

FOR INFORMATION
DA-2014-05
January 17, 2014

Subject: APHIS Updates Conditions for Intrastate Movement of Citrus from Asian Citrus
Psyllid (ACP) Regulated Areas

To: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is allowing the intrastate movement of regulated plant parts associated with mandarin fruit (*Citrus reticulata* Blanco). Specifically, mandarins with attached stems and leaves that originate from, are processed in and/or are packaged in an ACP regulated area may transit through areas not regulated for ACP or citrus greening (CG) to another ACP regulated area. Such movement must occur under specified conditions described in a compliance agreement. Please note that mandarins originating from, processed in, and/or packaged in CG regulated areas may not ship intrastate under the conditions in this Federal Order.

APHIS is taking these actions to prevent the spread of CG and ACP into non-infested areas of the United States while facilitating safe trade. The attached Federal Order outlines the requirements for the intrastate movement of ACP-regulated articles and includes the amendments to the current conditions for movement that apply to all states with less than full state quarantines for ACP.

APHIS will post the attached Federal Order at:

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

For additional information regarding this program, please call Citrus Health Response Program National Coordinator Prakash Hebbar at 301-851-2228 or National Policy Manager for Citrus Disease Programs Lynn Evans-Goldner at 301-851- 2286.

/s/

Osama El-Lissy
Deputy Administrator
Plant Protection and Quarantine

1 Attachment: Federal Order

Federal Order
Domestic Quarantine
for the Asian Citrus Psyllid (*Diaphorina citri*)
Revised Conditions for Movement

DA-2014-05

This Federal Order is issued pursuant to the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412(a), 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 the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States, and is likewise issued pursuant to the regulations promulgated under the Plant Protection Act found at 7 CFR §301.76.

The current regulations at 7 CFR §301.76 govern the interstate movement of Asian citrus psyllid (ACP) and citrus greening (CG) regulated articles from ACP and CG quarantined areas. APHIS issued a Federal Order on Sept. 18, 2013 which allows intrastate movement of regulated plant parts associated with citrus fruit from any ACP quarantined area to packinghouses, processing facilities, and receiving facilities under compliance agreements with certain conditions. Similarly, this Federal Order updates the conditions for movement to allow intrastate movement of regulated plant parts associated with mandarin fruit to move from any ACP quarantined area to another separate ACP quarantined area under compliance agreements with certain conditions. The purpose of this Federal Order is to prevent the spread of ACP while facilitating safe interstate trade.

Effective January 16, 2014, mandarin fruit (*Citrus reticulata* Blanco) fruit with attached stems and leaves can be moved intrastate from one ACP quarantined area to a separate ACP quarantined area under certain conditions described in this Federal Order. This Federal Order will be followed by an interim rule. For additional information regarding this program, please call Citrus Health Response Program National Coordinator Prakash Hebbar at 301-851-2228 or National Policy Manager for Citrus Disease Programs Lynn Evans-Goldner at 301-851- 2286.

A. Quarantined Areas:

A description of all areas quarantined for ACP and CG can be found on the Plant Protection and Quarantine (PPQ) Web site at:

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

Section 7 CFR §301.76-3(a) and (c) provide for the Administrator to designate an area as a quarantined area for ACP in each State, or each portion of a State, in which an established population of ACP is detected or when the Administrator considers it necessary to quarantine the area because of its inseparability for quarantine enforcement purposes from localities in which ACP has been found. Section 7 CFR §301.76-3(b) allows the designation of less than an entire

State as an ACP quarantined area only if the Administrator determines that the State has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are equivalent to those imposed by APHIS for the interstate movement of regulated articles, and the designation of less than the entire State as a quarantined area will prevent the interstate spread of ACP.

The Administrator or an inspector may temporarily designate any non-quarantined area as a quarantined 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 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.

B. Regulated Articles:

The regulated articles for ACP/CG are listed in the regulations at 7 CFR §301.76-2.

C. Conditions for Movement of Regulated Articles:

Articles regulated for ACP are prohibited from movement from ACP quarantined areas except under all of the following conditions:

