "nursery stock" was liable to be infected with insects and other pests and plant diseases which were new to Canada. Introduced in this manner, however, in many instances, they became established. The seriousness of such an establishing of an introduced pest in a new country like Canada was enormously increased by the fact that their means of control in their native country, namely, their native parasites, were not usually brought with them. In the absence of these natural barriers or checks the tendency of these destructive pests was to increase abnormally, as many introduced pests have already increased and become established within Canada.

#### History of efforts to procure federal legislation.

The San José scale on its appearance in the Eastern United States, in injurious numbers in 1893, caused widespread anxiety not only among fruit growers in the Eastern States, but also among owners of orchards in Canada, particularly in the Province of Ontario where peaches are

extensively grown. Early in 1897, the first undoubted specimens of the San José scale occurring in Ontario were received by the Dominion Department of Agriculture. The question of protection, therefore, to prevent the further introduction into Canada of this pernicious insect was at once considered, and as a result the San José Scale Act was passed by Parliament on March 18th, 1898. Under this Act the importation of nursery stock into Canada (excepting greenhouse grown plants, herbaceous perennials, herbaceous bedding plants, conifers, bulbs and tubers) from the United States of America, Australia, Japan and the Hawaiian Islands, countries in which the San José scale occurred, was prohibited.

In the passing of the Act, every effort was made both by the Federal Government and the Provincial Government of Ontario, to detect any occurrences of the scale insect, a thorough inspection being made of that section of the province of Ontario in which the insect was found in 1897. Under "An Act to Amend the San José Scale Act" passed in January, 1901, importation of nursery stock from countries where the San José scale was known to exist, were allowed to enter Canada, during certain seasons, through specified customs ports, where they were fumigated with hydrocyanic acid gas in specially prepared chambers.

The San José Scale Act, as will be seen, concerned itself with one insect only and beyond the fumigation of shipments of imported nursery stock at certain customs ports of entry, the Dominion Government had no power of preventing the introduction into the various provinces of other injurious insects or the spreading within Canada of destructive forms already present.

The first federal inspection of imported nursery stock took place in 1909, during the months of January to May. This was urgent owing to the information received from the Chief of the Bureau of Horticulture of the State of New York to the effect that nests of the brown-tail moth were being discovered, in that State in French shipments on nursery stock destined to America. In that year, the nurserymen of the provinces of Ontario and Quebec gladly cooperated with the Federal Department of Agriculture in permitting its officers to examine shipments of nursery stock from France and Holland. Such inspection proved to be of the utmost importance in view of the fact that no less than one hundred and ninety-six nests of the brown-tail moth were discovered on nursery stock imported from badly infested nurseries in France. Provincial Department of Agriculture officials in provinces other than Ontario and Quebec were promptly advised of the findings so that every precaution was taken to prevent the

establishment of this dreaded pest through such importations.

The finding of the nests of the brown-tail moth in shipments of nursery stock from France hastened the passing of further legislation under which the Dominion Government would have the power to inspect or otherwise deal with importations of nursery stock and also take such action as was deemed advisable to prevent the spreading within Canada of any pests considered dangerous. In May, 1910, therefore, the Dominion Parliament passed "An Act to Prevent the Introduction or Spreading of Insects, Pests or Diseases Destructive to Vegetation", which Act was cited as the Destructive Insect and Pest Act (Page ten - C. Appendix). In the passing of this Act, the San José Scale Act of 1908 was repealed.

## 2. Destructive Insect and Pest Act.

The Destructive Insect and Pest Act conferred on the federal government of the Dominion of Canada authority to take precautionary measures against the introduction or admission into Canada, or the spreading therein, of any insect, pest or disease destructive to vegetation. The Governor in Council is authorized to make such regulations (page 7 - C. Appendix) deemed expedient to prevent the introduction or admission into Canada, or the spreading therein, of any insect, pest or disease destructive to vegetation.



In character this Act is a quarantine, since it may prohibit importations either generally or locally, as the case may be. The act does not provide for the inspection of nursery stock and other plants for destructive insect pests and fungous diseases in the country of origin; but provides for the inspection and fumigation at certain ports of entry of all shipments of nursery stock coming into Canada from Asia, Europe and other foreign countries. Inspectors and other officials appointed by the Minister of Agriculture to carry out the Act make these necessary inspections and supervise the fumigations. At the present time there are about eighty inspectors appointed to carry out this Act.

The provisions of this Act define the powers of the Minister of Agriculture. If an inspector reports the existence of any insect, pest or disease in any defined area to the Minister of Agriculture, the latter may prohibit the removal from such area or the movement therein of any vegetation which is likely to result in the spread of such insect, pest or disease.

The existence of this provision in the Act allowed the promulgation of domestic Quarantine No. 1 (D. Appendix), which quarantines certain areas in the province of Nova Scotia <sup>on</sup> ~~are~~ account of the presence of the Apple Sucker (*Psyllia mali* Schmid).

Amendments to the Regulations under the  
Destructive Insect and Pest Act.

Since the passing of the Destructive Insect and Pest Act certain amendments have been passed from time to time by Orders-in-Council prohibiting the admittance and introduction of certain nursery stock and plants. The amendments to date will be found with C in the Appendix.

### 3. Quarantine No. 1. (Domestic)

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The apple sucker, a new and foreign pest was discovered in Nova Scotia in the summer of 1919. This pest is a native of the Old World and is a serious apple pest, particularly in England. As a result of the discovery of this dangerous insect, Quarantine No. 1 (domestic) was made and promulgated by the Minister of Agriculture under authority of Section 7 of the Destructive Insect and Pest Act.

The provisions of this quarantine are being carried out by authorized inspectors who make inspections of all nursery stock moving to a point outside the quarantined area or moving within the quarantined area. All shipments going out of the quarantined area are inspected at Wolfville, N.S.

Since the apple sucker is thus far confined to a definite area it is hoped by quarantining that area to keep this insect pest in this area, and if possible, to keep its destructive work down to a minimum.

A Comparison of the Federal Exclusionary Measures  
of Canada and the United States.

In general terms the Canadian Destructive Insect and Pest Act and the United States Plant Quarantine Act were both enacted to prevent the introduction and spreading of destructive insect pests and fungus diseases in Canada and the United States respectively. The ultimate aim of these exclusionary measures is therefore similar, but the means of attaining this aim vary in some degree.

The Canadian measure does not require that nursery stock imported from foreign countries be inspected at the place of origin. Nursery stock importations into Canada are inspected and fumigated at the port of entry by authorized inspectors to prevent the introduction of destructive insect pests and plant diseases. A dangerous pest by chance may not be killed during the fumigation of the nursery stock. The result is the pest gains an entry into the Dominion and before it is discovered it may have had sufficient time to become acclimatized and well established. On the other hand, the United States measure will not permit the importation of nursery stock from a foreign country unless the package bears a copy certificate of inspection issued by a duly authorized official of the country from which it is exported. This method of the inspection of nursery

stock at the place of origin decreases the possibilities of destructive insect pests and fungous diseases being introduced into the United States. Therefore, United States exclusionary measure is more efficient in attaining its aim than the Canadian exclusionary measure.

### Conclusions.

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From a study of the laws relating to the importation and movement of nursery stock and the control of insect pests and fungous diseases in Canada and the United States it has been found, -

(1) That in both countries the first exclusionary measures enacted were provincial (state), and were very narrow in scope.

(2) That neither country had any federal protection from the introduction and distribution of destructive insect pests and fungous diseases until the great economic importance of these pests was realized.

(3) That, as far as the author has investigated, the general character of exclusionary laws is about the same. They have the same ultimate aim, but the means of attaining it may vary.

(4) That the carrying out of these acts is in the hands of authorized inspectors.

(5) That both the Canadian and United States exclusionary measures provide for the making and promulgating of

special quarantines to serve a specific case.

(6) That the United States Plant Quarantine Act is more efficient in attaining its aim than the Canadian Destructive Insect and Pest Act.



# BIBLIOGRAPHY.

## 1. Dominion of Canada, Department of Agriculture.

- (a) Dept. of Entomology, Bull. #12 (2nd series).
- (b) Entomological Branch, Circular #4 (revised).
- (c) Reports of the Minister of Agriculture  
1911-19.

## 2. Phytopathology, Vol. 3, 1913.

Phytopathology, Vol. 4, 1914.

## 3. Province of British Columbia.

Rules and regulations adopted by Board  
of Horticulture of British Columbia on  
August 28th, 1903.

## 4. United States Department of Agriculture.

- (a) Division of Vegetable Physiology and  
Pathology. Bull. #11, 1896.
- (b) Federal Horticultural Board regulatory  
announcements.
- (c) Office of Experiment Stations, Bull. #142.

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Plant Quarantine  
Act

Appendix A.

*Buchanan*

THE PLANT QUARANTINE ACT, AUGUST 20, 1912, AS AMENDED  
MARCH 4, 1913, AND MARCH 4, 1917.

AN ACT To regulate the importation of nursery stock and other plants and plant products; to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be unlawful for any person to import or offer for entry into the United States any nursery stock unless and until a permit shall have been issued therefor by the Secretary of Agriculture, under such conditions and regulations as the said Secretary of Agriculture may prescribe, and unless such nursery stock shall be accompanied by a certificate of inspection, in manner and form as required by the Secretary of Agriculture, of the proper official of the country from which the importation is made, to the effect that the stock has been thoroughly inspected and is believed to be free from injurious plant diseases and insect pests: *Provided*, That the Secretary of Agriculture shall issue the permit for any particular importation of nursery stock when the conditions and regulations as prescribed in this act shall have been complied with: *Provided further*, That nursery stock may be imported for experimental or scientific purposes by the Department of Agriculture upon such conditions and under such regulations as the said Secretary of Agriculture may prescribe: *And provided further*, That nursery stock imported from countries where no official system of inspection for such stock is maintained may be admitted upon such conditions and under such regulations as the Secretary of Agriculture may prescribe.

SEC. 2. That it shall be the duty of the Secretary of the Treasury promptly to notify the Secretary of Agriculture of the arrival of any nursery stock at port of entry; that the person receiving such stock at port of entry shall, immediately upon entry and before such stock is delivered for shipment or removed from the port of entry, advise the Secretary of Agriculture or, at his direction, the proper State, Territorial, or District official of the State or Territory or the District to which such nursery stock is destined, or both, as the Secretary of Agriculture may elect, of the name and address of the consignee, the nature and quantity of the stock it is proposed to ship, and the country and locality where the same was grown. That no person shall ship or offer for shipment from one State or Territory or District of the United States into any other State or Territory or District, any nursery stock imported into the United States without notifying the Secretary of Agriculture or, at his direction, the proper State, Territorial, or District official of the State or Territory or District to which such nursery stock is destined, or both, as the Secretary of Agriculture may elect, immediately upon the delivery of the said stock for shipment, of the name and address of the consignee, of the nature and quantity of stock it is proposed to ship, and the country and locality where the same was grown, unless and until such imported stock has been inspected by the proper official of a State, Territory, or District of the United States.

