

ACTION ALERT

May 2, 2007

LATEST UPDATE FOR GROWERS AND SHIPPERS: FEDERAL ORDER ISSUED ON LIGHT BROWN APPLE MOTH REQUIREMENTS

QUARANTINE APPLIES TO SHIPMENTS TO ALL STATES FROM ONLY EIGHT QUARANTINED CALIFORNIA COUNTRIES (AND HAWAII)

Today, effective immediately, the U.S. Department of Agriculture-Animal and Plant Health Inspection Service (USDA-APHIS), issued a Federal Domestic Quarantine Order governing interstate movement restrictions on host plant material for Light Brown Apple Moth (LBAM) (*Epiphyas postvittana*). The new quarantine supersedes all previous regulatory alerts. It covers the eight California counties where LBAM has been found and the entire State of Hawaii.

THE REQUIREMENTS ARE SUMMARIZED BELOW, BUT GROWERS AND SHIPPERS IN CALIFORNIA AND HAWAII SHOULD CAREFULLY READ THE FEDERAL ORDER, WHICH IS ATTACHED.

WHO IS AFFECTED?

- All shipments of California-produced listed products FROM the eight California quarantine counties TO ANY OTHER STATE (note: not just to Florida, as previously)
- All shipments of Hawaii-produced listed products from Hawaii to any other state.

WHO IS EXEMPT?

- All California counties EXCEPT the eight quarantined counties. Note that other counties will be added to the quarantine list if LBAM is found in a county.

WHAT IS REQUIRED IN THE QUARANTINE COUNTIES?

Regulated articles -- cut flowers, cut foliage, or live plants (and certain other products as listed below and in the Federal Order) -- produced in any of the eight California counties where LBAM has been found must comply with one of the two following methods in order to ship to any other state:

1. If the farm or nursery is located 1.5 miles or less from a LBAM detection site in any of the quarantined California counties:
 - a. trapping and inspection must occur as outlined in the Federal Order
 - b. an IPM program must be implemented as outlined in the Federal Order
 - c. each shipment for interstate movement must be inspected and a certificate issued
 - d. For combined shipments from more than one farm or greenhouse: The shipper should collect Certificates of Quarantine Compliance from EACH producer. The shipper may then combine all of those Certificates into one Master Certificate of Quarantine Compliance which will accompany the shipment.

2. If the farm or nursery is located more than 1.5 miles from a LBAM detection site in any of the quarantined California counties:
 - a. trapping and inspection must occur as outlined in the Federal Order
 - b. ONE visual inspection must be made to verify freedom from any LBAM life stages
 - c. after inspection, the farm or nursery must be included in the master list of certified LBAM-free facilities maintained by the California Department of Food and Agriculture (CDFA).
3. State of Hawaii: regulated articles must be inspected and found free from any life stages of LBAM, and accompanied by a certificate before shipping.

WHAT ARE THE QUARANTINE AREAS?

- The California counties of Alameda, Contra Costa, Marin, Monterey, Santa Clara, Santa Cruz, San Francisco and San Mateo, California, are designated as quarantine areas.
- The entire State of Hawaii is designated as a quarantine area.
- In the future, any county in which any of the LBAM life stages are found will be considered a quarantine area.

WHAT ARE THE REGULATED PRODUCTS?

- Nursery stock
- Cut flowers, garlands, wreaths or greenery of any plants
- Trees and bushes, including cut Christmas trees
- Greenwaste
- Fruits and vegetables
- Hay, straw, fodder, and plant litter
- Bulk herbs and spices
- Any other products, articles, or means of conveyance if determined by an inspector that they present a hazard of spread of LBAM

NO FACILITIES IN COUNTIES OF CALIFORNIA OTHER THAN THE 8 QUARANTINE COUNTIES ARE REQUIRED TO BE INSPECTED OR CERTIFIED BEFORE SHIPPING.

THESE REQUIREMENTS APPLY TO SHIPMENTS TO ALL STATES (not just to Florida, as has been the case until now).