1. Nursery stock may move from quarantined areas if it is moved in accordance with all regulations found in 7 CFR §301.76, the APHIS protocol entitled “Interstate Movement of Citrus and Other Rutaceous Plants for Planting from Areas Quarantined for Citrus Canker, Citrus Greening, or Asian Citrus Psyllid”, and all applicable State regulations.
2. If a State with an ACP-only quarantined area has an established State monitoring program which includes periodic on-site inspections and monitoring of intrastate movement conducted by the State, the State may allow intrastate movement of attached or detached leaves, stems, branches, and debris of regulated ACP host plants that are attached to or associated with fruit that is harvested within a quarantined area to a packinghouse, processing facility, receiving facility, or to a disposal facility located outside of the quarantined area, if all of the conditions of the Federal Order (DA-2013-43) issued on September 18, 2013 are met.
3. States with an ACP-only quarantined area may allow intrastate only movement of mandarin fruit with attached stems and leaves that are harvested and/or processed/packaged/handled/received at a facility located in an ACP regulated area if all the following conditions are met:
 - a. Packinghouse owners, processing plant owners, handlers, haulers, transporters, and receivers must have a signed Compliance Agreement with the State official; and

- b. Packinghouse owners, processing plant owners, handlers, haulers, transporters, shippers, and receivers must comply with a State monitoring program. This program must include periodic on-site inspections, and monitoring of the processing and movement of mandarins with attached stems and leaves that originate within an ACP quarantined area and are moved outside of the quarantined area to a separate ACP quarantined area.
- c. Packinghouses/processors/handler/receivers that receive mandarins from an ACP quarantined area or are located in an ACP quarantined area must operate under a Compliance Agreement that stipulates all of the following:
 - i. To be eligible for movement, the mandarins with stems and leaves must not originate or be processed and/or packaged in an area regulated for CG; and
 - ii. The mandarins with attached stems and leaves must undergo standard industry packinghouse procedures including washing, brushing, disinfecting, treatment, waxing, drying, culling, grading and final packing; and
 - iii. The mandarins with attached stems and leaves must not be comingled at any time with fruit that has not been handled as outlined in C. 3. c. i; and
 - iv. After shipments are emptied at the processing facility, packinghouse, and/or receiving facility, the trailers, tarpaulins, field boxes, field bins, and packing equipment must be cleaned of all leaves, stems, branches and other plant debris; and
 - iv. All leaves, stems, branches, and plant debris must be collected continuously as they accumulate and be safeguarded; and
 - v. All leaves, stems, branches, and other plant debris cleaned from vehicles, trailers, field boxes, field bins, and packing/processing equipment, and/or associated with fruit destined for processing (e.g., juice extraction, livestock feed preparation) must be handled and disposed of as follows:
 - Placed in waste receptacles and sealed as soon as collected; and either
 - Disposed of in a landfill; or
 - Returned to the grove from which they originated for disposal; or
 - Incinerated.
- d. Handler/haulers/transporters/shippers must operate under a Compliance Agreement that stipulates all of the following:
 - i. Only processed and packed mandarins with stems and leaves that have been handled as outlined in C. 3. c. i. may be moved intrastate out of an ACP quarantined area to another ACP quarantined area; and

- ii. The fruit must not be comingled at any time with fruit that has not been handled as outlined in C. 3. c. i; and
- iii. The processed and packed fruit must be transported (intrastate only) in a completely enclosed vehicle to another ACP quarantine; and
- iv. At the origin packinghouse/processing facility/handling facility/receiving facility, the shipment must be sealed at the time of loading with an official state regulatory seal; and
- v. The seal must not be removed until the shipment has reached its destination in another ACP quarantined area in the same state as the origin of the shipment.
- vi. At the destination, in an ACP quarantined area, the seal must be broken by:
 - A state regulatory official, or
 - An official of the receiving facility after:
 - Taking a GIS picture of the intact seal with a smart phone; and,
 - Transmitting the photo to a state regulatory official for verification.
- e. Receivers must operate under a Compliance Agreement that stipulates all of the following:
 - i. If the receiver manages the unsealing step at the destination in an ACP quarantined area, the seal must be broken by:
 - A state regulatory official, or
 - An official of the receiving facility after:
 - Taking a GIS picture of the intact seal with a smart phone; and,
 - Transmitting the photo to a state regulatory official for verification; and
 - ii. The mandarins with attached stems and leaves may only be sold or distributed in the destination ACP quarantined area located within the state of origin.

D. Definitions:

APHIS interstate movement protocol. An APHIS document entitled “Interstate Movement of Citrus and Other Rutaceous Plants for Planting from Areas Quarantined for Citrus Canker, Citrus Greening, or Asian Citrus Psyllid” that is posted on the APHIS ACP/CG website. The document is a subset of the regulations listed in 7 CFR §301.76.

7 CFR §301.76: Code of Federal Regulations, Title 7-Agriculture, Subtitle B –Regulations of the Department of Agriculture (Continued), Chapter III – Animal and Plant Health Inspection Service, Department of Agriculture, Part 301-Domestic Quarantine Notices, Subpart – Citrus Greening and Asian Citrus Psyllid.

Note: Additional definitions can be found at 7 CFR §301.76-1.