

FOR INFORMATION AND ACTION
DA-2010-13
April 16, 2010

SUBJECT: *Tilletia indica* (Mitra) Mundkur (Karnal Bunt) – Removal and Addition of Quarantine Areas in Arizona, California, and Texas

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is amending the Karnal bunt quarantine areas in Arizona, California, and Texas.

Following completion of the 2009 Karnal Bunt National Survey, it was determined that certain areas in Arizona, California, and Texas meet all requirements of the APHIS Karnal bunt eradication program. Accordingly, restrictions on the interstate movement of Karnal bunt regulated articles from these areas are no longer required. In Arizona, three counties are affected by this change-- 5,094 acres in La Paz County; 13,237 acres in the Chandler/Gilbert area of Maricopa County; and 76 acres in Pinal County have been removed from the list of regulated areas in Arizona. The area in California that has been removed from the list of regulated areas includes 14,287 acres in Riverside County. In Texas, 5,919 acres in Throckmorton County and 11,836 acres in Young County are no longer regulated. Following this action, there will be no remaining Karnal bunt quarantine areas in Texas.

APHIS is restricting the interstate movement of regulated articles from select fields in the Buckeye/Pretoria area of Maricopa County, Arizona. These actions are necessary to prevent the spread of Karnal bunt to non-infested areas. Karnal bunt is considered to be actionable and under eradication in the United States. During the 2009 survey of Karnal bunt regulated areas in Arizona, one sample was found to be positive for Karnal bunt. The sample was collected from a field that is adjacent to the current regulated area. As a result, the quarantine area in the Buckeye/Pretoria area of Maricopa County was expanded by 4,553 acres.

The attached Federal Order details the specific changes to the quarantine areas and documented on the following website:

http://www.aphis.usda.gov/plant_health/plant_pest_info/kb/index.shtml

APHIS will follow this emergency action with the publication of an Interim Rule in the Federal Register. For additional information, you may contact Lynn Evans-Goldner, National Program Manager at (301) 734-7228.

/s/ John H. Payne for

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

FEDERAL DOMESTIC QUARANTINE ORDER

Tilletia indica (Mitra) Mundkur (Karnal Bunt)

DA-2010-13

April 16, 2010

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 301.89.

Addition of Regulated Areas

Effective immediately, this Federal Order adds 4,553 acres in the Buckeye/Pretoria area of Maricopa County, Arizona to the Karnal bunt, *Tilletia indica* quarantine area. This action is in response to the detection of Karnal bunt in these additional fields. Following completion of the 2009 survey of Karnal bunt regulated areas, we have determined that these fields meet the criteria in § 301.89-3(e)(2) of the regulations. In accordance with § 301.89-3(e)(2), the fields are distinct definable areas that contain at least one field that was found during survey to contain a bunted wheat kernel. The distinct definable area may include an area where Karnal bunt is not known to exist but where intensive surveys are required because of the area's proximity to a field found during survey to contain a bunted wheat kernel.

Thus, the Administrator of the Animal and Plant Health Inspection Service (APHIS) finds it necessary to regulate the 4,553 acres in the Buckeye/Pretoria area of Maricopa County in order to prevent the spread of Karnal bunt. Accordingly, effective immediately, all interstate movement of Karnal bunt regulated articles from these fields must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.89 et seq. and any applicable provisions of this Federal Order.

Section 7 CFR 301.89-3(b) allows the designation of less than an entire state as a Karnal bunt regulated area only when the Administrator of APHIS has determined, as in this case, that the designation of less than an entire state as a regulated Karnal bunt area is adequate to prevent the interstate spread of infestations of Karnal bunt. In addition, 7 CFR 301.89-3(a) requires that the state enforces an intrastate Karnal bunt quarantine that is equivalent to the Federal Karnal bunt regulations. The State Plant Regulatory Official for Arizona has confirmed the establishment of an intra-state quarantine area for Karnal bunt that mirrors the Federal regulatory requirements as specified in 7 CFR 301.89.

Section 7 CFR 301.89-3 (d) provides for the temporary designation of new regulated areas pending publication of a rule to add counties to the list shown in 7 CFR 301.89-3(g). The 7 CFR 301.89-3 (d) 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 Karnal bunt program in the affected state.

Removal of Areas from Quarantine

The Administrator has determined, following completion of the 2009 survey of Karnal bunt regulated areas, that certain areas have met one or more of the criteria in § 301.89-3(f) of the regulations. In accordance with § 301.89-3(f) (2), the areas have been tilled at least once per year for a total of five years. After tilling, the fields were either planted with a crop or left fallow. For the fields that were planted with a host crop, the crop was tested negative, through the absence of bunted kernels, for Karnal bunt. We are adjusting the quarantine boundaries based on surveys that indicate the areas no longer meet the requirements for regulated areas. Accordingly, effective immediately, the interstate movement of Karnal bunt regulated articles from these fields is no longer regulated.

