

FOR INFORMATION AND ACTION
DA-2011-07
February 25, 2011

SUBJECT: Domestic Quarantine of LaPorte County, Indiana for Gypsy Moth
(*Lymantria dispar*)

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

The Animal and Plant Health Inspection Service (APHIS) expanded its gypsy moth (GM), *Lymantria dispar*, quarantine area to include LaPorte County, Indiana. The GM populations for this area reached the threshold level to trigger the quarantine between 2009 and 2010.

The attached Federal Order establishes LaPorte County as a quarantine area in order to prevent the further spread of GM. Effective immediately, all interstate movement of GM-regulated articles from LaPorte County, Indiana, must be handled in accordance with the attached Federal Order. A Federal quarantine of less than the entire State is possible when the State establishes an intrastate quarantine that mirrors Federal requirements for interstate movement. The State of Indiana has already established domestic quarantines for this area.

GM is a 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 and State partnership continues to work successfully to prevent the establishment of GM outside of the quarantine area due to human-assisted movement of the pest. We appreciate the cooperative relationship with the State of Indiana in the effort to prevent the spread of GM.

For more information about the GM program and Federal GM regulations, you may contact Gary Simon, APHIS' State Plant Health Director, at (765) 497-2859 or Julie Spaulding, National Program Manager, at (301) 734-5332.

/s/ Paul R. Eggert for

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

FEDERAL ORDER
DA-2011-07
February 25, 2011

**Domestic Quarantine Notice for
Gypsy Moth (GM) (*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, LaPorte County in Indiana for GM, *Lymantria dispar*. This action is in response to the detection of established populations of GM in this area. Thus, the Administrator of the Animal and Plant Health Inspection Service (APHIS) finds it necessary to regulate the aforementioned county in Indiana in order to prevent the spread of GM. Accordingly, effective immediately, all interstate movement of GM regulated articles from this area 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.

APHIS has confirmed established populations of GM in various areas of the United States for which the Administrator has determined that it is necessary to quarantine in order to prevent the human assisted spread of GM. The areas quarantined due to the continuing spread of GM are designated in the Federal regulations located at 7 CFR §301.45 and in the Federal Orders located at the following APHIS website:
http://www.aphis.usda.gov/plant_health/plant_pest_info/gypsy_moth/federalorders.shtml

Section 7 CFR §301.45-2(b) allows the designation of less than an entire state as a GM generally infested area only when the Administrator of APHIS has determined that the designation of less than an entire state as a generally infested GM area is adequate to prevent the interstate spread of infestations of GM. In addition, 7 CFR §301.45-2(b) requires that the state adopt and enforce an intrastate GM quarantine or regulation, which imposes restrictions on the intrastate movement of the regulated articles that are substantially the same as the Federal GM regulations. Accordingly, the State of Indiana has enacted an intrastate quarantine for LaPorte County that mirrors the Federal regulatory requirements as specified in 7 CFR §301.45.

Section 7 CFR §301.45-2(c) provides for the temporary designation of new generally infested areas pending publication of a rule to add counties to the list shown in 7 CFR §301.45-3(a). Section 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 GM program in the affected state.

This February 25, 2011, Federal Order updates the GM generally infested areas in Indiana. In addition to this county that is newly regulated for GM by this Order, other counties in Indiana remain regulated for GM under existing regulations in 7 CFR §301.45-3(a).

If you want more details on the Federal GM regulatory program, you may contact the National Program Manager, Julie Spaulding at (301) 734-5332. For information on the GM survey and trapping program, please contact Gary Simon, APHIS State Plant Health Director, at (765) 497-2859.

APHIS continues to appreciate the cooperative relationship with the State of Indiana in our effort to prevent the spread of GM.