

FOR INFORMATION AND ACTION
DA-2009-13
March 24, 2009

SUBJECT: Establishment of Quarantine Areas in Oklahoma and Tennessee for Imported Fire Ants (IFA) (*Solenopsis invicta* Buren, *S. richteri* Forel, and hybrids of these species)

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

The Animal and Plant Health Inspection Service (APHIS) is issuing a revised Federal Order that establishes Imported Fire Ant (IFA) quarantine areas in Oklahoma and Tennessee. In order to prevent the artificial spread of this injurious plant/animal pest, APHIS, in accordance with 7 CFR 301.81, is imposing regulatory restrictions on the interstate movement of regulated articles that are not currently in the IFA quarantine area. This action is necessary to prevent the spread of IFA.

APHIS is establishing quarantine areas in the following counties for IFA:

Oklahoma: Atoka, Coal, Cotton, Garvin, Jackson, Jefferson, LeFlore, Murray, Pontotoc, Pushmataha, Stephens, and Tillman Counties.

Tennessee: For the first time portions of Sevier and White Counties are being regulated. Additional areas of Cumberland, Humphreys and Williamson Counties are also being regulated. Coffee, Marshall, and Maury Counties are now entirely regulated.

APHIS is taking these actions upon verification from the Oklahoma Department of Agriculture, Food, and Forestry and the Tennessee Department of Agriculture that IFA are present and established in those counties. IFA are pests that are present in some parts of the United States and the Commonwealth of Puerto Rico.

This action is effective immediately. Attached is a Federal Domestic Quarantine Order for the subject action. If you wish more details on the Federal IFA regulatory program, you may contact the IFA National Program Manager, Charles Brown at (301) 734-4838.

/s/ **John H. Payne for**

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

FEDERAL ORDER

Domestic Quarantine of Counties in Oklahoma and Tennessee for Imported Fire Ant (IFA) (*Solenopsis invicta* Buren, *S. richteri* Forel, and hybrids of these species)

March 24, 2009

In order to prevent the artificial spread of this injurious plant pest, the Animal and Plant Health Inspection Service (APHIS), in accordance with 7 CFR 301.81, is imposing regulatory restrictions on the interstate movement of regulated articles that are not currently in the IFA quarantine area. This action is in response to surveys in the indicated counties indicating the existence of established populations of IFA, and is carried out following discussion with the State Plant Regulatory Official of Oklahoma and Tennessee.

Effective immediately, no person shall move regulated articles from the counties in the following states as listed below except in accordance with 7 CFR 301.81. This Order is issued under 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.

The 7 CFR 301.81-3 (d) provides for temporary designation of new quarantine areas pending publication of a rule to add counties or areas of a State to the list shown in 7 CFR 301.81-3 (e). The 7 CFR 301.81-3 (b) allows the APHIS Administrator to quarantine less than an entire State if certain determinations have been made by the Administrator. Those required determinations have been made by the APHIS Administrator in reference to Oklahoma and Tennessee. The 7 CFR 301.81-3 (c) allows the APHIS Administrator to include uninfested acreage within a quarantined area due to its proximity to an infestation or inseparability from the infested locality for quarantine purposes which the Administrator has determined in this Federal Order. The 7 CFR 301.81-3 (d) further requires written notification be given to the owner or person in possession of a newly quarantined area advising them of the quarantine and the necessity of complying with the regulatory requirements for the movement of regulated articles. This is the responsibility of the Federal and/or State regulatory personnel responsible for the IFA quarantine in the affected state.

Quarantine Areas:

Established populations of IFA have been confirmed in the following counties:

Oklahoma

The following **entire** counties: Atoka, Coal, Cotton, Garvin, Jackson, Jefferson, LeFlore, Murray, Pontotoc, Pushmataha, Stephens, and Tillman.

Tennessee

The following **entire** county: Coffee, Marshall, Maury

Infested **portions** of the following counties: Sevier and White.

Expanded **portions** of the following counties: Cumberland, Humphreys, and Williamson.

All of the counties in the states list above are quarantined because of the IFA plant pest whether the surveys showed that the entire county or infested portions of the county or expanded infested portions of the county confirmed the existence of established populations of IFA.

If you wish more details on the Federal IFA regulatory program, you may contact the Staff Officer Charles Brown at (301) 734-4838. For information on the IFA survey and regulatory program, please contact the APHIS State Plant Health Director for your state.

We continue to appreciate the cooperative relationship with the States of Oklahoma and Tennessee in our effort to prevent the artificial spread of IFA.