ONLY product originating in one of the eight California quarantine counties or in Hawaii must be certified. Product transiting California via one of the California airports from another state or country need not be certified. However, product originating from another state or from a non-quarantine county and coming through a California quarantine county should be clearly labeled as originating from that state or non-quarantine county.

IF YOU HAVE QUESTIONS, CONTACT YOUR COUNTY AGRICULTURAL COMMISSIONER.

If growers within or near a quarantine county wish to pre-emptively spray their product, CDFA prepared as of April 13 a list of proposed treatments. That list is attached to this Alert. Note that it is incumbent upon the user to follow label restrictions. Photographs and other information for identification of the light brown apple moth are available on the CDFA website (www.cdfa.ca.gov)



For further information, contact Lin Schmale at SAF, lschmale@safnow.org

FOR INFORMATION/ACTION

DA-2007-18

May 2, 2007

SUBJECT: Federal Domestic Quarantine Order for Light Brown Apple Moth (LBAM),
Epiphyas postvittana; Interstate Movement Restrictions

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY
OFFICIALS

On March 16, 2007, Light Brown Apple Moth, *Epiphyas postvittana*, was confirmed by the U.S. Department of Agriculture in Alameda County, California. APHIS and the California Department of Food and Agriculture (CDFA) are conducting detection and delimiting surveys to determine the area of infestation in the State of California. As of today, LBAM detections have occurred in Alameda, Contra Costa, Marin, Monterey, Santa Clara, Santa Cruz, San Francisco, and San Mateo Counties.

This is the first detection of LBAM in the mainland United States; the pest was reported in Hawaii in the late 1800s. LBAM has a very large host range and has been recorded on over 200 plants. If left uncontrolled, LBAM could cause damage to many different kinds of plants, including stone fruits, pome fruits, grapes, citrus, flowers, and nursery stock. LBAM is now considered to be a transient pest that is actionable, and we are pursuing control options, including eradication.

In order to prevent the dissemination of LBAM to other areas in the United States, we are establishing a quarantine to restrict interstate movement of certain articles to prevent the spread of LBAM. This quarantine will encompass all LBAM-affected counties of California and the entire State of Hawaii. The statewide quarantine of Hawaii is necessary because of the lack of data on the distribution of LBAM within the State.

In California, LBAM-affected counties are quarantined through a two-tiered approach that regulates the interstate movement of host articles from quarantined areas based on inspection verifying pest-freedom. In Hawaii, the interstate movement of host articles is regulated uniformly across the entire State based on inspection verifying pest freedom. (See the attached Federal Order.)

This action is effective immediately. For further information, please contact Osama El-Lissy, Director, PPQ, Emergency Management at (301) 734-8247 or Helene Wright, State Plant Health Director, California, at (916) 857-6241.

/s/ Richard L. Dunkle

Richard L. Dunkle
Deputy Administrator
Plant Protection and Quarantine

FEDERAL DOMESTIC QUARANTINE ORDER
***Epiphyas postvittana* (Light Brown Apple Moth)**
DA-2007-18

The purpose of this Federal Order is to prevent the spread of the Light Brown Apple Moth (LBAM), *Epiphyas postvittana*, through regulatory authority provided by Section 412(a) of the Plant Protection Act of June 20, 2000, as amended, 7 U.S.C. 7712(a), which authorizes the Secretary of Agriculture to prohibit or restrict the movement in interstate commerce of any plant, plant part, or article if the Secretary determines that the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States.

The Administrator of the Animal and Plant Health Inspection Service (APHIS) considers it necessary, in order to prevent the dissemination of the LBAM, to establish restrictions on the interstate movement of certain regulated articles from the States of California and Hawaii as described in this Federal Order.

A. Quarantined Areas:

The Administrator will list as a regulated area each State, or each portion of a State, in which LBAM has been confirmed by an inspector to be present, in which the Administrator has reason to believe that LBAM is present, or that the Administrator considers necessary to quarantine because of its inseparability for quarantine enforcement purposes from localities in which LBAM has been found.

Less than an entire State will be designated as a quarantine area only if the Administrator determines that:

- (1) The State has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are substantially the same as those imposed by the Administrator on the interstate movement of regulated articles; and
- (2) The designation of less than the entire State as a quarantine area will be sufficient to prevent the interstate spread of LBAM.

