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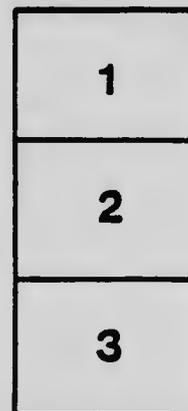
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DEPARTMENT OF AGRICULTURE
ENTOMOLOGICAL BRANCH
C. GORDON HEWITT, DOMINION ENTOMOLOGIST

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

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WE 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.

DOMINION OF CANADA
DEPARTMENT OF AGRICULTURE
ENTOMOLOGICAL BRANCH.

Supplement No. 1 to Entomological Circular No. 10.

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

**IMPORTATION OF PINEAPPLES AND BANANAS FROM THE
HAWAIIAN ISLANDS.**

By an Order in Council passed on February 11, 1918, subsection (b) of section 7, which reads as follows:—

The importation into Canada of the following is prohibited:—

(b) All non-canned fruits, plants or portions of plants or vegetable matter from the Hawaiian Islands

has been amended to read:—

(b) All non-canned fruits, plants or portions of plants or vegetable matter from the Hawaiian Islands, except pineapples (*Ananassa sativa*) and bananas (*Musa spp.*), which may be imported provided they have been inspected by the United States Department of Agriculture, certified free from infestation by the Mediterranean fruit fly, and that the boxes, crates, bales or other containers shall be marked with the name and address of the consignor and the name and address of the consignee and shall bear the original or a duplicate copy of the certificate of inspection.

Importers are advised to instruct their shippers fully with regard to the requirements for the importation of pineapples and bananas from the Hawaiian Islands. The importation of all other fresh fruits, plants, etc., is prohibited.

C. GORDON HEWITT,
Dominion Entomologist.

OTTAWA, February 15, 1918.



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, *Evertria buoliana*, has been scheduled as a destructive insect.

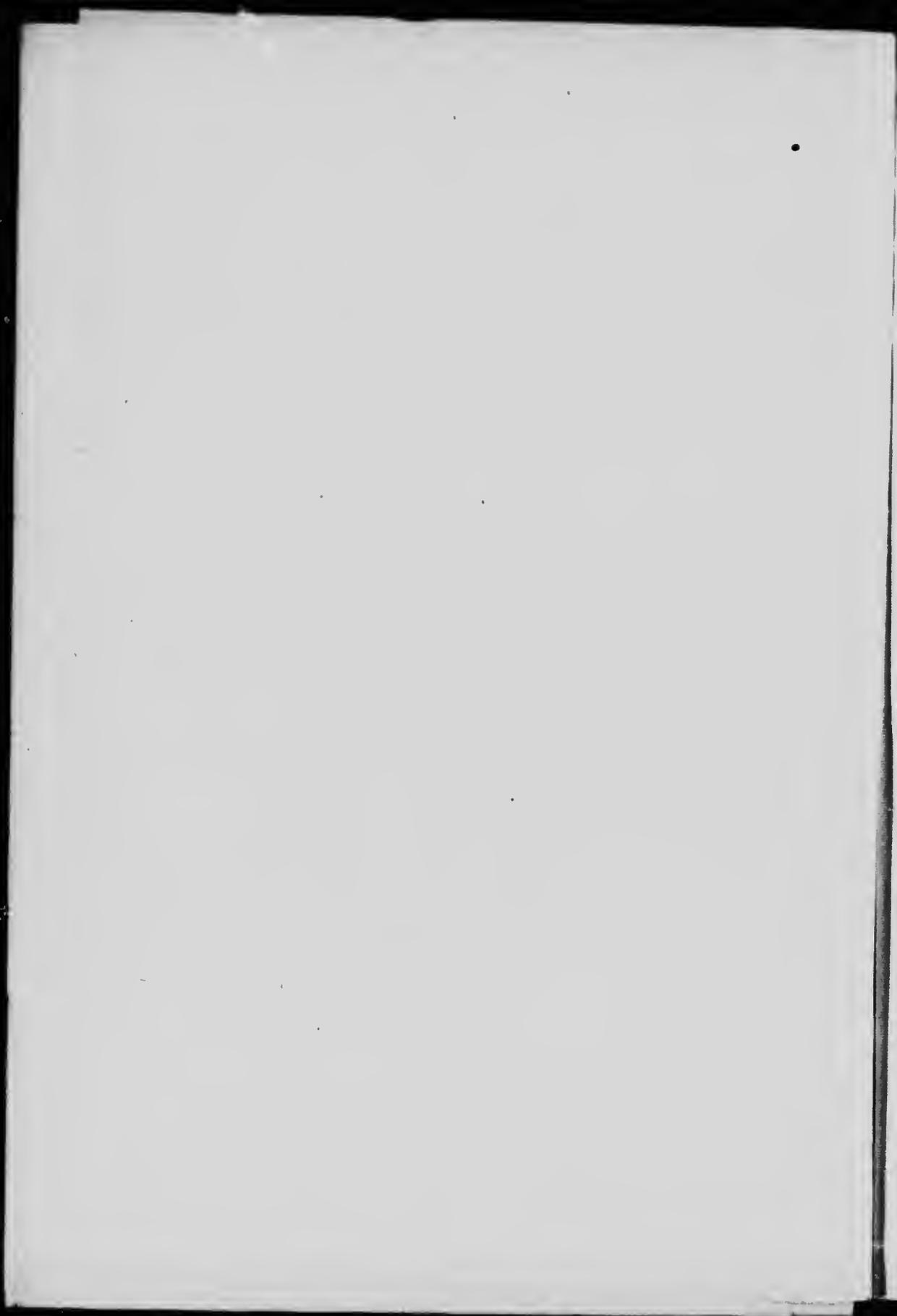
This circular is intended to guide persons importing plants and other nursery stock into Canada. Accordingly, a brief explanation of the requirements precedes the regulations. The Destructive Insect and Pest Act is also given.

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.

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, scions, 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 upon 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 arborvitæ (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:—

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

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

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

Windsor, Ont., and St. Johns, P.Q., from March 15 to May 15, and from September 8 to December 7.

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.
- (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*).

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, cord-wood, 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 chryorrhoea*).
- Woolly Aphis (*Eriosoma lanigera*).
- West Indian Peach Scale (*Aulacnipsis 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. 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. 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 infested with any such insect, pest or disease;

(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 therewith. Powers of Inspectors.

7. The Minister, upon the report of any inspector setting forth a 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.

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.