SEC. 3. That no person shall import or offer for entry into the United States any nursery stock unless the case, box, package, crate, bale, or bundle thereof shall be plainly and correctly marked to show the general nature and quantity of the contents, the country and locality where the same was grown, the name and address of the shipper, owner, or person shipping or forwarding the same, and the name and address of the consignee.

SEC. 4. That no person shall ship or deliver for shipment from one State or Territory or District of the United States into any other State or Territory or District any such imported nursery stock the case, box, package, crate, bale, or bundle whereof is not plainly marked so as to show the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where such stock was grown, unless and until such imported stock



has been inspected by the proper official of a State, Territory, or District of the United States.

SEC. 5. That whenever the Secretary of Agriculture shall determine that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds, or other plant products not included by the term "nursery stock" as defined in section six of this act may result in the entry into the United States or any of its Territories or District of injurious plant diseases or insect pests, he shall promulgate his determination, specifying the class of plants and plant products the importation of which shall be restricted and the country and locality where they are grown, and thereafter, and until such promulgation is withdrawn, such plants and plant products imported or offered for import into the United States or any of its Territories or Districts shall be subject to all the provisions of the foregoing sections of this act: *Provided*, That before the Secretary of Agriculture shall promulgate his determination that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds, or other plant products not included by the term "nursery stock" as defined in section six of this act may result in the entry into the United States or any of its Territories or Districts of injurious plant diseases or insect pests he shall, after due notice, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney.

SEC. 6. That for the purpose of this act the term "nursery stock" shall include all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots.

SEC. 7. That whenever, in order to prevent the introduction into the United States of any tree, plant, or fruit disease or of any injurious insect, new to or not theretofore widely prevalent or distributed within and throughout the United States, the Secretary of Agriculture shall determine that it is necessary to forbid the importation into the United States of any class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products from a country or locality where such disease or insect infestation exists, he shall promulgate such determination, specifying the country and locality and the class of nursery stock or other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products which, in his opinion, should be excluded. Following the promulgation of such determination by the Secretary of Agriculture, and until the withdrawal of the said promulgation by him, the importation of the class of nursery stock or of other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products specified in the said promulgation from the country and locality therein named, regardless of the use for which the same is intended, is hereby prohibited; and until the withdrawal of the said promulgation by the Secretary of Agriculture, and notwithstanding that such class of nursery stock, or other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products be accompanied by a certificate of inspection from the country of importation, no person shall import or offer for entry into the United States from any country or locality specified in such promulgation, any of the class of nursery stock or of other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products named therein, regardless of the use for which the same is intended: *Provided*, That before the Secretary of Agriculture shall promulgate his determination that it is necessary to forbid the importation into the United States of the articles named in this section he shall, after due notice to interested parties, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney: *Provided further*, That the quarantine provisions of this section, as applying to the white-pine blister rust, potato wart, and the Mediterranean fruit fly, shall become and be effective upon the passage of this act: *Provided further*, That hereafter any class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products of which the importation may be forbidden from any country or locality under the provisions of section seven of the Plant Quarantine Act approved August twentieth, nineteen hundred and twelve (Thirty-seventh Statutes, page three hundred and fifteen), may be imported for experimental or scientific purposes by the Department of Agriculture upon such conditions and under such regulations as the said Secretary of Agriculture may prescribe.



SEC. 8. That the Secretary of Agriculture is authorized and directed to quarantine any State, Territory, or District of the United States, or any portion thereof, when he shall determine that such quarantine is necessary to prevent the spread of a dangerous plant disease or insect infestation, new to or not theretofore widely prevalent or distributed within and throughout the United States; and the Secretary of Agriculture is directed to give notice of the establishment of such quarantine to common carriers doing business in or through such quarantined area, and shall publish in such newspapers in the quarantined area as he shall select notice of the establishment of quarantine. That no person shall ship or offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or transport from any quarantined State or Territory or District of the United States, or from any quarantined portion thereof, into or through any other State or Territory or District, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products, or any class of stone or quarry products, or any other article of any character whatsoever, capable of carrying any dangerous plant disease or insect infestation, specified in the notice of quarantine except as hereinafter provided. That it shall be unlawful to move, or allow to be moved, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products, or any class of stone or quarry products or any other article of any character whatsoever, capable of carrying any dangerous plant disease or insect infestation, specified in the notice of quarantine hereinbefore provided, and regardless of the use for which the same is intended, from any quarantined State or Territory or District of the United States or quarantined portion thereof, into or through any other State or Territory or District, in manner or method or under conditions other than those prescribed by the Secretary of Agriculture. That it shall be the duty of the Secretary of Agriculture, when the public interests will permit, to make and promulgate rules and regulations which shall permit and govern the inspection, disinfection, certification, and method and manner of delivery and shipment of the class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products, or any class of stone or quarry products, or any other article of any character whatsoever, capable of carrying any dangerous plant disease or insect infestation, specified in the notice of quarantine hereinbefore provided, and regardless of the use for which the same is intended, from a quarantined State or Territory or District of the United States, or quarantined portion thereof, into or through any other State or Territory or District; and the Secretary of Agriculture shall give notice of such rules and regulations as hereinbefore provided in this section for the notice of the establishment of quarantine: *Provided*, That before the Secretary of Agriculture shall promulgate his determination that it is necessary to quarantine any State, Territory, or District of the United States, or portion thereof, under the authority given in this section, he shall, after due notice to interested parties, give a public hearing under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney.

SEC. 9. That the Secretary of Agriculture shall make and promulgate such rules and regulations as may be necessary for carrying out the purposes of this act.

SEC. 10. That any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court: *Provided*, That no common carrier shall be deemed to have violated the provisions of any of the foregoing sections of this act on proof that such carrier did not knowingly receive for transportation or transport nursery stock or other plants or plant products as such from one State, Territory, or District of the United States into or through any other State, Territory, or District; and it shall be the duty of the United States attorneys diligently to prosecute any violations of this act which are brought to their attention by the Secretary of Agriculture or which come to their notice by other means.

SEC. 11. That the word "person" as used in this act shall be construed to import both the plural and the singular, as the case demands, and shall include corporations, companies, societies, and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any officer,



agent, or other person acting for or employed by any corporation, company, society, or association, within the scope of his employment or office, shall in every case be also deemed to be the act, omission, or failure of such corporation, company, society, or association as well as that of the person.

SEC. 12. That for the purpose of carrying out the provisions of this act there shall be appointed by the Secretary of Agriculture from existing bureaus and offices in the Department of Agriculture, including the Bureau of Entomology, the Bureau of Plant Industry, and the Forest Service, a Federal Horticultural Board consisting of five members, of whom not more than two shall be appointed from any one bureau or office, and who shall serve without additional compensation.

SEC. 13. That there is hereby appropriated, out of the moneys in the Treasury not otherwise appropriated, to be expended as the Secretary of Agriculture may direct, for the purposes and objects of this act, the sum of \$25,000.

SEC. 14. That this act shall become and be effective from and after the first day of October, nineteen hundred and twelve, except as herein otherwise provided.



## UNITED STATES DEPARTMENT OF AGRICULTURE,

OFFICE OF THE SECRETARY.

FEDERAL HORTICULTURAL BOARD.

C. L. MARLATT, *Chairman*; W. A. ORTON, GEO. B. SUDWORTH, W. D. HUNTER, KARL F. KELLERMAN. R. C. ALTHOUSE, *Secretary*.

## NURSERY STOCK, PLANT, AND SEED QUARANTINE.

NOTICE OF QUARANTINE NO. 37, WITH REGULATIONS (2nd Edition).

[Effective on and after June 1, 1919.]

## INTRODUCTORY NOTE.

In issuing this second edition of Quarantine No. 37 and regulations thereunder, no change is made in the regulations. The three amendments to the regulations which have been issued subsequent to the original promulgation of the quarantine and regulations are incorporated in this revision. These are, No. 1, amending Regulation 3, issued February 12, 1919; No. 2, amending Regulation 14, issued March 27, 1919; and No. 3, adding a new regulation (No. 15) issued August 6, 1919, effective on and after August 16, 1919. The first two amendments became effective June 1, 1919.

The classes of nursery stock and other plants and seeds which may be entered and the conditions of such entry under this quarantine are indicated in Regulations 2, 3, 14, and 15.

Regulation 2 provides that fruits, vegetables, cereals, and other plant products for or capable of propagation, intended for medicinal, food, or manufacturing purposes, and field, vegetable, and flower seeds, may be imported without permit or other restrictions.

Regulation 3 enumerates the classes of plants which may be imported under open permits valid until revoked on compliance with the other requirements of the regulations.

Regulation 14 provides for the importation under special limited permits, valid only for the kinds and quantities of plants indicated therein, of nursery stock and other plants and seeds not covered by Regulations 2 and 3 for the purpose of keeping the country supplied with new varieties and necessary propagating stock.

Regulation 15 provides for the importation from countries contiguous to the United States of specific classes of nursery stock and



other plants and seeds which can be considered as peculiar to such contiguous countries.

The various forms required under this quarantine (first edition, Appendix B) are not reproduced in this edition for the reason that they are subject to additions and modifications to meet changing or new conditions. The forms of application and notices with respect to importations of nursery stock and other plants and seeds under Regulations 3, 14, and 15 will be supplied on request.

This quarantine does not affect the status of nursery stock and other plants and seeds covered by special quarantines and other restrictive orders now in force, nor does it apply to importations of nursery stock and other plants and seeds by the United States Department of Agriculture for experimental or scientific purposes.

The regulations governing the entry of the classes of plants listed in Regulation 3 are similar to those hitherto in force and take into account the classification of countries into (1) those maintaining inspection and certification of nursery stock in accordance with the requirements of the plant quarantine act, and (2) countries which have not made provision for such compliance with the act. (See Appendix B.)

C. L. MARLATT,  
*Chairman, Federal Horticultural Board.*

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UNITED STATES DEPARTMENT OF AGRICULTURE.

FEDERAL HORTICULTURAL BOARD.

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NOTICE OF QUARANTINE NO. 37.

Nursery Stock, Plant, and Seed Quarantine.

[Effective on and after June 1, 1919, and superseding the rules and regulations governing the importation of nursery stock into the United States which were promulgated to take effect on and after July 1, 1916.]

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that there exist in Europe, Asia, Africa, Mexico, Central and South America, and other foreign countries and localities, certain injurious insects and fungous diseases new to and not heretofore widely distributed within and throughout the United States, which affect and are carried by nursery stock and other plants and seeds, the words "nursery stock and other plants and seeds" including, wherever used in this notice and the rules and regulations supplemental hereto, field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, also field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots, and other plants and plant products for, or capable of, propagation.