The Administrator or an inspector may temporarily designate any non-quarantine area as a quarantine area. The Administrator will give a copy of this Order along with a written notice for the temporary designation to the owner or person in possession of the non-quarantine area. Thereafter, the interstate movement of any regulated article from an area temporarily designated as a quarantine area will be subject to this Order. As soon as practicable, this area will be added to the list of quarantine areas or the designation will be terminated by the Administrator or an inspector. The owner or person in possession of an area for which designation is terminated will be given notice of the termination as soon as practicable.

The Administrator has determined that California has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are substantially the same as those imposed by the Administrator on the interstate movement of regulated articles; and that the designation of less than the entire State of California as a quarantine area will be sufficient to prevent the interstate spread of LBAM.

The following areas are designated as quarantined areas:

- a. **State of California** – the counties of Alameda, Contra Costa, Marin, Monterey, Santa Clara, Santa Cruz, San Francisco, and San Mateo.
- b. **State of Hawaii** – all counties.

B. Determination of Infestation:

Any county in which any of the LBAM life stages are found, including eggs, larvae, pupae, or adults will be considered a quarantined area.

C. Regulated Articles:

The following are regulated articles, and may not be moved interstate from a quarantine area except in accordance with this Order:

- Nursery stock
- Cut flowers, garlands, wreaths or greenery of any plants
- Trees and bushes, including cut Christmas trees
- Greenwaste
- Fruits and vegetables
- Hay, straw, fodder, and plant litter
- Bulk herbs and spices
- Any other products, articles, or means of conveyance of any character whatsoever, when it is determined by an inspector that they present a hazard of spread of LBAM.

D. Conditions for Interstate Movement of Regulated Articles:

- a. State of California –
 - i. In order to be eligible for interstate movement under certificate, nursery stock, cut flowers, garlands, wreaths or greenery of any plants, trees and bushes, greenwaste, hay, straw, fodder, and plant litter located 1.5 miles or less from a LBAM detection site in any of the quarantined counties must meet the following conditions:
 1. Trapping for LBAM must occur on each premises or farm that ships regulated articles interstate. Premises or farms that are larger than five acres must maintain traps at a density of one trap every five acres or less. Premises or farms that are equal to or less than five acres must be trapped with a minimum of one trap. Inspection of traps by an inspector must occur biweekly;
 2. Nurseries and cut flower farms must implement an Integrated Pest Management (IPM) program that consists of regular inspection and approved treatments designed to target LBAM; and
 3. Each shipment of articles intended for interstate movement must be inspected by an inspector and a certificate issued for interstate movement only if the articles are found free of any life stages of LBAM.
 - ii. In order to be eligible for interstate movement under certificate, nursery stock, cut flowers, garlands, wreaths or greenery of any plants, trees and bushes, and greenwaste, hay, straw, fodder, and plant litter located more than 1.5 miles from a LBAM detection in any of the quarantined counties must meet the following conditions:
 1. Trapping for LBAM must occur on each premises or farm that ships regulated articles interstate. Premises or farms that are larger than five acres must maintain traps at a density of one trap every five acres or less. Premises or farms that are equal to or less than five acres must be trapped with a minimum of one trap. Inspection of traps by an inspector must occur biweekly to ensure freedom from LBAM;
 2. Each establishment or facility must be subjected to one visual inspection by an inspector to verify freedom from any LBAM life stages, including eggs, larvae, pupae; and
 3. Each establishment that is inspected and found free of LBAM must be included in a master list of certified LBAM-free facilities maintained by CDFA to ensure compliance with the above two conditions.

- iii. Fruits and vegetables growing in areas 1.5 miles or less from a LBAM detection site in any of the quarantined counties must meet the following conditions:
 - 1. Trapping for LBAM must occur at an approved detection level and traps must be inspected by an inspector biweekly; and
 - 2. Each premise or farm must be inspected at least once by an inspector 30 days prior to the interstate movement of regulated articles and found free of LBAM.
- iv. Fruits and vegetables growing in areas located more than 1.5 miles from a LBAM detection in any of the quarantined counties must meet the following conditions:
 - 1. Trapping for LBAM must occur at an approved detection level and traps must be inspected by an inspector biweekly.
- b. State of Hawaii – Certificates may be issued by an inspector for the interstate movement of all regulated articles from all counties, provided they meet the conditions specified below:
 - i. Regulated articles must be inspected by an inspector and found free from any life stages of LBAM.

