

FOR INFORMATION  
DA-2008-34  
July 15, 2008

SUBJECT: Interstate Movement of Treated Citrus Peel from Areas Quarantined Due to the Presence of Citrus Canker

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

The Animal and Plant Health Inspection Service (APHIS) has issued the attached Federal Order, effective July 15, 2008, that provides an exception to the current Citrus Canker Quarantine, which allows for the interstate movement of citrus peel that has been subjected to an approved heat treatment. The Citrus Canker Quarantine (7 CFR 301.75) was established to prevent the spread of citrus canker, which is caused by the bacterial pathogen *Xanthomonas citri* subsp. *citri*, also described as *Xanthomonas axonopodis* pv. *citri*., through the movement of infected or contaminated plants and plant parts.

The Citrus Canker Quarantine currently prohibits the interstate movement of all plants and plant parts of citrus and other related species from the entire State of Florida where this disease is present. Exceptions to this prohibition include: fresh citrus fruit that is commercially packed, treated, and found to be free from citrus canker; and, calamondin and kumquat plants that meet specific requirements. It should be noted that interstate movement of calamondin and kumquat plants is prohibited by Federal Domestic Quarantine Order due to the presence of citrus greening in that State as well.

APHIS has determined that an exception to the restrictions in the Citrus Canker Quarantine is appropriate in the case of citrus peel that is treated by heat drying in a manner that is known to kill the pathogen causing citrus canker. This would be consistent with the provisions in the U.S. Department of Agriculture's Miscellaneous and Processed Products Treatment Manual (Table 5-53), which allows the importation of citrus peel from any country, when there is documentation showing that the product was heated to a temperature of 140° F (60° C) or above for 10 minutes or longer. Therefore, APHIS will now permit the interstate movement of citrus peel that has undergone an identical application of heat treatment prior to interstate movement from a citrus canker quarantined area in the United States, with the additional requirement that the consignment of citrus peel is accompanied by documentation that shows this treatment was carried out by a person or business operating under a compliance agreement.

For additional information about this quarantine action, you may contact Patrick Gomes, National Coordinator, Citrus Health Response Program, at Area Code (919) 855-7313.

/s/ Paul R. Eggert /for

Rebecca A. Bech  
Deputy Administrator  
Plant Protection and Quarantine

Attachment:  
Federal Order

**FEDERAL DOMESTIC QUARANTINE ORDER:  
CITRUS CANKER (Xcc) and the INTERSTATE MOVEMENT of  
CITRUS PEEL**

**July 15, 2008**

This Federal Order is issued under 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 the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.75.

Citrus canker is a plant disease caused by the bacterium *Xanthomonas citri* subsp. *citri* (Xcc) that affects plants and plant parts, including fresh fruit of citrus and citrus relatives (Family Rutaceae). Citrus canker can cause defoliation and other serious damage to the leaves and twigs of susceptible plants. It can also cause lesions on the fruit of infected plants, which render the fruit unmarketable, and cause infected fruit to drop from the trees before reaching maturity. The aggressive A (Asiatic) strain of citrus canker can infect susceptible plants rapidly and lead to extensive economic losses in commercial citrus-producing areas. Citrus canker is only known to be present in the United States in the State of Florida.

The regulations to prevent the interstate spread of citrus canker are contained in ``Subpart--Citrus Canker" (7 CFR 301.75-1 through 301.75-14, referred to below as the regulations). The regulations restrict the interstate movement of regulated articles from and through areas quarantined because of citrus canker and provide, among other things, conditions under which regulated fruit may be moved into, through, and from quarantined areas for packing. These regulations are promulgated pursuant to the Plant Protection Act, as amended (7 U.S.C. 7701 et seq.).

The current regulations provide for the interstate movement of fruit and limited varieties of nursery stock from a quarantine area if certain conditions are met. No other exceptions are currently specified in our regulations.

APHIS recently received a request from the citrus industry for permission to move interstate treated citrus peel from a citrus canker quarantine area. While considering this request, we examined our domestic regulations as well as our import treatment manuals. The USDA treatment manual titled, "Miscellaneous and Processed Products: Regulating the Importation Miscellaneous and Processed Products Regulated by Plant Protection and Quarantine" provides for the importation of treated citrus peel in accordance with the treatment instructions described in table 5-53. The treatment instructions state: "The consignment is accompanied by documentation that shows the product was heated to a temperature of 140° F (60° C) or above for 10 minutes or longer."

Thus, APHIS currently permits citrus peel to be imported into the United States, regardless of country of origin, as long as the shipment is accompanied with documentation certifying that the appropriate treatment was applied. Therefore, we will also now permit the interstate movement of citrus peel from a citrus canker quarantine area in the United States if an identical treatment is applied to the citrus peel before being moved interstate.

### 1. Quarantine Area

Florida: The entire State

### 2. Treatment and Certification

The consignment of citrus peel is accompanied by documentation (a certificate or stamp) that shows the product was heated to a temperature of 140 degrees F (60 degrees C) or above for 10 minutes or longer.

### 3. Compliance agreement

Any person engaged in the business of growing or handling citrus peel for interstate movement from a citrus canker quarantined area may enter into a compliance agreement with the Animal and Plant Health Inspection Service to facilitate the interstate movement of regulated articles in accordance with all of the requirements of this Federal Order and this specific subpart, subject to monitoring and audits by the State, Territory, Commonwealth, or APHIS regulatory official. Such persons must agree to handle, pack, process, treat, and move regulated articles in accordance with this Federal Order; to use all permits and certificates in accordance with instructions; and to maintain and offer for inspection such records as may be required. Compliance agreements may be arranged by contacting a local office of Plant Protection and Quarantine, Animal and Plant Health Inspection Service (listed in local telephone directories), or by contacting the Animal and Plant Health Inspection Service, Plant Protection and Quarantine, Domestic and Emergency Operations, 4700 River Road Unit 134, Riverdale, Maryland 20737-1236.

*Cancellation.* Any compliance agreement may be cancelled orally or in writing by an inspector if the inspector finds that the person who entered into the compliance agreement has failed to comply with all of the requirements of this Federal Order and this specific subpart. If the person is given notice of cancellation orally, written confirmation of the decision and the reasons for it must be provided as promptly as circumstances allow. Any person whose compliance agreement is cancelled may appeal the decision in writing to the APHIS Administrator within 10 days after receiving the written notification. The appeal must state all of the facts and reasons upon which the person relies to show that the compliance agreement was wrongfully cancelled. The Administrator must grant or deny the appeal, in writing, stating the reasons for the decision, as promptly as circumstances allow. If there is a conflict as to any material fact, a hearing will be held to resolve the conflict. Rules of practice concerning the hearing will be adopted by the Administrator.

#### 4. Definitions

Citrus fruit. Any fruit from the genus *Citrus*.

Citrus peel. The outer skin and rind of a citrus fruit typically composed of the relatively thinner outermost colored portion (the flavedo) and the thicker white, spongy layer directly inside of the flavedo known as the albedo. The peel is distinguished from the juicy inner portion of the fruit.

Inspector. Any person authorized by the Administrator of APHIS to enforce the requirements of this Order.

This action will be reflected in an Interim Rule that we anticipate will soon be published in the Federal Register for public comment in accordance with the provisions of the Administrative Procedures Act.