Now, therefore, I, D. F. Houston, Secretary of Agriculture, under the authority conferred by the act of Congress approved August 20, 1912 (37 Stat., 315), do hereby declare that it is necessary, in order to prevent the further introduction into the United States of injurious insect pests and fungous diseases, to forbid, except as provided in the rules and regulations supplemental hereto, the importation into the United States of nursery stock and other plants and seeds from the foreign countries and localities named and from any other foreign locality or country.

On and after June 1, 1919, and until further notice, by virtue of said act of Congress approved August 20, 1912, the importation of nursery stock and other plants and seeds from the above named and all other foreign countries and localities, except as provided in the rules and regulations supplemental hereto, is prohibited.

This quarantine shall not apply to nursery stock and other plants and seeds covered by special quarantines and other restrictive orders now in force, a list of which is given in Appendix A of the rules and regulations supplemental hereto, nor to the importation by the United States Department of Agriculture of nursery stock and other plants and seeds for experimental or scientific purposes.

Done in the District of Columbia this 18th day of November, 1918.

[SEAL.] Witness my hand and the seal of the United States Department of Agriculture.

D. F. HOUSTON,  
*Secretary of Agriculture.*

#### Rules and Regulations Supplemental to Notice of Quarantine No. 37 Governing the Importation of Nursery Stock and Other Plants and Seeds into the United States.

[Effective on and after June 1, 1919, and superseding the regulations heretofore issued governing the importation of nursery stock.]

##### Regulation 1. Definition.

The words "nursery stock and other plants and seeds" are used throughout these rules and regulations in the same sense as in Notice of Quarantine No. 37.

##### Regulation 2. Nursery stock and other plants and seeds for which permit is not required.

The following classes of nursery stock and other plants and seeds, not including, however, the particular nursery stock and other plants and seeds named in Appendix A, which are governed by special quarantines and other restrictive orders now in force, nor such as



may hereafter be made the subject of special quarantines, may be imported without permit or other compliance with these regulations:

- (1) Fruits, vegetables, cereals, and other plant products imported for medicinal, food, or manufacturing purposes.
- (2) Field, vegetable, and flower seeds.

**Regulation 3. Nursery stock and other plants and seeds for which permit is required.**

The following nursery stock and other plants and seeds, not including, however, those named in Appendix A, which are governed by special quarantines and other restrictive orders now in force, nor such as may hereafter be made the subject of special quarantines, when free from sand, soil, or earth, may be imported from countries which maintain inspection (see Appendix B), under permit upon compliance with these regulations, but, where a particular purpose is specified, for that purpose and no other:

- (1) Lily bulbs, lily of the valley, narcissus, hyacinths, tulips, and crocus.
- (2) Stocks, cuttings, scions, and buds, of fruits for propagation.
- (3) Rose stocks for propagation, including Manetti, Multiflora, Brier Rose, and Rosa Rugosa.
- (4) Nuts, including palm seeds, for propagation.
- (5) Seeds of fruit, forest, ornamental, and shade trees, seeds of deciduous and evergreen ornamental shrubs, and seeds of hardy perennial plants.

*Provided,* That the requirement as to freedom from sand, soil, or earth shall not apply to sand, soil, or earth used for packing the articles enumerated in item No. 1 of this regulation when such sand, soil, or earth has been previously sterilized in accordance with methods prescribed by the Federal Horticultural Board under the supervision of a duly authorized inspector of the country of origin. Such sterilization shall be certified to by the duly authorized inspector of the country of origin.

Importations of nursery stock and other plants and seeds specified in this regulation, from countries not maintaining inspection, may be made under permit upon compliance with these regulations in limited quantities for experimental purposes only, but this limitation shall not apply to tree seeds.

**Regulation 4. Application for permits for importation of nursery stock and other plants and seeds.**

Persons contemplating the importation of nursery stock and other plants and seeds<sup>1</sup> the entry of which is permitted under Regulation

<sup>1</sup> A post-office order dated May 27, 1913, as amended December 16, 1913, prohibits the importation by mail of all growing or living plants, seeds, and other plant products for propagation, except field, vegetable, and flower seeds.



3 shall first make applicaion to the Federal Horticultural Board for a permit, stating in the application the exact designation of the nursery stock and other plants and seeds to be imported, the name and address of the exporter, the country and locality where grown, the port of entry, and the name and address of the importer in the United States to whom the permit should be sent.

Applications for permits should be made in advance of the proposed shipments, but if, through no fault of the importer a shipment should arrive before a permit is received the importation will be held in customs custody at the risk and expense of the importer for a period not exceeding 20 days pending the receipt of the permit.

Applications may be made by telegraph, in which case the information required above must be given.

Permits are not required for nursery stock and other plants and seeds, not under quarantine or regulation, entering the United States for immediate transportation in bond to foreign countries.

Applications for permit to import nursery stock and other plants and seeds from countries which do not maintain inspection must contain a definite statement of the quantity to be imported.

**Regulation 5. Delivery in bond pending receipt of permit will be allowed for shipments from countries maintaining inspection.**

If the required permit be not at hand upon arrival of a shipment from a country which maintains inspection, and such shipment meets the requirements of Regulations 7 and 8, it may be delivered to the importer, consignee, or agent for the proper care thereof upon the filing of a bond with approved sureties in double the invoice value (but in no case less than \$20), the condition of which shall be that the importation shall not be removed from the port of entry but shall be redelivered to the collector of customs within 20 days from the date of arrival at the port, unless in the meantime the collector is presented with a proper permit; or, if the importer, consignee, or agent shall so elect, the goods may, so far as the Department of Agriculture is concerned, be retained in customs custody for a period not exceeding 20 days, pending the issuance of the permit, wholly at the risk and expense of the importer.

**Regulation 6. Issuance of permits.**

On approval by the Secretary of Agriculture of an application for the importation of nursery stock and other plants and seeds a permit will be issued in quadruplicate. One copy will be furnished to the applicant for presentation to the customs officer at the port of entry, one copy will be mailed to the collector of customs and one to the inspector of the Department of Agriculture at the port of entry, and the fourth will be filed with the application.



Permits shall be valid until revoked, unless otherwise specified therein, and will be issued for the ports of Boston, New York, New-ark, San Francisco, Seattle, and such other ports as may from time to time be approved by the Federal Horticultural Board. The permit will be addressed to the collector of customs at the port for which it is issued.

**Regulation 7. Inspection, certification, and marking as a condition of entry.**

The importation of nursery stock and other plants and seeds from countries which maintain inspection will not be allowed unless the invoice is accompanied by an original certificate, and unless each container bears a copy certificate, issued by a duly authorized official of the country from which it is exported, stating that the nursery stock and other plants and seeds covered by the certificate have been thoroughly inspected by him or under his direction and found, or believed to be, free from injurious plant diseases and insect pests. Nursery stock and other plants and seeds exported between October 1 and May 31 shall be inspected on or after the 1st of October, and those exported between June 1 and September 30 shall be inspected at the time of packing: *Provided*, That for tropical and semitropical countries, or for stock grown under glass, the inspection shall be at time of packing throughout the entire year.

Nursery stock and other plants and seeds from countries which do not maintain inspection shall not be delivered to the importer or consignee until they have been examined by an inspector of the Department of Agriculture and found to be free from plant diseases and insect pests, or, if infested, capable in the judgment of the inspector of being adequately safeguarded by disinfection. All importations under this paragraph must also comply with the disinfection requirement of Regulation 9. Nursery stock and other plants and seeds inspected as provided herein which are found to be carrying any plant disease or insect pest, and which in the judgment of the inspector can not be cleaned by disinfection or treatment, shall be refused entry. \* All charges for storage, cartage, and labor incident to inspection and disinfection, other than the services of the inspector, shall be paid by the importer.

If a package of nursery stock and other plants and seeds offered for entry includes any prohibited article, the entire package will be refused entry.

Each case, box, or other container or covering of nursery stock and other plants and seeds offered for entry shall be plainly and correctly marked to show the number of the permit, the general nature and quantity of the contents, the district or locality and country where grown, the name and address of the exporter, and the name and address of the consignee.



**Regulation 8. Foreign certificate of inspection.**

Each certificate and copy certificate shall give the date of inspection, name of the grower or exporter, the district or locality and the country where grown, and a statement that the nursery stock and other plants and seeds have been inspected by a duly authorized official and found, or believed to be, free from insect pests and plant diseases. The original certificate shall be signed and sealed by, and the copy certificate shall bear the seal of, a responsible inspection official for the country of origin.

Lists of officials in foreign countries authorized to inspect nursery stock and other plants and seeds, giving their names and official designations, will be furnished to collectors of customs through the Secretary of the Treasury.

**Regulation 9. Disinfection a condition of entry.**

Nursery stock and other plants and seeds imported under Regulation 3 shall be subject, as a condition of entry, to such disinfection as shall be required by the inspector of the Department of Agriculture. When disinfection is required, the nursery stock and other plants and seeds involved will be delivered to the permittee for disinfection upon the filing with the collector of customs of a bond in the amount of \$5,000, or in an amount equal to the invoice value if such value be less than \$5,000, with approved sureties, the condition of which shall be that the nursery stock and other plants and seeds shall be disinfected under the supervision of an inspector of the Department of Agriculture; that no case or other container thereof shall be broken, opened, or removed from the port of entry unless and until a written notice is given to such collector by an inspector of the Department of Agriculture that the nursery stock and other plants and seeds have been properly disinfected; and that the importation shall be redelivered to the collector of customs within 40 days from arrival at the port of entry.

**Regulation 10. Notice of arrival by permittee.**

Immediately upon arrival of the nursery stock and other plants and seeds at the port of entry, the permittee shall submit in duplicate notice to the Secretary of Agriculture, through the collector of customs, on forms provided for that purpose, stating the number of the permit, date of entry, name of ship or vessel, the country and locality where grown, name of the foreign shipper, number of cases and marks and numbers on cases, the general nature and quantity of the nursery stock and other plants and seeds, the port of entry, and the name of the importer or broker at the port of entry.



**Regulation 11. Notice of shipment by permittee.**

After entry of the nursery stock and other plants and seeds and before removal from the port of entry for each separate shipment or consignment thereof the permittee shall notify the Secretary of Agriculture in duplicate, on forms provided for that purpose, stating the number of the permit, the date of entry, the port of entry, the customs entry number, name and address of the consignee to whom it is proposed to forward the shipment, the general nature and quantity of the nursery stock and other plants and seeds, the number of cases or other containers included in the shipment, and the case or container numbers and marks, together with the probable date of delivery for and route of transportation. A separate report is required for each ultimate consignee.

At the same time a copy of the notice to the Secretary of Agriculture shall be sent by the permittee to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock and other plants and seeds are to be shipped. A list of such inspectors and officers is appended.