E. Definitions:

Certificate: A document, stamp, or imprint by which an inspector affirms that a specified regulated article meets applicable requirements of this subpart and may be moved interstate to any destination.

Greenwaste: Dead or dying plants and plant parts.

Inspector: Any employee of APHIS, the U.S. Department of Agriculture, or any employee of a State, a County, or any other person specifically authorized by the Administrator to perform the duties required under this Order.

April 13, 2007

LBAM Proposed Treatments for Nurseries and Host Crops

The products listed below have been proposed [by CDFA] for control or prevention of light brown apple moth at nurseries and/or crop production areas. It is incumbent upon the user to follow all label restrictions.

Active Ingredient	Product	Sites	Target Life Stage	EPA Reg No
Chlorpyrifos	Chlorpyrifos Pro 2 Chlorpyrifos Pro 4 Dursban 2.5G Durban 4E Dursban 50W Dursban Pro Prentox Dursban 4E	Ornamentals	eggs	51036-152-AA 51036-154-AA 62719-276-AA 62719-11-AA 62719-72-AA 62719-166-ZA 655-499-AA
BT	Crymax	Ornamentals and crops	larvae	70051-86
BT	Lepinox	Ornamentals and crops	larvae	70051-89
Spinosad	Conserve	Ornamentals	larvae	62719-291
	Entrust	Crops		62719-282
Tebufenozide	Confirm 2F	Crops only	larvae	62719-420
Tebufenozide	Confirm	Ornamentals	larvae	Pending DowAgr
Methoxyfenozide	Intrepid 2F	Crops	eggs, larvae	62719- 442-AA
Carbaryl	Sevin SL	Ornamentals and crops (80S)	adults	432-1227
Deltamethrin	Suspend SC	Ornamentals	adults ?	432-763-ZB
Fenoxycarb	Fire Ant Bait only			
Diflubenzuron	Dimilin 25 W	Ornamentals	eggs	400-465
Diflubenzuron	Adept (Greenhouses)	Ornamentals	eggs	400-477
Acetamiprid	Assail 70 WP	Crops	larvae	8033-23-AA
	Tristar 70 WSP	Ornamentals		8033-22-AA
Phosmet	Imidan 70 W	Ornamentals	larvae	10163-169-ZA
	Imidan 70WP	Crops		10163- 169-AA
Lambda-cyhalothrin	Warrior with Zeon	Crops	larvae	100- 1112-AA
Thiacloprid	Calypso	Crops	larvae	264- 806-AA
Methoxyfenozide	Intrepid	Crops	eggs, larvae	62719- 442-AA

Active Ingredient	Product	Sites	Target Life Stage	EPA Reg No
Spinosad	Conserve Entrust	Ornamentals Crops	Larvae	62719-291 62719-282
Cydia pomonella granulovirus	Cyd-X	Crops	larvae	70051- 44-AA
Kaolin clay	Surround At Home	Ornamentals	unknown	70060-14-AA- 56872
	Surround WP Crop	Crop		70060-14-AA
Narrow range oil	Clean Crop Supreme Oil	Ornamentals	eggs, larvae	34704- 352-AA
	Omni Supreme Oil	Ornamentals		5905- 368-AA
	Lily Miller Superior	Ornamentals & crops		802- 415-AA
	Platte Supreme Oil	Crops		34704- 352-ZA
	Clean Crop Supreme	Crops		34704- 352-AA
	Superior 415	Crops		2935- 542-ZD
	Superior 440	Crops		2935- 542-ZC
	Wilbur-Ellis Superior	Crops		2935- 311-ZB

* Dursban 4E under review at EPA for cancellation

Narrow-range oils fall in the superior oil classification. The terms may be used nearly interchangeably