In Arizona, three counties will be affected by this change. The areas in Arizona that will be removed from the list of regulated areas include 5,094 acres in La Paz County, 13,237 acres in the Chandler/Gilbert area of Maricopa County, and 76 acres in Pinal County.

In California, one county will be affected by this change. The area in California that will be removed from the list of regulated areas includes 14,287 acres in Riverside County.

In Texas, two counties will be affected by this change. The areas in Texas that will be removed from the list of regulated areas include 5,919 acres in Throckmorton County and 11,836 acres in Young County. Following this action there will be no remaining Karnal bunt quarantine areas in Texas.

This Federal Order updates the regulated areas designated in the federal regulations located at 7CFR 301.89-3(g) pertaining to the expansion and removal of regulated areas. If you wish more details on the Federal Karnal bunt regulatory program, you may contact the Karnal Bunt National Program Manager, Lynn Evans-Goldner, at (301) 734-7228. We continue to appreciate the cooperative relationship with the State Regulatory Officials in our effort to prevent the spread of Karnal bunt.

QUARANTINE BOUNDARIES

La Paz County, Arizona needs to be **updated** to the following:

La Paz County. Beginning at the northeast corner of sec. 24, T. 8 N., R. 21 W.; then south to the southeast corner of sec. 1, T. 7 N., R. 21 W.; then east to the northeast corner of sec. 7, T. 7 N., R. 20 W.; then south to the southeast corner of sec. 19, T. 7 N., R. 20 W.; then west to the southwest corner of sec. 19, T. 7 N., R. 20 W.; then south to the southeast corner of sec. 36, T. 7 N., R. 21 W.; then west to the southwest corner of sec. 36, T. 7 N., R. 21 W.; then south to the southeast corner of sec. 2, T. 6 N., R. 21 W.; then west to the southwest corner of sec. 2, T. 6 N., R. 21 W.; then south to the southeast corner of sec. 10, T. 6 N., R. 21 W.; then west to the southwest corner of sec. 8, T. 6 N., R. 21 W.; then north to the southwest corner of sec. 5, T. 6 N., R. 21 W.; then west to the southwest corner of sec. 6, T. 6 N., R. 21 W.; then north to the northwest corner of sec. 6, T. 6 N., R. 21 W.; then west to the southwest corner of sec. 36, T. 7 N., R. 22 W., then north to the northwest corner of sec. 24, T. 7 N., R. 22 W.; then east to the northeast corner of sec. 24, T. 7 N., R. 22 W.; then north to the point of intersection with the Colorado River; then northeast along the Colorado River to its intersection with the northern boundary of sec. 16, T. 8 N., R. 21 W.; then east to the northeast corner of sec. 14, T. 8 N., R. 21 W.; then south to the southeast corner of sec. 14, T. 8 N., R. 21 W.; then east to the point of beginning.

Maricopa County, Arizona (paragraph 1) needs to be **updated** to the following:

Maricopa County. (1) Beginning at the southeast corner of sec. 8, T. 1 S., R. 2 E.; then west to the southwest corner of sec. 8, T. 1 S., R. 2 E.; then south to the southeast corner of sec. 18, T. 1 S., R. 2 E.; then west to the southwest corner of sec. 14, T. 1 S., R. 1 E.; then north to the northwest corner of sec. 14, T. 1 S., R. 1 E.; then west to the southwest corner of sec. 9, T. 1 S., R. 1 E.; then north to the northwest corner of sec. 9, T. 1 S., R. 1 E.; then west to the southwest corner of sec. 5, T. 1 S., R. 1 E.; then north to the northwest corner of sec. 5, T. 1 S., R. 1 E.; then west to the northeast corner of sec. 6, T. 1 S., R. 1 W.; then south to the southeast corner of sec. 7, T. 1 S., R. 1 W.; then west to the northeast corner of sec. 14, T. 1 S., R. 2 W.; then south to the southeast corner of sec. 14, T. 1 S., R. 2 W.; then west to the northeast corner of sec. 20, T. 1 S., R. 2 W.; then south to the southeast corner of sec. 20, T. 1 S., R. 2 W.; then west to the northeast corner of sec. 29, T. 1 S., R. 3 W.; then south to the southeast corner of sec. 29, T. 1 S., R. 3 W.; then west to the southwest corner of sec. 26, T. 1 S., R. 5 W.; then north to the northwest corner of sec. 14, T. 1 N., R. 5 W.; then east to the southwest corner of sec. 7, T. 1 N., R. 2 W.; then north to the northwest corner of sec. 7, T. 1 N., R. 2 W.; then east to the northeast corner of sec. 7, T. 1 N., R. 2 W.; then north to the northwest corner of sec. 5, T. 1 N., R. 2 W.; then east to the northeast corner of sec. 5, T. 1 N., R. 2 W.; then north to the northwest corner of sec. 33, T. 2 N., R. 2 W.; then east to the northeast corner of sec. 33, T. 2 N., R. 2 W.; then north to the northwest corner of sec. 3, T. 3 N., R. 2 W.; then east to the northeast corner of sec. 1, T. 3 N., R. 1 W.; then south to the northwest corner of sec. 19, T. 3 N., R. 1 E.; then east to the northeast corner of sec. 20, T. 3 N., R. 1 E.; then south to the northeast corner of sec. 29, T. 3 N., R. 1 E.; then east to the northeast corner of sec. 27, T. 3 N., R. 1 E.; then south to the southeast corner of sec. 27, T. 3 N., R. 1 E.; then east to the northeast corner of sec. 35, T. 3 N., R. 1 E.; then south to the southeast corner of sec. 35, T. 3 N., R. 1 E.; then east to the northeast corner of sec. 1, T. 2 N., R. 1 E.; then south to the northeast corner of sec. 1, T. 1 N., R. 1 E.; then east to