Should a consignee named in such a notice ship or deliver for shipment to any other State, Territory, or District such nursery stock and other plants or seeds before they have been inspected by a duly authorized State, Territorial, or District inspector or officer, he shall, prior to such shipment, give like notices to the Secretary of Agriculture and to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock and other plants and seeds are to be reshipped.

Nursery stock and other plants and seeds which have been once inspected and passed by a duly authorized State, Territorial, or District inspector or other officer, will be allowed to move interstate without restrictions other than those imposed on the interstate movement of domestic nursery stock.

**Regulation 12. Marking a condition of interstate shipment of nursery stock and other plants and seeds not inspected.**

No person shall ship or deliver for shipment from one State, Territory, or District of the United States into any other State, Territory, or District any imported nursery stock and other plants and seeds, the case, box, package, crate, bale, or bundle whereof is not plainly marked so as to show the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where grown, unless and until such imported nursery stock and other plants and seeds have been inspected and passed by the proper official of a State, Territory, or District of the United States.



**Regulation 13. Cancellation of permits for violation of regulations.**

Permits may be canceled and further permits refused for the importation of the products of any grower or exporter who has violated the Plant Quarantine Act or any rules and regulations promulgated thereunder, or for the importation of the products of any country whose inspection is found by the Federal Horticultural Board as the result of its examinations of importations therefrom to be merely perfunctory, or for the failure of a permittee to give any notice required by these rules and regulations, or for the giving of a false or incomplete notice, or the mislabeling of any shipment with intent to evade any provision of the Plant Quarantine Act or any rules and regulations thereunder.

**Regulation 14. Special permits for importation in limited quantities of prohibited stock**

Application may be made to the Secretary of Agriculture for special permits for the importation, in limited quantities and under safeguards to be prescribed in such permits, of nursery stock and other plants and seeds not covered by the preceding regulations, for the purpose of keeping the country supplied with new varieties and necessary propagating stock: *Provided*, That this shall not apply to nursery stock and other plants and seeds covered by special quarantines and other restrictive orders now in force, nor to such as may hereafter be made the subject of special quarantines. A list of nursery stock and other plants and seeds covered by special quarantines and other restrictive orders now in force is given in Appendix A of these regulations.

**Regulation 15. Permits for the importation of otherwise prohibited stock from foreign countries contiguous to the United States.**

When it is deemed by the Secretary of Agriculture that the importation from countries contiguous to the United States of any class or classes of nursery stock and other plants and seeds the entry of which is not otherwise provided for by these regulations will not be attended by serious risk to the agriculture, horticulture, or floriculture of the United States, permits may be issued, on application, authorizing the entry of such nursery stock and other plants and seeds under such safeguards as may be prescribed in the permits: *Provided*, That importations under this regulation shall be limited to specific classes of nursery stock and other plants and seeds which can be considered as peculiar to such contiguous countries, and not mere reproductions of imported stock from foreign countries, and which are not available in sufficient quantities in the United States: *Provided further*, That this shall not apply to nursery stock and other plants and seeds governed by special quarantines and other restrictive orders, other than Quarantine 37, now in force,



nor to such as may hereafter be made the subject of special quarantines: *Provided further*, That in addition to the certificate required by Regulation 7, the invoice covering nursery stock and other plants and seeds offered for entry under this regulation must be accompanied by a certificate of a duly authorized official of the country of origin, stating that the nursery stock and other plants and seeds proposed to be exported to the United States have been produced or grown in the country from which they are proposed to be exported.

The above rules and regulations are hereby adopted and shall be effective on and after June 1, 1919,<sup>1</sup> and shall supersede the rules and regulations governing the importation of nursery stock into the United States, which were promulgated to take effect on and after July 1, 1916.

NOVEMBER 18, 1918.

D. F. HOUSTON,  
*Secretary of Agriculture.*

#### APPENDIX A.

The entry of the following plants and plant products is prohibited or restricted by specific quarantines and other restrictive orders now in force:

(a) Irish potatoes from all countries except the Dominion of Canada and Bermuda. Irish potatoes may be imported from any foreign country into the Territories of Hawaii and Porto Rico, for local use only, free from any restrictions under the Plant Quarantine Act.

(b) Oranges, sweet limes, grapefruit, mangoes, achras sapotes, peaches, guavas, and plums from the Republic of Mexico.

(c) All five-leafed pines and all species and varieties of the genera *Ribes* and *Grossularia*, from each and every country of Europe and Asia and from the Dominion of Canada and Newfoundland.

(d) Cotton seed (including seed cotton) of all species and varieties, and cottonseed hulls, from any foreign locality and country.

(e) Seeds of the avocado or alligator pear from Mexico and the countries of Central America.

(f) Living canes of sugar cane or cuttings or parts thereof from all foreign countries. There are no Federal restrictions on the entry of such materials into Hawaii and Porto Rico.

(g) All citrus nursery stock including buds, scions, and seeds, from all foreign localities and countries.

(h) All pines not included in paragraph (c) from all European countries and localities.

(i) Seed and all other portions in the raw or unmanufactured state of Indian corn or maize (*Zea mays* L.), and the closely related plants, including all species of Teosinte (*Euchlaena*), Job's tears (*Coix*), *Polytoca*, *Chionachne*, and *Sclerachne*, from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands.

(j) All species and varieties of citrus fruits from eastern and southeastern Asia (including India, Siam, Indo-China, and China), the Malayan Archipelago, the Philippine Islands, Oceania (except Australia, Tasmania, and New

<sup>1</sup> The effective dates of Amendments Nos. 1, 2, and 3, embodied in this revision, are given in the Introductory Note.



Zealand), Japan (including Formosa and other islands adjacent to Japan), and the Union of South Africa.

(k) All varieties of sweet potatoes and yams (*Ipomoea batatas* and *Dioscorea* spp.) from all foreign countries and localities.

(l) All species or varieties of banana plants (*Musa* spp.) from all foreign countries and localities.

(m) Fruits of the avocado or alligator pear and avocado nursery stock less than 18 months of age from Mexico and the countries of Central America.

(n) Cotton from all foreign countries and localities.

(o) Cottonseed oil from Mexico and cottonseed cake, meal, and all other cottonseed products, except oil, from all foreign countries.

(p) All varieties of bamboo seed, plants, or cuttings thereof, capable of propagation, including all genera and species of the tribe *Bambuseae*, from all foreign countries.

(q) Seed or paddy rice, wheat, oats, barley, and rye from Australia, India, Japan, Italy, France, Germany, Belgium, Great Britain, Ireland, and Brazil.

#### APPENDIX B.

LIST OF THE FOREIGN COUNTRIES WHICH HAVE PROVIDED FOR INSPECTION AND CERTIFICATION IN CONFORMITY WITH THE REQUIREMENTS OF THE PLANT QUARANTINE ACT OF AUGUST 20, 1912.

Australia.	Ireland.	Philippine Islands.
Barbados.	Italy.	Scotland.
Belgium.	Jamaica.	Union of South Africa.
Bermuda.	Japan.	Spain.
British Guiana.	Leeward Islands:	Straits Settlements.
Canada.	Antigua.	Switzerland.
Cuba.	St. Christopher.	Trinidad.
Denmark.	Nevis.	Wales.
England.	Dominica.	Windward Islands:
France.	Montserrat.	Granada.
Germany.	Virgin Islands.	St. Lucia.
Guatemala.	Grand Duchy of Lux-	St. Vincent.
Holland.	emburg.	
Hongkong.	New Zealand.	

#### APPENDIX C.

##### STATE INSPECTION OFFICIALS.

Alabama: State Horticulturist, Alabama State Board of Horticulture, Auburn, Ala.

Alaska: Agronomist in Charge, Alaska Agricultural Experiment Station, Sitka, Alaska.

Arizona: State Entomologist, Phoenix, Ariz.

Arkansas: State Inspector, Fayetteville, Ark.

California: Horticultural Quarantine Officer, room 10, Ferry Building, San Francisco, Calif.

Colorado: State Entomologist, Colorado Agricultural Experiment Station, Fort Collins, Colo.

Connecticut: State Entomologist, New Haven, Conn.

Delaware: Secretary, State Board of Agriculture, Dover, Del.

District of Columbia: United States Department of Agriculture, Federal Horticultural Board.

Florida: State Plant Board of Florida, Gainesville, Fla.



- Georgia: State Entomologist, Atlanta, Ga.  
 Guam: Special Agent in Charge, Guam Agricultural Experiment Station, Island of Guam (via San Francisco).  
 Hawaii: Board of Commissioners of Agriculture and Forestry, Honolulu, Hawaii.  
 Idaho: State Horticultural Inspector, Boise, Idaho.  
 Illinois: Chief Inspector, Office State Entomologist, Urbana, Ill.  
 Indiana: State Entomologist, Indianapolis, Ind.  
 Iowa: State Entomologist, Iowa State College, Ames, Iowa.  
 Kansas, North: State Entomologist, Kansas State Agricultural College, Manhattan, Kans.  
 Kansas, South: Entomologist, University of Kansas, Lawrence, Kans.  
 Kentucky: State Entomologist, Kentucky Agricultural Experiment Station, Lexington, Ky.  
 Louisiana: Entomologist, State Board of Agriculture and Immigration, Baton Rouge, La.  
 Maine: State Horticulturist, Augusta, Me.  
 Maryland: State Entomologist, College Park, Md.  
 Massachusetts: State Nursery Inspector, Statehouse, Boston, Mass.  
 Michigan: State Inspector of Nurseries, East Lansing, Mich.  
 Minnesota: State Entomologist, St. Paul, Minn.  
 Mississippi: Entomologist, Agricultural College, Miss.  
 Missouri: Entomologist, University of Missouri, Columbia, Mo.  
 Montana: Montana State Board of Horticulture, Missoula, Mont.  
 Nebraska: State Entomologist, University of Nebraska, Lincoln, Nebr.  
 Nevada: Director, Nevada Agricultural Experimental Station, Reno, Nev.  
 New Hampshire: Deputy Commissioner of Agriculture, Durham, N. H.  
 New Jersey: State Entomologist, New Brunswick, N. J.  
 New Mexico: Horticulturist, New Mexico Agricultural Experiment Station, State College, N. Mex.  
 New York: Commissioner of Agriculture, Albany, N. Y.  
 North Carolina: State Entomologist, State Department of Agriculture, Raleigh, N. C.  
 North Dakota: Director, North Dakota Agricultural Experiment Station, Agricultural College, N. Dak.  
 Ohio: Chief Inspector, Ohio Department of Agriculture, Columbus, Ohio.  
 Oklahoma: Secretary, State Board of Agriculture, Oklahoma City, Okla.  
 Oregon: Secretary, State Board of Horticulture, Portland, Oreg.  
 Pennsylvania: Director, Bureau of Plant Industry, Harrisburg, Pa.  
 Porto Rico: Entomologist, Board of Commissioners of Agriculture, Rio Piedras, P. R.  
 Rhode Island: Entomologist, room 129, Statehouse, Providence, R. I.  
 South Carolina: State Entomologist, Clemson College, S. C.  
 South Dakota: State Entomologist, South Dakota State College, Brookings, S. Dak.  
 Tennessee: State Entomologist, Knoxville, Tenn.  
 Texas: Chief Inspector of Nurseries, Austin, Tex.  
 Utah: State Crop Pest Inspector, Salt Lake City, Utah.  
 Vermont: State Nursery Inspector, Burlington, Vt.  
 Virginia: State Entomologist, Blacksburg, Va.  
 Washington: Commissioner of Agriculture, Olympia, Wash.  
 West Virginia: State Entomologist, Morgantown, W. Va.  
 Wisconsin: State Entomologist, State Capitol, Madison, Wis.  
 Wyoming: Secretary, State Board of Horticulture, Laramie, Wyo.



