

FOR INFORMATION AND ACTION
DA-2011-23
April 29, 2011

SUBJECT: Domestic Quarantine of Jackson and Price Counties, Wisconsin, 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 Jackson and Price Counties, Wisconsin. The GM populations for these areas have been increasing in recent years and reached the threshold level to trigger the quarantine in 2010.

The attached Federal Order establishes Jackson and Price Counties as quarantine areas in order to prevent the further spread of GM. Effective immediately, all interstate movement of GM-regulated articles from Jackson and Price Counties, Wisconsin, 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.

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 Wisconsin in the effort to prevent the spread of GM.

For more information about the GM program and Federal GM regulations, you may contact JoAnn Cruse, APHIS' State Plant Health Director for Wisconsin, at (608) 231-9553 or Julie Spaulding, National Program Manager, at (301) 734-5332.

/s/ **Rebecca A. Bech**

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

FEDERAL ORDER
DA-2011-23
April 29, 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, Jackson and Price Counties in Wisconsin for Gypsy Moth (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 Jackson and Price Counties in Wisconsin 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 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 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 Wisconsin must confirm, within 30 days of the date of this order, the establishment of an intrastate quarantine for Jackson County and Price County that parallels Federal requirements stipulated in 7 CFR §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 to the APHIS State Plant Health Director of Wisconsin.

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 April 29, 2011, Federal Order quarantines the counties of Jackson and Price and updates the GM generally infested areas in Wisconsin. APHIS previously issued a Federal Order to quarantine Monroe and Iron Counties, the Apostle Islands National Lakeshore (island units only) and the Madeline Island area of Ashland County, Wisconsin. In addition to these aforementioned counties and areas regulated for GM by Federal Order, other counties in Wisconsin 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 National Program Manager Julie Spaulding at (301) 734-5332. For information on the GM survey and trapping program in Wisconsin, please contact JoAnn Cruse, APHIS' State Plant Health Director, at (608) 231-9553.

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