

FOR INFORMATION AND ACTION
DA-2016-58
October 3, 2016

Subject: APHIS Establishes a Plum Pox Virus Quarantine in the Hudson Valley Area in Portions of Orange and Ulster Counties, New York

To: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is establishing a plum pox virus (PPV) quarantine in portions of Orange and Ulster Counties in New York. All PPV host plants, with the exception of fruit without leaves or stems, may not leave the quarantine area.

In September 2015, a single PPV-D infected plum tree located in a commercial orchard of mixed fruit trees was detected by the New York State Department of Agriculture and Markets (NYSDAM) during a Farm Bill-funded survey of commercial stone fruit orchards in the Hudson Valley region of New York. Worldwide there are nine known strains of PPV. All known occurrences of PPV in the United States have been identified as strain D, which is not transmitted by seed, is less efficiently spread by aphids, and is the slower-spreading form of plum pox virus.

Following the positive identification of PPV by APHIS and the D strain of PPV by USDA Agricultural Research Service in September 2015, APHIS and NYSDAM began PPV surveys in the Hudson Valley, Niagara, and Adirondack regions of New York. To date, no additional trees have tested positive for PPV. The area where the positive tree was located was last surveyed for PPV in 2009 and there were no positive detections at that time.

The positive plum tree was identified by the grower as *Prunus Obil'naja*, a hybrid of *Prunus salicina* (Chinese plum or Japanese plum) and *Prunus cerasifera* (cherry plum or myrobalan plum).

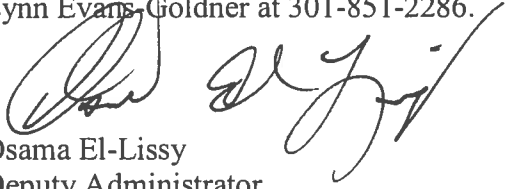
On April 21, 2016, New York established an intrastate quarantine area for PPV that mirrors the federal regulatory requirements as specified in 7 CFR 301.74. The attached Federal Order adds portions of Ulster and Orange Counties in New York to the PPV quarantined area in the United States. The positive tree was detected in Ulster County; however, the one mile quarantine area surrounding the tree includes portions of Orange County.

The positive tree was destroyed and host material surrounding the location of the positive tree was removed as a buffer. All PPV host plants are subject to the quarantine including orchard, landscape, and nursery plants with the following exception: fruit without leaves and stems. Trace forward and trace back investigations are ongoing to gather more information about any potential pathways.

PPV is the most devastating viral disease worldwide. PPV severely reduces fruit yield and quality of stone fruit species including plum, apricot, peach, almond, and ornamental varieties. PPV was first detected in New York in 2006 and, until the September 2015 detection, had been

eradicated where it had been detected in the United States, including in Niagara, Orleans, and Wayne Counties in New York and in Michigan and Pennsylvania.

For additional information regarding the PPV program, you may call Plum Pox Policy Manager Lynn Evans-Goldner at 301-851-2286.

A handwritten signature in black ink, appearing to read 'Osama El-Lissy', written over a faint, illegible background.

Osama El-Lissy
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

Federal Order
Plum Pox Virus Quarantine Area in Portions of Orange and Ulster Counties, New York

DA-2016-58
October 3, 2016

This Federal Order quarantines portions of Orange and Ulster Counties in New York for plum pox virus (PPV).

This Federal Order is issued in accordance with the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412(a), 7 U.S.C. 7712(a). The Act 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. This Federal Order is also issued pursuant to the regulations promulgated under the Plant Protection Act found at 7 CFR 301.74 *et seq.*

Effective immediately, this Federal Order quarantines portions of Orange and Ulster Counties in New York for PPV. This action is in response to the detection of one PPV positive plum tree located in an orchard in Ulster County, New York. To prevent the spread of PPV, the Administrator of the Animal and Plant Health Inspection Service (APHIS) finds it necessary to regulate portions of Orange and Ulster Counties in New York. Effective immediately, all interstate movement of PPV regulated articles from the quarantined areas in Orange and Ulster Counties must be done in accordance with any applicable provisions of this Federal Order and the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.74 *et seq.*

Section 7 CFR 301.74-3(a) allows the designation of less than an entire state as a PPV quarantine area only when the Administrator of APHIS has determined—as in this case—that the designation of less than an entire state as a quarantined PPV area is adequate to prevent the interstate spread of PPV. In addition, 7 CFR 301.74-3(a)(1) requires that the state enforce an intrastate PPV quarantine that is equivalent to the federal PPV regulations. Effective April 21, 2016, the state plant regulatory official for New York has confirmed the establishment of an intrastate quarantine for the regulated area that mirrors the federal regulatory requirements as specified in 7 CFR 301.74.