DOMINION OF CANADA  
DEPARTMENT OF AGRICULTURE  
ENTOMOLOGICAL BRANCH

C. GORDON HEWITT, DOMINION ENTOMOLOGIST

Appendix C.

REGULATIONS

UNDER THE

DESTRUCTIVE INSECT AND PEST ACT

WITH INSTRUCTIONS TO IMPORTERS AND EXPORTERS OF TREES,  
PLANTS AND OTHER NURSERY STOCK

BY

C. GORDON HEWITT

*Dominion Entomologist*

CIRCULAR No. 10

Published by direction of Hon. MARTIN BURRELL, Minister of Agriculture, Ottawa, Ont.

OTTAWA  
J. DE LABROQUERIE TACHÉ  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1917

**W**E SHALL BE PLEASED to hear from anyone concerning damage or trouble of any kind due to insect pests. No postage is required on such letters of inquiry when addressed:

DOMINION ENTOMOLOGIST,  
Department of Agriculture,  
OTTAWA, ONT.

Such enquiries should be accompanied in all cases where it is possible by specimens of the insects. The insects should be sent packed with their food plant in a strong wooden or tin box to prevent loss in transit. Packages up to 12 ounces in weight may be mailed free and every package should bear or contain the sender's name and address and be accompanied by a letter.



OTTAWA, August 16, 1917.

To the Honourable  
The Minister of Agriculture,  
Ottawa.

SIR,—I have the honour to submit for your approval Entomological Circular No. 10, entitled "Regulations under the Destructive Insect and Pest Act, with Instructions to Importers and Exporters of Trees, Plants and other Nursery Stock." Owing to the recent amendment by Order in Council on July 17, 1917, of the former regulations a revision of our former Circular No. 4 has been made necessary. The regulations have been consolidated and a number of new requirements have been included, such as the labelling of shipments of nursery stock with a statement of the contents. The quarantine provisions have been consolidated into one regulation, No. 7, and a new quarantine has been established prohibiting the importation of currant and gooseberry plants into Canada. The European pine-shoot moth, *Evetria buoliana*, has been scheduled as a destructive insect.

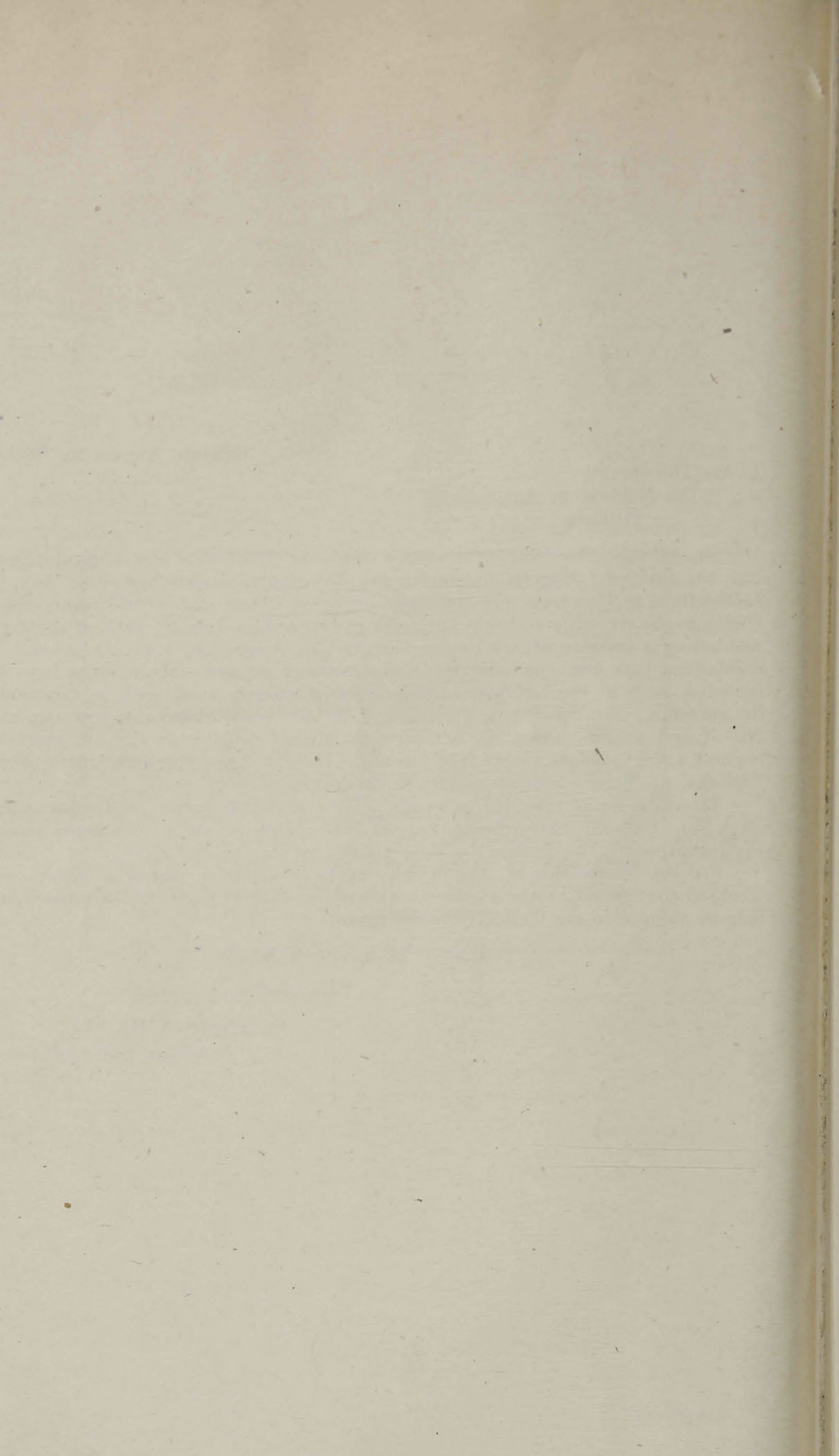
This circular is intended to guide persons importing plants and other nursery stock into Canada. Accordingly, a brief explanation of the requirements precedes the regulations. The Destructive Insect and Pest Act is also given.

For the information of persons desiring to export trees, plants or other nursery stock, to the United States, a statement of the conditions under which nursery stock may be shipped to the United States is given.

I have the honour to be, sir,

Your obedient servant,

C. GORDON HEWITT,  
*Dominion Entomologist.*





# REGULATIONS UNDER THE DESTRUCTIVE INSECT AND PEST ACT.

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## EXPLANATION OF REGULATIONS FOR PERSONS IMPORTING NURSERY STOCK INTO CANADA.

The term "Nursery Stock" includes trees, shrubs, vines, grafts, scions, cuttings and buds (Regulation 3).

### EXEMPTED PLANTS.

Plants which are exempt, at present, from the importation regulations and which may be imported into Canada at any time and through any port are: Herbaceous perennials, herbaceous bedding plants, bulbs, cottonwood from North and South Dakota and Minnesota and, *when accompanied by a certificate*, greenhouse plants. (Regulation 3, subsections a to e.) No notice of the importation of these exempted classes of stock is required.

### REQUIREMENTS TO BE OBSERVED BY ALL IMPORTERS OF NURSERY STOCK.

*Importation Seasons.*—Nursery stock may be imported into Canada during certain seasons of the year only and through certain specified ports (see Regulation 3.) At these ports all nursery stock, except that of European (including British) origin, is fumigated.

*Nursery Stock Subject to Inspection.*—Nursery stock from the following countries and states is inspected: Europe, Asia, and the States of Vermont, New Hampshire, Maine, Massachusetts, Connecticut, and Rhode Island.

*Notification of Importation.*—All persons, except residents in British Columbia, importing nursery stock from the aforementioned places, *that is, stock subject to inspection*, must notify the Dominion Entomologist, Department of Agriculture, Ottawa. This notice must give the following details (Regulation 5):—

1. *Nature of Stock*; for example: apple seedlings, roses, azaleas, etc.
2. *Quantity*; stating quantity of each kind.
3. *Origin*; stating country and place from which the stock is being imported; for example: London, England.
4. *Destination*. The final destination in Canada must be given; in the case of firms or nurserymen importing stock for distribution or sale, the premises of the firm or nurserymen is considered to be the destination.
5. *Name of Consignor*.
6. *Name of Consignee*.
7. *Names of the transportation company or companies carrying the stock*.

The sending of this notice need not entail much trouble, as an additional (duplicate or triplicate) copy of the original order can be made at the time of the despatching of the same, and sent, postage free, to the Dominion Entomologist.



*Notification on receiving importations of Nursery Stock.*—When a shipment reaches its destination the importer shall send a second notice to that effect in order that, if necessary, the inspection may be made. If the shipment bears a certificate showing that the plants have been inspected at the port of entry by an officer of the department, this second notice may be omitted.

*Consignors are required* to state clearly on each container of nursery stock the contents and the name of the port by which it is intended that the shipment shall enter Canada (Regulation 4).

Nursery stock subject to inspection or fumigation may not be shipped in the same containers as nursery stock that is exempt (Regulation 3).

*Transportation companies* are required to send to the Dominion Entomologist notification of shipments transported by them.

*Custom House brokers* are required to notify the Dominion Entomologist of shipments of nursery stock received by them (Regulation 5.)

*Inspection at Destination.*—In some cases shipments of nursery stock are inspected at the port of entry and a certificate of inspection is then issued. In other cases, where it can be conveniently arranged, nursery stock is allowed to go to its destination for inspection; in such cases it must not be unpacked except in the presence of an inspector, who is sent to inspect the stock immediately notice of its arrival is received by the Dominion Entomologist (Regulation 6).

*Advising Shippers.*—Persons importing nursery stock requiring inspection or fumigation should advise the shippers of the dates upon which the fall and spring importation seasons open and close, and of ports of entry through which stock is to be shipped (consult Regulation 3). If this is not done inconvenience and loss may be caused by the refusal to admit shipments not arriving within the prescribed period.

