

FOR INFORMATION  
DA-2012-5  
February 13, 2012

SUBJECT: Removal of Golden Nematode (*Globodera rostochiensis*) Regulated Areas in New York State

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is removing certain areas of Livingston County and Steuben County, New York, from the golden nematode regulated area. This action will provide significant benefits to producers and the cooperative golden nematode program.

Based on survey results and the criteria outlined in the Canada and United States "Guidelines on Surveillance and Phytosanitary Actions for Potato Cyst Nematodes", APHIS determined that 262,118 acres in Livingston County and 729 acres in Steuben County meet all requirements for removal from golden nematode regulation. The areas in Livingston County have been regulated since the early 1980s and in Steuben County since the 1960s.

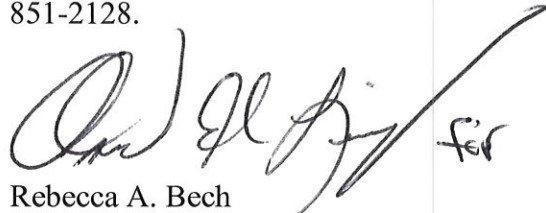
Accordingly, restrictions on the interstate movement of golden nematode regulated articles from these areas are no longer required. Following this action, the remaining 410.2 acres in Livingston County and 63,159 acres in Steuben County will continue to be regulated for the golden nematode as described in the accompanying Federal Order to mitigate the risk of spread to uninfested areas of the United States.

The specific changes to the quarantine areas are described in the accompanying Federal Order and documented on the following website:

[http://www.aphis.usda.gov/plant\\_health/plant\\_pest\\_info/nematode/index.shtml](http://www.aphis.usda.gov/plant_health/plant_pest_info/nematode/index.shtml)

APHIS will publish an interim rule codifying these changes.

For additional information you may contact Jonathan Jones, National Program Manager, at (301) 851-2128.

A handwritten signature in black ink, appearing to read 'Rebecca A. Bech', with a large, sweeping flourish extending to the right. To the right of the signature, the letters 'fer' are handwritten.

Rebecca A. Bech  
Deputy Administrator  
Plant Protection and Quarantine

## FEDERAL ORDER

### Revision to Quarantine Areas in New York for Golden Nematode (*Globodera rostochiensis*)

DA-2012-XX  
February XX, 2012

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 §301.85.

Golden nematode (*Globodera rostochiensis*) is a nematode that attacks potatoes and results in reduced yield of the crop and negatively impacts trade. The agency's regulations are intended to prevent the further spread of golden nematode within the United States. The areas in the State of New York currently designated as regulated areas for golden nematode are listed in 7 CFR §301.85-2(a).

Following review of surveys conducted in golden nematode regulated areas, the Administrator has determined that certain areas have met the criteria in §301.85-2(c) of the regulations to terminate their designation as regulated areas. This Federal Order revises the golden nematode regulated areas in Steuben and Livingston Counties in New York State as listed below:

#### Steuben County

This Federal Order removes land within the current golden nematode regulated area of Steuben County that is in the area known as "Arkport Muck", except those areas described below. We are maintaining the quarantine of fields in which survey has confirmed the presence of golden nematode, as well as the fields adjacent to them.

The areas of Steuben County, New York that remain under regulation for golden nematode are as follows:

- The towns of Prattsburgh and Wheeler in their entirety;
- Two areas within an area known as "Arkport Muck" located in the town of Dansville, as described here:

### **Arkport Muck North Area to Remain Regulated**

The north area bounded as follows: Beginning at a point along the west bank of the Marsh Ditch that intersects a farm road marked by latitude/longitude coordinates 42.4230, -77.7121; then north along the Marsh Ditch to coordinates 42.42961, -77.71540; then west along a 45-foot wide hedgerow to coordinates 42.42831, -77.72003; then south through woods, along a farm road, and field border to coordinates 42.4255, -77.7189; then east along a tree line to coordinates 42.4254, -77.7180; then south along a tree line to coordinates 42.4230, -77.7157; then east to point of beginning at coordinates 42.4230, -77.7121. The property in the town of Cohocton (formerly known as the “Werthwhile Farm”) bounded as follows: Beginning at a point along the north side of Brown Hill Road marked by latitude/longitude coordinates 42.45035, -77.53562; then north along a forest edge to coordinates 42.45275, -77.53557; then west along a forest edge to coordinates 42.45275, -77.53729; then north along a forest edge to coordinates 42.45476, -77.53722; then west along a forest edge and a hedge row to the east side of Potter Hill Road to coordinates 42.45487, -77.54407; then southwest along the east side of Potter Hill Road to coordinates 42.45394, -77.54536; then south along a hedge row and a forest edge to coordinates 42.45057, -77.54547; then east along a hedge row and the north side of Brown Hill Road to point of beginning at coordinates 42.45035, -77.53562.

### **Arkport Muck South Area to Remain Regulated**

The south area bounded as follows: Beginning at a point along the west side of New York Route 36 marked by latitude/longitude coordinates 42.40545, -77.69790; then north along the west side of New York Route 36 to coordinates 42.4145, -77.6999; then west along a farm road to coordinates 42.4145, -77.7029; then north along a farm road to coordinates 42.4160, -77.7036; then west along a farm road to coordinates 42.4162, -77.7083; then north along the Marsh Ditch to coordinates 42.4186, -77.7097; then west along a farm road to coordinates 42.4181, -77.7121; then south along a farm road to coordinates 42.41760, -77.71180; then west along a fallow strip to coordinates 42.41756, -77.71402; then south along a fallow strip to coordinates 42.41613, -77.71420; then west along a farm road to coordinates 42.41604, -77.71681; then south along a farm road on the east side of the Conrail right-of-way (Erie Lackawanna Railroad) to coordinates 42.4050, -77.7107; then east along a farm road to coordinates 42.4049, -77.7038; then north along an irrigation ditch to coordinates 42.40699, -77.70468; then east along an irrigation ditch to coordinates 42.40697, -77.70343; then south along the Marsh Ditch to coordinates 42.40550, -77.70265; then east to point of beginning at coordinates 42.40545, -77.69790.

- The property in the town of Cohocton (formerly known as the “Werthwhile Farm”) bounded as follows: Beginning at a point along the north side of Brown Hill Road marked by latitude/longitude coordinates 42.45035, -77.53562; then north along a forest edge to coordinates 42.45275, -77.53557; then west along a forest edge to coordinates 42.45275, -77.53729; then north along a forest edge to coordinates 42.45476, -77.53722;

then west along a forest edge and a hedge row to the east side of Rex Road to coordinates 42.45487, -77.54407; then southwest along the east side of Rex Road to coordinates 42.45394, -77.54536; then south along a hedge row and a forest edge to coordinates 42.45057, -77.54547; then east along a hedge row and the north side of Brown Hill Road to point of beginning at coordinates 42.45035, -77.53562.

- The property located in the town of Fremont that is bounded as follows: Beginning at a point on Babcock Road that intersects a farm road marked by latitude/longitude coordinates 42.436806, -77.575111; then west along the farm road to coordinates 42.436722, -77.578056; then south to coordinates 42.436000, -77.578028; then west to coordinates 42.435944, -77.580750; then south to coordinates 42.433528, -77.580639; then east to coordinates 42.433306, -77.577889; then south to coordinates 42.431861, -77.577778; then east to coordinates 42.432306, -77.577139; then north to coordinates 42.433028, -77.576389; then east to coordinates 42.433028, -77.576139; then north to coordinates 42.434944, -77.575694; then east to coordinates 42.434917, -77.574972; then north to the point of beginning at coordinates 42.436806, -77.575111.

### **Livingston County**

This Federal Order removes the seven Livingston County towns of Caledonia, Geneseo, Groveland, Leicester, Mount Morris, West Sparta, and York in their entirety.

This Federal Order removes areas in the Towns of Avon, Lima and Livonia, except for areas listed below which will remain under regulation for golden nematode. We are maintaining our golden nematode regulations in those fields in which survey has confirmed the presence of golden nematode, as well as the fields adjacent to them.