Regulations for plum pox virus (PPV) were first promulgated on September 14, 2000, due to the detection of this exotic plant virus. Also known as sharka, PPV is the most devastating viral disease worldwide of stone fruit, causing yield losses to growers and reducing the marketability of fruit and nursery stock. The regulations located at 7 CFR § 301.74 established provisions to address plant pest risk associated with PPV. Since that time, APHIS has been conducting survey and eradication activities in cooperation with the Commonwealth of Pennsylvania, the States of Michigan and New York, the Tuscarora Nation of New York, and the stone fruit industry. PPV has been eradicated from Michigan and Pennsylvania, as well as Niagara, Orleans, and Wayne Counties in New York.

Section 7 CFR 301.74-3(b) provides for the temporary designation of new quarantined areas pending publication of a rule to add counties to the list shown in 7 CFR 301.74- 3(c). The 7 CFR 301.74-3(b) further requires written notification to the owner or person who possesses a newly quarantined area. This is the responsibility of the federal and/or state regulatory personnel responsible for the PPV program in the affected state

Effective immediately, this Federal Order adds the following areas in New York to the list of federal PPV quarantined areas:

Portions of Orange and Ulster Counties.

That area of Orange, and Ulster counties that intersect and lie within a one mile circle bounded by GPS coordinates (41.59229, -73.97927) that intersect with Route 9 W on the North following imaginary line East to intersection of Mill House Road GPS coordinates (41.58775, -73.97780) following imaginary line South West to intersection of McDonald Drive GPS coordinates (41.57976, -73.97993) following imaginary line South West to intersection of Levinson Heights Road GPS coordinates (41.57397, -73.98737) following imaginary line South to intersection of Old Post Road GPS coordinates (41.57295, -73.99007) following imaginary line South to intersection of Route 9 W on the South GPS coordinates (41.57271, -73.99096) following imaginary line South West to intersection of Lattintown Road GPS coordinates (41.57393, -74.00663) following imaginary line North West to intersection of Candlestick Hill Road GPS coordinates (41.58121, -74.01490) following imaginary line North West to intersection of Bingham Road GPS coordinates (41.58945, -74.01589) following imaginary line North to intersection of Hampton Road GPS coordinates (41.59138, -74.01522) following imaginary line North East to intersection of Gobblers Knob Road GPS coordinates (41.59830, -74.00813) following imaginary line North East to intersection of Gobblers Knob Road GPS coordinates (41.59872, -74.00733) following imaginary line North East to intersection of South Street GPS coordinates (41.60023, -74.00320) following imaginary line North East to intersection of Lattintown Road GPS coordinates (41.60084, -73.99983) following imaginary line East to intersection of Lu El Ann Road GPS coordinates (41.60084, -73.99450) following imaginary line South East to intersection of Cross Road GPS coordinates (41.59916, -73.98775) following imaginary line South East to intersection of South Street/Rosa Drive intersection GPS coordinates (41.59774, -73.98483) following imaginary line South East to intersection of Highland Ave GPS coordinates (41.59639, -73.98296) following imaginary line South East to Vineyard Lane GPS coordinates (41.5960, -73.98245) than following imaginary line South East back to intersection of Route 9W GPS coordinates (41.59229, -73.97927) to close imaginary line one mile circle.

This Federal Order updates the list of quarantined areas in the federal regulations at 7 CFR § 301.74 and will be followed by an interim rule. If you would like more details on the PPV regulatory program, you may call PPV National Policy Manager Lynn Evans-Goldner at 301 851-2286.

APHIS continues to appreciate the cooperative relationship with the New York State Department of Agriculture and Markets and the stone fruit industry in our effort to prevent the spread of PPV.