Importers may obtain copies of these regulations to send to shippers on application to the Dominion Entomologist, to whom all inquiries should be addressed. Letters addressed to the Dominion Entomologist, Department of Agriculture, Ottawa, may be mailed "Free."

#### PROHIBITED IMPORTATIONS.

*The importation of nursery stock, except certain classes of florists' stock duly certified, through the mails is prohibited* (Regulation 8).

The importation of the following plants is also prohibited (see Regulation 7):—

1. Coniferous trees such as spruce, fir, hemlock, pine, juniper (cedar) and arbovitæ (white cedar) or foliage thereof, and decorative plants such as holly and laurel from the states of Maine, Massachusetts, New Hampshire, Connecticut and Rhode Island.
2. Plants, portions of plants and non-canned fruits or other vegetation from the Hawaiian Islands.
3. Chestnut (*Castanea dentata*) and Chinquapin (*Castanea pumila*) from the United States.
4. The following species of the genus *Pinus* and their horticultural varieties, viz.: White pine (*Pinus strobus* L.); Western white pine (*Pinus monticola* Dougl.); sugar pine (*Pinus lambertiana* Dougl.); Stone or Cembrian pine (*Pinus cembra* L.), and all other five-leaved species of the genus *Pinus*.
5. All species and varieties of currants and gooseberries (*Ribes* and *Grossularia*).
6. Nursery stock infested with any of the insect pests or diseases specified under Regulation 2.

Nursery stock imported in contravention to the regulations will be either exported or destroyed.



## REGULATIONS.

✓ 1. "Inspector" means a person appointed for carrying out the provisions of the Destructive Insect and Pest Act and regulations made thereunder.

2. No tree, plant or other vegetable matter infested with any of the insects, pests or diseases to which this Act applies, shall be imported into Canada except as hereinafter provided.

3. Nursery stock, including all trees, shrubs, plants, vines, grafts, scions, cuttings or buds which are not hereinafter exempted, entering Canada shall be imported only through the ports and during the periods respectively hereinafter mentioned, that is to say:—

① Vancouver, B.C., from October 1 to May 1.

② Niagara Falls, Ont., from October 1 to May 15.

③ Winnipeg, Man., North Portal, Sask., and St. John, N.B., from March 15 to May 15, and from October 7 to December 7.

④ Windsor, Ont., and St. Johns, P.Q., from March 15 to May 15, and from September 26 to December 7.

⑤ Truro, N.S., and Digby, N.S., for nursery stock destined to points in the Province of Nova Scotia only, from March 15 to May 15, and from October 7 to December 7.

At all points of entry the importations shall be fumigated in the fumigation houses provided for that purpose, and a certificate of fumigation will be issued, without which no stock may be taken out of bond.

All shipments of nursery stock destined to points in British Columbia, and subject to fumigation or inspection, which enter Canada through any of the above ports of entry other than Vancouver, shall be forwarded in bond to Vancouver for fumigation and inspection at that port.

All nursery stock originating in Japan or in any one of the states of Vermont, New Hampshire, Maine, Massachusetts, Connecticut, and Rhode Island, six of the United States of America, shall, after fumigation, be subject to inspection as provided by section 6 of these regulations.

Provided, however, that the following vegetation and florists' stock shall be exempt from fumigation and may be imported at any season of the year through any port without inspection:—

- (a) Greenhouse-grown plants, including roses in foliage which have been grown in pots up to three inches in diameter but not larger. A certificate that the plants have been grown under glass must accompany the invoice and shall be signed by the consignor.
- (b) Herbaceous perennials (the stems of which die down in winter), such as perennial phlox, peonies, sunflowers, etc.
- (c) Herbaceous bedding plants (such as geraniums, verbenas, pansies, etc.)
- (d) Bulbs and tubers (such as hyacinths, lilies, narcissi and other true bulbs, and also tubers of dahlias, irises, etc.).
- (e) Cottonwood or necklace poplar (*Populus deltoides*, Marsh), when shipped from and grown in Dakota or Minnesota, two of the United States of America.

Nursery stock subject to fumigation or inspection shall not be included in cars, boxes, bales or other containers with plants that are exempt from fumigation or inspection but shall be shipped in separate containers.



4. The port by which it is intended that nursery stock subject to fumigation or inspection shall enter Canada shall be clearly stated on each car, box, bale or other container, which shall also bear a declaration of the nature of the contents. All shipments made in accordance with these regulations will be entirely at the risk of the shippers or consignees, the Government assuming no responsibility whatever.

5. All persons importing nursery stock subject to inspection, except such as is exempt under section 3 of the regulations shall give notice to the Dominion Entomologist, Department of Agriculture, Ottawa, within five days of despatching the order for the same. This notice shall include a detailed statement of the nature, quantity and the points of origin and destination of the stock, the name of the consignor and of the consignee, and the name of the transportation company or companies carrying the stock. A second notification shall be sent to the Dominion Entomologist by the importer immediately on the arrival of the stock at its final destination. Notice shall also be given by all transportation companies, custom house brokers and other persons importing or bringing into Canada nursery stock that is subject to inspection, as hereinafter provided, immediately such a consignment is received by them.

This regulation shall not apply to nursery stock imported into the province of British Columbia by residents of that province.

6. Nursery stock, not including such stock as is exempt under section 3 of these regulations, originating in Europe shall be imported only through the ports and, with the exception of St. John, N.B., during the periods specified under section 3 for stock requiring fumigation, with the addition of the ports of Halifax, N.S., Sherbrooke, P.Q., and Montreal, P.Q., through which ports, and also the port of St. John, N.B., such European stock may enter from September 15 to May 15. Such European nursery stock, and such other imported vegetation as the Minister may determine, entering Canada, shall be exempt from fumigation, but shall be inspected, either at the port of entry or at its destination to which it may be allowed to proceed, but in the latter case it must not be unpacked except in the presence of an inspector.

7. The importation into Canada of the following is prohibited:—

(a) Potatoes from Europe, Newfoundland, the islands of St. Pierre and Miquelon and the State of California.

*Amended* (b) All non-canned fruits, plants or portions of plants or other vegetation or vegetable matter from the Hawaiian Islands.

(c) Coniferous trees such as spruce, fir, hemlock, pine, juniper (cedar) and arbor-vitæ (white cedar) or the foliage thereof, and decorative plants such as holly and laurel known and described as "Christmas greens or greenery," from the states of Maine, Massachusetts, New Hampshire, Connecticut and Rhode Island.

(d) The following species of the genus *Pinus* and their horticultural varieties namely: White pine (*Pinus strobus* L.); Western white pine (*Pinus monticola* Dougl.); Sugar pine (*Pinus lambertiana* Dougl.); Stone or Cembrian pine (*Pinus cembra* L.); and all other five-leaved species of the genus *Pinus*.

(e) Chestnut (*Castanea dentata* Borkh.) and Chinquapin (*Castanea pumila* Mill.) from the United States.

✓ (f) All species and varieties of currants, and gooseberries (*Ribes* and *Grossularia*). *amended*

③. ②. ①.

8. The importation of all nursery stock including trees, shrubs, plants, vines, grafts, scions, cuttings or buds through the mails is prohibited, except greenhouse-grown florists' stock, cut flowers, herbaceous perennials and bedding plants, which will be admitted provided that a certified declaration of the contents is attached to such parcels.



9. Forest plant products, including logs, tan bark, posts, poles, railway ties, cordwood, lumber and stone and quarry products, originating in any one of the states of Maine, Massachusetts, New Hampshire, Connecticut, and Rhode Island, five of the United States of America, shall not be admitted into Canada unless such forest plant products or stone and quarry products shall be accompanied by a certificate showing that they have been inspected by the United States Department of Agriculture and found free from gipsy moth. Each shipment shall be accompanied by such an inspection certificate, and the certificate shall accompany the bill of lading, way-bills or other memoranda pertaining to such shipments.

10. If on inspection, nursery stock or other vegetation or vegetable matter is found to be infested with any of the insects, pests or diseases hereinafter specified, it shall be destroyed to the extent deemed necessary by the inspector and in his presence. All cases, packages and packing in which such stock has been contained shall also be destroyed in the same manner.

11. An inspector shall have power to enter any lands, nursery or other premises where there is reason to believe that any of the insects, pests or diseases hereinafter specified are or may be present, or where there exist trees, shrubs, or other vegetation which prevent the successful control of the said insects, pests or diseases. An inspector shall give such instructions as may be necessary for the treatment or destruction of any tree, bush, crop or other vegetation or vegetable matter or the containers thereof, which may be found or suspected to be infected with, or constitute an obstacle to the successful control of any of the insects, pests or diseases hereinafter specified, and such instructions shall be carried out by the owner, or lessee of the infected, suspected or menacing vegetation, vegetable matter or containers thereof, and such remedial treatment shall be carried out and continued until the insect, pest or disease shall be deemed by the inspector to have been exterminated or the menace removed. The inspector shall have power to carry out the required treatment or destruction, if necessary.

12. It shall be illegal to sell, offer for sale or in any way dispose of or receive any trees, shrubs or other plants, vegetable matter or portions of the same, if the same are infested with any of the insects, pests or diseases hereinafter specified.

13. Potatoes offered for export to the United States must be free from injurious diseases and insect pests.

14. The owner, occupier or lessee of any premises or place where any of the insects, pests or diseases specified herein shall be found, shall immediately notify the Minister and shall also send to him specimens of such insects, pests or diseases.

15. The Minister may authorize the importation into Canada of any insect, pest or disease herein specified or any nursery stock, vegetation plant products, the importation of which is prohibited, but for scientific purposes only.

16. Compensation not exceeding two-thirds of the value as assessed by the inspector, of the vegetation or vegetable matter, or containers thereof, destroyed by the instructions of an inspector, may be granted by the Governor in Council upon the recommendation of the Minister, except in cases where these regulations are carried out under the direction of the Government of a province not granting compensation and in the case of potatoes or potato crops.

17. The regulations and amendments thereto made previously under the Destructive Insect and Pest Act are hereby repealed.

18. The destructive insects, pests and diseases to which the said Act shall apply shall include the following:—

- { San José Scale (*Aspidiotus perniciosus*).
- { Brown-tail Moth (*Euproctis chrysorrhoea*).
- { Woolly Aphis (*Eriosoma lanigera*).
- { West Indian Peach Scale (*Aulacaspis pentagona*).



Gipsy Moth (*Porthetria dispar*).  
 Mediterranean Fruit Fly (*Ceratitis capitata*).  
 Potato Tuber Moth (*Pthorima operculella*).  
 Apple and Cherry Ermine Moths (*Yponomeuta malinellus* and *Yponomeuta padellus*).  
 European Pine Shoot Moth (*Evetria buoliana*).  
 Potato Canker (*Chrysophlyctis endobiotica*).  
 Chestnut Bark Disease (*Diaporthe parasitica*).  
 White Pine Blister Rust (*Peridermium strobi*).  
 European Rust of *Ribes* and *Grossularia* spp. (*Cronartium ribicola*).