The areas of Livingston County, New York that remain under regulation for golden nematode are as follows:

#### **South Lima North Muck to Remain Regulated**

The area bounded as follows: Beginning at a point along the north side of South Lima Rd marked by latitude/longitude coordinates 42.8553, -77.6738; then north along a farm road to coordinates 42.8588, -77.6712; then east along a farm road and along a forested edge to coordinates 42.85947, -77.66601; then north along an irrigation ditch to coordinates 42.86109, -77.66590; then east along a forested edge to coordinates 42.86112, -77.66477; then north along a farm road to coordinates number 42.8735, -77.6651; then west along a farm road to coordinates number 42.8735, -77.6684; then south along Little Conesus Creek to coordinates 42.871256, -77.669338; then west to include a portion of an access road and gravel clean off site

to coordinates 42.871260, -77.670550; then south to coordinates 42.871119, -77.670443; then east to coordinates 42.871105, -77.669968; then north to coordinates 42.871203, -77.669899; then east to coordinates 42.871197, -77.669367; then south along Little Conesus Creek to coordinates 42.8688, -77.6702; then west along a farm road to coordinates 42.8688, -77.6713; then south along a farm road to coordinates 42.8659, -77.6733; then south along a farm road to coordinates 42.8642, -77.6740; then west along a farm road to coordinates 42.8643, -77.6761; then south along a farm road to coordinates 42.8567, -77.6802; then east to coordinates 42.8564, -77.6741; then south along Little Conesus Creek to coordinates 42.8553, -77.6745; then east to point of beginning at coordinates 42.8553, -77.6738.

### **South Lima South Muck to Remain Regulated**

The area bounded as follows: Beginning at a point along the south side of South Lima Rd marked by latitude/longitude coordinates 42.8552, -77.6774; then south to coordinates 42.8548, -77.6774; then east to coordinates 42.8548, -77.6767; then south to coordinates 42.8509, -77.6770; then south to coordinates 42.8447, -77.6772; then east to coordinates 42.8446, -77.6739; then north along a farm road to coordinates 42.8477, -77.6728; then east along a farm road to coordinates 42.8488, -77.6700; then north along a farm road to coordinates 42.8512, -77.6701; then west along a farm road to coordinates 42.8512, -77.6720; then north along a farm road to coordinates 42.8516, -77.6720; then west along a farm road to coordinates 42.8518, -77.6740; then north to coordinates 42.8541, -77.6740; then west to coordinates 42.8545, -77.6766; then north to coordinates 42.8552, -77.6765; then west to point of beginning at coordinates 42.8552, -77.6774.

### **Wiggle Muck to Remain Regulated**

The area bounded as follows: Beginning at a point along the west side of Plank Rd. (State highway 15A) marked by latitude/longitude coordinates 42.84890, -77.61367; then west to coordinates 42.8491, -77.6203; then south along a farm road to coordinates 42.8468, -77.6192; then south along a farm road to coordinates 42.8419, -77.6188; then east to coordinates 42.8422, -77.6161; then north along a farm road to coordinates 42.84872, -77.61681; then east to the west side of Plank Rd. marked by coordinates 42.84872, -77.61359; then north to point of beginning at coordinates 42.84890, -77.61367.

### **Avon Area to Remain Regulated**

The area bounded as follows: Beginning at a point marked by latitude/longitude coordinates 42.9056, -77.6872; then east along a farm road to coordinates 42.9054, -77.6850; then east along a farm road to coordinates 42.9060, -77.6825; then north along an drainage ditch to coordinates 42.9069, -77.6823; then north along a drainage

ditch to coordinates 42.9079, -77.6847; then north to coordinates 42.9103, -77.6844; then west along the south side of a farm road to coordinates 42.9103, -77.6857; then south along a farm road to point of beginning at coordinates 42.9056, -77.6872.

### **Effective Date**

The removal of these areas is effective upon date of issuance of this Federal Order. APHIS will publish a rule soon to update the list of regulated areas. If you wish more details on the golden nematode regulatory program, you may contact the Golden Nematode National Program Manager Jonathan Jones, at (301) 734-5038. We continue to appreciate the cooperative relationship with all State Regulatory Officials in our effort to prevent the spread of golden nematode.