

FOR INFORMATION AND ACTION
DA-2014-12
March 7, 2014

Subject: APHIS Removes Protected Area Status for Five Counties in Indiana for Emerald Ash Borer (*Agrilus planipennis*)

To: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is removing protected area status for emerald ash borer (EAB) in the following Indiana counties:

- Crawford,
- Daviess,
- Greene,
- Martin, and
- Perry.

APHIS is taking this action in response to the confirmation of emerald ash borer (EAB) in these counties. These counties remain under quarantine for EAB.

Protected areas are defined as *any area identified by a State as pest free, for which the state has regulations to protect against the artificial intrastate spread of EAB, and which shall remain protected against regulated articles moving from quarantined areas* (Federal Order DA-2012-18 of May 31, 2012).

The attached Federal Order outlines specific conditions for the interstate movement of EAB-regulated articles from these counties to prevent the spread of EAB to non-infested areas. Specifically, APHIS considers contiguous regulatory areas that cross state borders, and are not associated with the remaining protected areas in Illinois and Indiana, as a single regulated area. The movement of regulated articles to the remaining protected areas in Illinois and Indiana require a limited permit or Federal certificate. The list of these protected areas is attached to the Federal Order. In addition, APHIS will continue to require limited permits or Federal certificates to move regulated articles out of EAB regulated areas to non-infested areas of the United States. In addition, companies and individuals should check for and follow any relevant state EAB quarantine regulations.

EAB is an invasive wood boring beetle that is native to China and other areas of East Asia. The beetle is present in some portions of the United States, and because of its continuing spread, APHIS has established regulated areas that are designated in the *Code of Federal Regulations* at 7 CFR 301.53-3 and the Federal Orders located at:

http://www.aphis.usda.gov/planthealth/eab_quarantine

The interstate movement of firewood from quarantine areas is an especially high-risk pathway for spreading EAB. Therefore, APHIS works with State cooperators and foresters to prevent the human assisted movement of EAB, develop biological and other controls for EAB, and raise public awareness about this pest and the potential threats associated with long-distance movement of firewood.

For more information about the EAB program and Federal EAB regulations, you may call EAB National Policy Manager Paul Chaloux at (301) 851-2064.

/s/

Osama El-Lissy
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

FEDERAL ORDER

Removal of Protected Area Status for Crawford, Daviess, Greene, Martin, and Perry Counties in Indiana within the Quarantine Area for Emerald Ash Borer (*Agrilus planipennis*)

DA-2014-12

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 301.53.

On May 31st, 2012, APHIS issued a Federal Order DA-2012-18 to allow the unrestricted movement of emerald ash borer (EAB) regulated articles within contiguous regulated boundaries, with the exception of movements to protected areas in the non-infested counties in Illinois and Indiana. Protected areas are defined as *any area identified by a State as pest free, for which the state has regulations to protect against the artificial intrastate spread of EAB, and which shall remain protected against regulated articles moving from quarantined areas* (Federal Order DA-2012-18 of May 31, 2012).

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is removing protected area status for EAB in the following Indiana counties:

- Crawford,
- Daviess,
- Greene,
- Martin, and
- Perry.

This action is in response to the confirmation of EAB in the above-mentioned counties.

Thus, the Administrator of the Animal and Plant Health Inspection Service (APHIS) finds it necessary to remove protected area status for these counties. Accordingly, effective immediately, EAB regulated articles can move freely into and from these counties within contiguous quarantined areas. However, moving EAB regulated articles from the quarantine areas in the above-mentioned counties interstate into protected areas must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.53 et seq. and any applicable provisions of this Federal Order. The list of these protected areas is attached.

APHIS has confirmed EAB infestations in various areas of the United States for which the Administrator has determined that it is necessary to quarantine these areas in order to prevent the spread of EAB. The areas quarantined due to the continuing spread of EAB are designated in the

federal regulations located at 7 CFR 301.53-3 and the Federal Orders located at the following APHIS website: http://www.aphis.usda.gov/planthealth/eab_quarantine

The previous Federal Orders pertaining to the expansion of quarantined areas in the EAB domestic regulations have been necessary due to the continuing spread of EAB. This March 5, 2014, Federal Order further amends the quarantined areas as described in previous EAB Federal Orders.

If you wish more details on the Federal EAB regulatory program, you may call EAB National Policy Manager Paul Chaloux at 301-851-2064. For information on regulatory requirements for movement of articles out of quarantined areas in Indiana, please call APHIS State Plant Health Director Gary Simon at 765-497-2859.

We continue to appreciate the cooperative relationship with Indiana in our effort to prevent the spread of EAB.

Attachment to Federal Order DA-2014-12

Protected Area

Illinois

Adams County
Alexander County
Bond County
Brown County
Calhoun County
Cass County
Christian County
Clay County
Clinton County
Crawford County
Edwards County
Franklin County
Fulton County
Gallatin County
Greene County
Hamilton County
Hancock County
Hardin County
Jackson County
Jasper County
Jefferson County
Jersey County
Johnson County
Lawrence County
Logan County
McDonough County
Macoupin County
Madison County
Mason County
Massac County
Menard County
Monroe County
Montgomery County
Morgan County
Peoria County
Perry County
Pike County
Pope County
Pulaski County
Randolph County
Richland County

St. Clair County
Saline County
Sangamon County
Schuyler County
Scott County
Tazewell County
Union County
Wabash County
Washington County
Wayne County
White County
Williamson County

Indiana

Gibson County
Knox County
Pike County
Posey County
Spencer County
Sullivan County
Vanderburgh County
Warrick County