## THE DESTRUCTIVE INSECT AND PEST ACT.

9-10 EDWARD VII.

CHAP. 31.

AN ACT TO PREVENT THE INTRODUCTION OR SPREADING OF INSECTS,  
PESTS AND DISEASES DESTRUCTIVE TO VEGETATION.

(Assented to May 4, 1910.)

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as The Destructive Insect and Pest Act.

"Minister" defined.

2. In this Act, unless the context otherwise requires, "the Minister" means "the Minister of Agriculture."

Regulations.

*Forbidden*

3. The Governor in Council may make such regulations as are deemed expedient to prevent the introduction or admission into Canada, or the spreading therein, of any insect, pest or disease destructive to vegetation.

Scope of Regulations.

*Forbidden*

4. Such regulations may provide,—

(a) for the prohibition generally, or from any particular country or place, of the introduction or admission into Canada of any vegetable or other matter likely to introduce any such insect, pest or disease;

(b) the terms or conditions upon, and the places at which any such vegetable or other matter may be introduced or admitted into Canada;

(c) for the treatment and manner of treatment to be given to any vegetation, vegetable matter or premises in order to prevent the spreading of any such insect, pest or disease, and may prescribe whether such treatment shall be given by the owner or by a person appointed for such purpose;



(d) for the destruction of any crop, tree, bush or other vegetation or vegetable matter or containers thereof infested or suspected to be infested with any such insect, pest or disease; ✓

(e) for the granting of compensation for any such crop, tree, bush or other vegetation or containers thereof so destroyed, such compensation not to exceed two-thirds of the value of the matter destroyed and to be granted only by the Governor in Council upon the recommendation of the Minister; ✓

(f) for the prohibition of the sale of any vegetable matter infected with any such insect, pest or disease; ✓ *Prohibited*

(g) that the occupier of the premises on which is discovered any such insect, pest or disease shall forthwith notify the Minister and shall also send specimens of such insect, pest or disease;

(h) for the confiscation of any vegetable matter and the container thereof, if any, in respect of which a breach of this Act, or any regulation made thereunder, is committed, and generally for any other purpose which may be deemed expedient for carrying out this Act, whether such other regulations are of the kind enumerated in this section or not. ✓

5. The Minister may appoint inspectors and other officers for carrying out this Act and the regulations made thereunder. Inspectors and officers. ✓

2. Such appointments, if not confirmed by the Governor in Council within thirty days of the date thereof, shall lapse and cease to be valid. Confirmation of Appointment. ✓

6. Any inspector or other officer so appointed may enter any place or premises in which he has reason to believe there exists any such insect, pest or disease, and may take specimens thereof and also of any vegetable matter infested or suspected of being infested herewith. Powers of Inspectors. ✓

7. The Minister, upon the report of any inspector setting forth reasonable belief of the existence of any such insect, pest or disease in any area defined in such report, may prohibit the removal from such area or the movement therein of any vegetation, vegetable or other matter which, in his opinion, is likely to result in the spread of such insect, pest or disease. Powers of Minister. ✓ *Prohibited*

8. Every person who contravenes any provision of this Act, or any regulation made thereunder, shall be liable, upon summary conviction, to a fine not exceeding one hundred dollars, or to imprisonment for a term not exceeding six months, or to both fine and imprisonment. Any vegetable or other matter imported or brought into Canada contrary to this Act, or to any regulation made thereunder, shall be forfeited to the Crown. Penalty for Contravention of Act and Regulations. ✓

9. Every Order in Council and regulation made under this Act shall be published in *The Canada Gazette*, and shall be laid by the Minister before Parliament within fifteen days after the commencement of the then next session. Orders and Regulations to be Published and laid before Parliament. R.S., c. 127. ✓

10. *The San José Scale Act* is repealed. Repealed. ✓



## INSTRUCTIONS FOR EXPORTERS OF TREES, PLANTS AND OTHER NURSERY STOCK TO THE UNITED STATES.

### CONDITIONS UNDER WHICH NURSERY STOCK MAY BE SHIPPED TO THE UNITED STATES.

The attention of all shippers of nursery stock is called to the fact that the United States Plant Quarantine Act of August 20, 1912, imposes certain duties both on the *exporter* or *foreign shipper* as well as on the importer of nursery stock.

The exporter must see that each case, box, or other container of nursery stock intended for shipment to the United States is plainly and correctly marked to show the number of the permit, the general nature and quantity of the contents, the province and locality where grown, the name and address of the exporter, and the name and address of the consignee. In addition, each case, box, container or covering must bear a copy certificate of inspection issued by a duly authorized official of the Dominion Government. An original certificate of inspection must accompany the invoice. The services of an inspector and the required certificates can be secured on application to the Dominion Entomologist, Department of Agriculture, Ottawa.

The permit is issued to the person in the United States making the importation, and it is his duty to notify the foreign shipper of the number of the permit, in order that it may be placed upon the container as required by the regulations. Permits are to be taken out in advance of placing the order, and no nursery stock should be shipped to the United States until the consignor has been advised of the number of the permit authorizing the importation in question.

A United States Post Office Order prohibits the importation into that country, by mail, of all growing or living plants, seeds, bulbs, and other plant products for propagation, except field, vegetable, and flower seeds. This prohibition is absolute, even though the package should be marked and certified, as indicated above, for freight or express shipments.



AMENDMENT TO THE REGULATIONS UNDER THE *C.*  
DESTRUCTIVE INSECT AND PEST ACT.

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Prohibiting shipment of certain species, hybrids and varieties of Berberies and Mahonia specified under subsection (g) to Section 7, into Manitoba, Saskatchewan and Alberta, from any other province of the Dominion.

VIZ.; *Berberis vulgaris*, *B. amurensis*, *B. Canadensis*,  
*B. Lycium*, *B. Sibirica*, *B. aristata*, *B. ilicifolia*  
*B. Nepalensis* and *Odostemon (Mahonia) aquifolium*.

By an Order-in-Council passed April 19th, 1919,

Section 12 is amended by adding thereto subsection (a) to read  
as follows:

"The species, hybrids and horticultural varieties of the genera *Berberis* and *Odostemon (Mahonia)* constituting an obstacle to the successful control of stem rust, shall, therefore, be prohibited from being moved from any area outside, to any area within the provinces of Manitoba, Saskatchewan and Alberta, throughout which provinces they shall be exterminated without any claim for compensation."

Canadian nurserymen and others resident in the areas above specified, are requested to assist the Department by closely observing above regulation in an endeavour to prevent the serious damage resulting to the grain crop from stem rust.

J. H. Grisdale,

Director and Acting Dominion Botanist.



Amendment to the Regulations under the  
Destructive Insect and Pest Act.

By Order-in-Council passed April 4th, 1919 the  
following subsection (b) is added to Section 12.

To be known as subsection (b) Section 12.

(b) The movement of all five-leaved species of  
the Genus Pinus and their horticultural varieties as  
well as all species and varieties of currants and goose-  
berries (Ribes and Grossularia), but not including the  
fruits of these latter, is prohibited from the area of  
the Dominion of Canada to the east of the border line  
between Saskatchewan and Alberta to west of this line.

This means that all five leaved pines and  
all species and varieties of currants and gooseberries may  
not be shipped into the Provinces of Alberta, and British  
Columbia from other Provinces in the Dominion. This Regula-  
tion does not prohibit the importation of currant and goose-  
berry plants into Canada (including Alberta and British  
Columbia) from the states west of and excluding those  
mentioned in subsection (f) Section 7. This subsection does  
not refer to imported nursery stock. The importation of  
five-leaved pine is prohibited under Subsection (d) Section 7.

AMENDMENTS TO THE REGULATIONS UNDER THE  
DESTRUCTIVE INSECT AND PEST ACT.

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3

Relative to admitting currant and gooseberry plants from the  
State of New York into the Province of Ontario.

By an Order-in-Council passed on April 4th, 1919,  
subsection (f) of Section 7 is rescinded and the following  
substituted therefor:-

"The importation into Canada of the following is  
prohibited:-

"(f) All species and varieties of currants and  
gooseberries (Ribes and Grossularia); provided however,  
that the importation of such currants and gooseberries  
shall be permitted from that portion of the United States  
of America, west of the line of, and excluding the States  
of Minnesota, Iowa, Missouri, Arkansas, and Louisiana, if  
accompanied by a certificate signed by the duly authorized  
State official that such currants and gooseberries have  
been grown within the State from which they are shipped and  
are free from insect pests and plant diseases. PROVIDED  
FURTHER THAT THE IMPORTATION OF SAID VEGETATION SHALL BE  
PERMITTED WITHOUT ANY RESTRICTION INTO THE PROVINCE OF  
ONTARIO FROM THE STATE OF NEW YORK.

Importers are advised to instruct their shippers  
fully with regard to this order. Attention is directed to the  
permission granted in amendment to residents in the Province of  
Ontario to import currant and gooseberry plants from the state  
of New York in addition to the States west of the line as  
directed above, which latter privilege remains open to all  
Canada.

E. S. Archibald,

Director and Acting Dominion Botanist.

4

AMENDMENTS TO THE REGULATIONS UNDER THE  
DESTRUCTIVE INSECT AND PEST ACT.

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Prohibiting the importation into Canada of certain species,  
hybrids and varieties of Berberis and Mahonia.

By an Order-in-Council passed on April 19th,  
1919, subsection (g) is added to Section 7, which reads  
as follows:-

"The importation into Canada of the following  
is prohibited:-

(g) Common or Rust Barberry (BERBERIS VULGARIS L.)  
its hybrids and horticultural varieties; all species,  
and varieties of BERBERIS and ODOSTEMON (MAHONIA)  
susceptible to Black-stem Rust:-

B. Amurensis Rupr.,	B. aristata D.C.,
B. Canadensis Pursh,	B. ilicifolia Forst.,
B. Lycium Royle,	B. Nepalensis Spreng.,
B. Sibirica Pall,	O. Aquifolium Rydb.

Importers are advised to instruct their shippers fully  
with regard to the above regulations governing the importation  
of BARBERRIES and MAHONIA. It is pointed out that the  
regulation places no restriction on the importation of BERBERIS  
THUNBERGII, one of the most ornamental species of the genus  
BERBERIS.

J. H. Grisdale,

Director and Acting Dominion Botanist.

AMENDMENT TO THE REGULATIONS UNDER THE  
DESTRUCTIVE INSECT AND PEST ACT

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Amendment No. 10, (No. 2 of 1920).

