

FOR INFORMATION AND ACTION
DA-2012-12
April 13, 2012

SUBJECT: APHIS Establishes Regulated Areas in Florida for Giant African Snail (*Lissachatina fulica*, formerly *Achatina fulica*)

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

The Animal and Plant Health Inspection Service (APHIS) is issuing a Federal Order, effective immediately, which establishes regulated areas in Miami-Dade County in Florida for the giant African snail (GAS).

On September 9, 2011, APHIS confirmed the detection of GAS, *Lissachatina fulica*, in a residential area of Miami, Florida. Since the initial detection, APHIS has actively worked with the Florida Department of Agriculture and Consumer Services to conduct survey, regulatory, control, and outreach activities. While residential areas have been affected, to date, extensive surveys of nurseries and agricultural productions facilities within the infested areas have been negative for GAS.

The attached Federal Order outlines the safeguarding measures required for the interstate movement of regulated articles from the areas regulated for GAS. The requirements in the State's interior quarantine for GAS are parallel to this Federal Order.

GAS is one of the most damaging snails in the world because it is known to consume at least 500 different plants including vegetables, fruits, and ornamental crops.

For further information, you may contact Robert Balaam, Eastern Regional Program Manager, at (305) 278- 4872, or Andrea Simao, National Program Manager, at (301) 851-2067.

/s/ Osama El-Lissy for

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

Attachment (1)
-Federal Order

FEDERAL ORDER

Domestic Quarantine for the Giant African Snail

(*Lissachatina fulica*)

DA-2012-12

April 13, 2012

The purpose of this Federal Order is to prevent the spread of *Lissachatina fulica* (Giant African Snail or GAS), formerly *Achatina fulica*, 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, plant product 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 GAS, outside of Hawaii, is not known to occur in the United States. However, this plant pest was detected in Miami-Dade County, Florida, in September 2011. The Administrator of the APHIS now considers it necessary, in order to prevent the dissemination of GAS, to establish restrictions on the interstate movement of certain regulated articles from Florida due to the presence of GAS. Therefore, effective immediately, all interstate movement of regulated articles from the quarantined areas within the boundaries described below must be done in accordance with the provisions of this Federal Order.

A. Quarantined Areas

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

Less than an entire State will be designated as a quarantined 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 in accordance with this order; and
2. The designation of less than the entire State as a quarantined area will be sufficient to prevent the interstate spread of GAS.

The Administrator or an inspector may temporarily designate any non-quarantined area as a quarantined area. The Administrator or inspector 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 area to be established as a quarantined area. Thereafter, the interstate movement of any regulated article from an area temporarily designated as a quarantined area will be subject to this Order. When

feasible, this area will be added to the list of quarantined areas or the designation will be terminated by the Administrator or an inspector. The owner or person in possession of an area for which a quarantine designation is terminated will be given notice of the termination as soon as possible.

The areas designated as quarantined areas are posted on the APHIS GAS website:
http://www.aphis.usda.gov/plant_health/plant_pest_info/gas/index.shtml

B. Regulated Articles

1. All life stages of *Lissachatina fulica* (GAS);
2. Plants;
3. Plant parts;
4. Yard waste;
5. Any article capable of transporting or harboring plant feeding snails, including, but not limited to, soil, debris, compost, and building materials (e.g., bricks, tiles, concrete)

C. Conditions for interstate movement of regulated articles

No person may move interstate from any quarantined area any regulated article except in accordance with this Federal Order. Permit and other requirements for interstate movement of plant pests, which includes any life stages of GAS regulated under this Federal Order, are contained in 7 CFR part 330.

Other regulated articles listed may only be moved interstate from a quarantined area if accompanied by certificates issued by an inspector or person operating under a compliance agreement in accordance with the Giant African Snail Regulatory Protocols listed on the APHIS website:

http://www.aphis.usda.gov/plant_health/plant_pest_info/gas/index.shtml

D. Compliance Agreements

1. Any person engaged in growing, processing, handling, or moving regulated articles may enter into a compliance agreement when an inspector determines that the person understands the provisions contained in the compliance agreement, agrees to comply with its provisions, and agrees to comply with this Federal Order.
2. Any compliance agreement may be canceled, either orally or in writing, by an inspector whenever the inspector finds that the person who has entered into the compliance agreement has failed to comply with the provisions of the compliance agreement or this Federal Order.

E. Definitions

Administrator. The Administrator, Animal and Plant Health Inspection Service, or any person authorized to act for the Administrator.

Certificate. An official stamp or imprint, form, or other document authorized by the Administrator to affirm that a specified regulated article is eligible for interstate movement to any destination.

Compliance agreement. A written agreement between an inspector and a person engaged in growing, handling, or moving regulated articles, wherein the person agrees to comply with the provisions contained in the compliance agreement and this Federal Order.

Giant African Snail. Any life stage of *Lissachatina fulica*, formerly *Achatina fulica*.

Inspector. Any employee of APHIS or other person authorized by the Administrator to perform the duties required under this Federal Order.

Plant. The term “plant” means any plant (including any plant part) for or capable of propagation, including a tree, a tissue culture, a plantlet culture, pollen, a shrub, a vine, a cutting, a graft, a scion, a bud, a bulb, a root, and a seed.

Quarantined area. Any area within which a quarantine pest is present and is being officially controlled.