

FOR INFORMATION AND ACTION
DA-2009-11
March 13, 2009

SUBJECT: Correction, Establishment of Quarantine Areas in Pulaski and Bland Counties, and the City of Radford, Not Roanoke, Virginia, for Gypsy Moth (GM) (*Lymantria dispar*).

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

The Animal and Plant Health Inspection Service (APHIS) confirmed that the population levels of GM, in Bland and Pulaski Counties, and the City of Radford, Virginia, have reached the threshold levels to trigger the establishment of quarantine areas. The GM populations for Bland and Pulaski Counties, and the City of Radford, reached this level in late 2008. The previous communication incorrectly listed the City of Roanoke Virginia, which has already been established as GM quarantine area.

The Federal Order is attached establishing quarantine areas for these infested areas in order to prevent the further spread of GM. Effective immediately, all interstate movement of GM regulated articles from Pulaski and Bland Counties along with the City of Radford must be done in accordance with the attached Federal Order. Due to parallel intrastate regulations established by Virginia, Federal regulation of less than the entire state is possible.

GM is an introduced highly destructive insect of approximately 300 species of trees and shrubs. The GM program prescribes conditions for the interstate movement of regulated articles from GM quarantine areas. This Federal-State partnership has worked successfully to prevent establishment of GM outside of the quarantine area due to human-assisted movement of the pest.

For more information about the GM program and Federal GM regulations, you may contact Bernetta Barco, APHIS State Plant Health Director, at (804)771-2042, or Weyman Fussell, GM National Program Manager, at (301)734-5705.

/s/ Paul R. Eggert for

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

FEDERAL ORDER

Domestic Quarantine of Pulaski and Bland Counties, Virginia, and City of Radford, Virginia, for Gypsy Moth (*Lymantria dispar*)

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 301.45.

This Federal Order quarantines, effective immediately, Pulaski and Bland Counties, Virginia, and the City of Radford, Virginia, for gypsy moth (*Lymantria dispar*). This action results from verification of intractable reproducing populations of gypsy moth in Pulaski and Bland Counties, and in the City of Radford, communicated by the Commonwealth of Virginia Department of Agriculture to USDA's Animal and Plant Health Inspection Service (APHIS). Thus, the Administrator of APHIS has determined that it is necessary to quarantine this area in order to prevent the spread of gypsy moth. Therefore, effective immediately, all interstate movement of gypsy moth-regulated articles from Pulaski and Bland Counties, Virginia, and the City of Radford, Virginia must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.45 et seq. and any applicable provisions of this Federal Order. This action is carried out following discussion with the State Plant Regulatory Official of Virginia.

7 CFR 301.45-2(b) allows the designation of less than an entire State as a quarantine area only when the State enforces an intrastate quarantine that matches Federal Gypsy Moth regulations. Accordingly, the Commonwealth of Virginia must confirm prior to April 15, 2009, the establishment of an intrastate quarantine for Pulaski and Bland Counties and the City of Radford that parallels Federal requirements stipulated in 7CFR 301.45; otherwise, it will be necessary to quarantine the entire State as of that date, in order to prevent the interstate spread of the plant pest. The confirmation should be made in writing by letter or email to the APHIS State Plant Health Director.

7 CFR 301.45-2 (c) provides for temporary designation of new quarantine areas pending publication of a rule to add counties to the list shown in 7 CFR 301.45-3 (a). 7 CFR 301.45-2 (c) further requires written notification be given to the owner or person in possession of a newly-quarantined area. This is the responsibility of the Federal and/or State regulatory personnel responsible for the Gypsy Moth program in the affected State.

If you wish more details on the Federal Gypsy Moth regulatory program, you may contact the staff officer, Weyman Fussell, at Area Code (301) 734-5705. For information on regulatory requirements for movement of articles out of Virginia, please contact the APHIS State Plant Health Director, Ms. Bernetta Barco, at Area Code (804) 771-2042.

We continue to appreciate the cooperative relationship with the Commonwealth of Virginia to prevent the spread of Gypsy Moth.