By Order-in-Council passed on May 24th, 1920, the Amendment dealing with the European Corn Borer passed on May 19th, 1919, under Subsection (h) of Section 7 is hereby rescinded and the following substituted therefor:

- (h) "Corn and broom corn, including all parts of the stalk, celery, green beans in the pod, beets with tops, spinach, rhubarb, oat and rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemums, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof without stems from the following towns (townships) and cities in four of the United States of America:

MASSACHUSETTS: Barnstable, Bourne, Brewster, Dennis, Eastham, Falmouth, Harwick, Orleans, Provincetown, Sandwich, Truro, Wellfleet and Yarmouth in Barnstable County; Amesbury, Andover, Beverly, Boxford, Danvers, Essex, Georgetown, Gloucester, Groveland, Hamilton, Haverhill, Ipswich, Lawrence, Lynn, Lynnfield, Manchester, Marblehead, Merrimac, Methuen, Middleton, Nahant, Newbury, Newburyport, North Andover, Peabody, Rockport, Rowley, Salem, Salisbury, Saugus, Swampscott, Topsfield, Wenham, and West Newbury in Essex County; Arlington, Bedford, Belmont, Billerica, Burlington, Cambridge, Carlisle, Chelmsford, Concord, Dracut, Everett, Framingham, Lexington, Lincoln, Lowell, Malden, Medford, Melrose, Natick, Newton, North Reading, Reading, Summer-ville, Stoneham, Sudbury, Tewksbury, Tyngsboro, Wakefield, Waltham, Watertown, Wayland, Weston, Wilmington, Winchester and Woburn in Middlesex County; Avon, Braintree, Brookline, Cohasset, Holbrook, Milton, Quincy, Randolph, Wellesley and Weymouth in Norfolk County; Abington, Brockton, Duxbury, Hanover, Hanson, Hingham, Hull, Kingston, Marshfield, Middleboro, Norwell, Plymouth, Pembroke, Rockland, and Scituate in Plymouth County; Boston, Chelsea, Revere, Winthrop, in Suffolk County;

NEW HAMPSHIRE: Kingston, Plaistow, Seabrook in Rockingham County;

NEW YORK: Albany, Cohoes, Colonie, Guilderland, in Albany County; Johnstown, Perth, in Fulton County; Amsterdam, Florida, and Mohawk in Montgomery County; Brunswick, North Greenbush, and Troy in Rensselaer County; Ballston, Charlton, Clifton Park, Galway, Malta, Milton, Saratoga Springs, and Stillwater in Saratoga County; Glenville, Niskayuna, Princetown, Rotterdam, Schnectady in Schnectady County; Esperance, in Schoharie County;

NEW YORK (Western) Dayton, Perrysburg, Persia in Cattaragus County; Hanover, Pomfret, Sheridan, Dunkirk, in Chautaugua County; Brant, Collins, Cheektowaga, Eden, Evans, Hamburg and North Collins in Erie County;

PENNSYLVANIA: North Girard in Erie County,

unless the same are accompanied by a certificate of inspection issued by the United States Department of Agriculture which states that the shipment is free from infestation by the European Corn Borer. This prohibition does not apply to the articles enumerated when they shall have been manufactured or processed in such a manner as to eliminate risk of carriage of the European Corn Borer, nor to cleaned shelled corn and cleaned seed of broom corn."

The plant products listed in the above paragraph are not permitted entry into Canada from the districts mentioned, unless they are accompanied by a certificate of inspection issued by the United States Federal Horticultural Board.

ARTHUR GIBSON,

Acting Dominion Entomologist.

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AMENDMENT TO THE REGULATIONS UNDER THE  
DESTRUCTIVE INSECT AND PEST ACT.

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Amendment No. 9, (No. 1 of 1920)

By order-in-Council passed on April 14th, 1920, the following paragraph is added to section 7, to be known as subsection I.

"(1) Alfalfa (lucerne) hay, whether for feeding packing or other purposes, originating in the States of Idaho, Utah, and also in the counties of Uintah, Sweetwater and Lincoln in the State of Wyoming and the counties of Dennison and Gunnison in the State of Colorado; four of the United States of America. The prohibition shall not extend to shipments of alfalfa (lucerne) hay transported through the districts mentioned on a through bill of lading."

The following insect pest is added to Section 18, which contains a list of the destructive insects, pests and diseases,

"The Alfalfa Weevil (*Phytonomus posticus* Gyll.)"

This weevil is a serious pest of Alfalfa in the sections of the United States mentioned above. The amendment has been passed in order to prevent its introduction into Canada with shipments of Alfalfa hay.

Arthur Gibson,

Acting Dominion Entomologist.



C A N A D A

DEPARTMENT OF AGRICULTURE.

ENTOMOLOGICAL BRANCH.

DIVISION OF FOREIGN PESTS SUPPRESSION

MINISTERIAL ORDER QUARANTINING CERTAIN AREAS ON ACCOUNT OF  
THE APPLE SUCKER AND RESTRICTING THE MOVEMENT  
OF NURSERY STOCK IN SAID AREAS.

NOTICE OF QUARANTINE NO. 1. (DOMESTIC)

(Effective on and after August 21st, 1920. )

(Supersedes subsection (c) Section 12 of  
the Regulations under the Destructive  
Insect and Pest Act passed by Order-in-  
Council November 28, 1919).

The fact has been determined by the Minister of Agriculture,  
and notice is hereby given that an injurious insect, the  
APPLE SUCKER, (*Psyllia mali* Schmid.) new and not heretofore  
widely prevalent or distributed within and throughout the  
Dominion of Canada, exists in the Province of Nova Scotia.

Section 1. -Ministerial Order.

Now, therefore, I, Joseph Hiram Grisdale, the  
Deputy Minister of Agriculture for the Dominion of  
Canada, under authority conferred upon me by Section  
7 of the Destructive Insect and Pest Act, 9-10  
EDWARD VII, Chap. 31, do hereby quarantine the counties  
of Kings, Han's, Colchester and Cumberland in the province  
of Nova Scotia, and by this notice of Quarantine No. 1  
(domestic) do order that no nursery stock, including all  
trees, shrubs, plants, vines, seedlings, grafts, scions,  
buds or cuttings shall be moved from any area in said  
quarantined counties under conditions other than those  
hereinafter prescribed.

Section 2 - Definitions.

For the purpose of this order the following words,  
names, and terms shall be construed, respectively:



(a) Apple Sucker: To mean the insect known as the Apple Sucker, (*Psyllia mali* Schmid).

(b) Nursery Stock: To include all trees, shrubs, plants, vines, seedlings, grafts, scions, cuttings or buds.

(c) Quarantined area: To mean any province or portion thereof quarantined upon determination that the Apple Sucker exists therein.

(d) Infested area: Those portions of any quarantined area which are actually infested with the Apple Sucker.

(e) Inspector: An inspector duly appointed under the Destructive Insect and Pest Act.

### Section 3. -Area Quarantined.

For the purpose of this order the area quarantined shall include that are within the boundaries of the counties of Kings, Hants, Colchester and Cumberland in the Province of Nova Scotia. This area may be extended or reduced, as found necessary from time to time.

### Section 4.

-Inspection and certification. A condition of movement from the quarantined areas.

No nursery stock shall be moved from any point within the quarantined area to any point outside that area unless the same is accompanied by a certificate of inspection, signed by an authorized inspector, which states that the said stock is free from any and all stages of the apple sucker.

In the case of any nursery stock where absolute freedom from infestation of the apple sucker can not be determined by the inspector, certification shall be refused.

No nursery stock shall be moved within the quarantined area unless it is accompanied by a permit signed by an authorized inspector which states ~~the name~~ and address of the consignor, the name and address of the consignee and the ultimate destination of the shipment.

No permit or certificate shall be granted for the movement of any apple, pear, plum or quince stock, including any or all portions of the plant, from any point within the area known to be infested with the apple sucker to any point outside that area.



Section 5. - Marking of Containers.

Every car, box, bale or other container of nursery stock to which this order applies, shall be plainly marked with the name and address of the consignor and the name and address of the consignee and shall be accompanied by either a certificate of inspection or a permit.

It shall be illegal for any owner, or grower, or any person acting as agent or employee for said owner or grower, or corporation or carrying company to move, transport, or ship any nursery stock within or outside of the quarantined area unless the same is accompanied by a certificate of inspection or a permit.

This order shall not apply to shipments of nursery stock passing through the quarantined area on a through bill of lading.

Section 6. - Conditions governing inspection and issuance of certificates.

Persons intending to move nursery stock from points within the quarantined are, for which certificates of inspection or permits are required by this order, should make application therefore as far as possible in advance of the probable date of shipment. Applications should show the nature and quantity of nursery stock which it is proposed to move together with its exact location, the name and address of the consignor and consignee, the ultimate destination and intended date of shipment. Applicants will be required to assemble the nursery stock for inspection and place it so that it can readily be examined. If not so placed, inspection may be refused. All charges for storage, cartage, and labour incident to inspection other than the services of inspectors, shall be paid by the shipper.

Section 7. Shipments for Scientific Purpose.

This quarantine shall not apply to the movement of nursery stock for experimental or scientific purposes by the Dominion Department of Agriculture or the Nova Scotia Department of Agriculture.

Section 8 -Penalties.

Any person who contravenes any regulation of this quarantine or who forges, alters, or defaces any certificate or permit will be prosecuted as provided for in the Destructive Insect and Pest Act.

This order shall take effect immediately and be in force until further notice,

Witness my hand this date and the seal of the Department of Agriculture, Canada.

(Sgd) J.H. Grisdale

August 7th, 1920.

Deputy Minister of Agriculture



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AMENDMENT NO. 1. TO QUARANTINE NO. 1. ( DOMESTIC )

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MINISTERIAL ORDER QUARANTINING CERTAIN AREAS ON ACCOUNT OF  
THE APPLE SUCKER.

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The fact has been determined by the Minister of Agriculture from reports submitted by inspectors of the Entomological Branch, that an injurious insect, the apple sucker (*Psyllia mali* Schmidt) has been found in the communities of New Ross, Mill Road, and Aldersville, in the County of Lunenburg, Province of Nova Scotia.

Now, therefore, I, Joseph Hiram Grisdale, the Deputy of the Minister of Agriculture for the Dominion of Canada, under authority conferred upon me by Section 7 of the Destructive Insect and Pest Act, 9-10 EDWARD VII, Chap. 31, do hereby quarantine the communities of New Ross, Mill Road and Aldersville in the County of Lunenburg, Province of Nova Scotia, on account of the apple sucker, and until further notice the regulations effective under Quarantine No. 1. (domestic) passed on August 21st, 1920, shall apply in all respects to the said communities.

This Amendment shall take effect immediately and be in force until further notice.

Witness my hand this date and the seal of the Department of Agriculture, Canada.

(Seal)

(Sgd)...J. H. Grisdale.....  
Deputy Minister of Agriculture.

Date..25th September 1920....