the northeast corner of sec. 4, T. 1 N., R. 2 E.; then south to the northwest corner of sec. 15, T. 1 N., R. 2 E.; then east to the northeast corner of sec. 14, T. 1 N., R. 2 E.; then south to the southeast corner of sec. 35, T. 1 N., R. 2 E.; then west to the northeast corner of sec. 3, T. 1 S., R. 2 E.; then south to the southeast corner of sec. 3, T. 1 S., R. 2 E.; then west to the southwest corner of sec. 4, T. 1 S., R. 2 E.; then south to the point of beginning.

Maricopa County, Arizona (paragraph 2) needs to be **updated** to the following:

Maricopa County. (2) Beginning at the intersection of the Maricopa/Pinal County line and the southeast corner of sec. 36, T. 2 S., R. 7 E.; then west along the Maricopa/Pinal County line to the southwest corner of sec. 33, T. 2 S., R. 5 E.; then north to the northwest corner of sec. 33; then west to the southwest corner of sec. 30, T. 2 S., R. 5 E.; then north to the southeast corner of sec. 25, T. 2 S., R. 4 E.; then west to the southwest corner of sec. 25, T. 2 S., R. 4 E.; then north to the southwest corner of sec. 13, T. 2 S., R. 4 E.; then west to the southwest corner of sec. 15, T. 2 S., R. 4 E.; then north to the northwest corner of sec. 3, T. 2 S., R. 4 E.; then east to the southwest corner of sec. 35, T. 1 S., R. 4 E.; then north to the northwest corner of sec. 35, T. 1 S., R. 4 E.; then east to the northeast corner of sec. 33, T. 1 S., R. 5 E.; then north to the northwest corner of sec. 27, T. 1 S., R. 5 E.; then east to the northeast corner of sec. 27, T. 1 S., R. 5 E.; then north to the northwest corner of sec. 23, T. 1 S., R. 5 E.; then east to the northeast corner of sec. 21, T. 1 S., R. 6 E.; then south to the southeast corner of sec. 21, T. 1 S., R. 6 E.; then east to the northeast corner of sec. 27, T. 1 S., R. 6 E.; then south to the southeast corner of sec. 27, T. 1 S., R. 6 E.; then east to the northeast corner of sec. 31, T. 1 S., R. 7 E.; then south to the northwest corner of sec. 5, T. 2 S., R. 7 E.; then east to the northeast corner of sec. 3, T. 2 S., R. 7 E.; then north to the northwest corner of sec. 35, T. 1 S., R. 7 E.; then east to the northeast corner of sec. 36, T. 1 S., R. 7 E. and the Maricopa/ Pinal County line; then south along the Maricopa/Pinal County line to the point of beginning.

Pinal County, Arizona (paragraph 2) needs to be **updated** to remove the following sentence in its entirety as shown below:

Pinal County. (3) The following individual fields in Pinal County are regulated areas: 309021804 and 309050104 (Remove this sentence).

Riverside County, California needs to be **updated** to the following:

Riverside County. That portion of Riverside County known as the Palo Verde Valley (in part) bounded by a line drawn as follows: Beginning at the intersection of 22nd Avenue and State Highway 78; then, north along State Highway 78 to its intersection with an unnamed road at 33.548088 latitude and -114.656718 longitude; then east to its intersection with an unnamed canal at 33.548066 latitude and -114.647868 longitude; then, north along the unnamed canal to its intersection with 33.548360 latitude and -114.647877 longitude; then, east to its intersection with 33.548360 latitude and -114.643696 longitude; then, north to its intersection with 33.550088 latitude and -114.643692 longitude; then, east to its intersection with 33.550044 latitude and -114.639367 longitude; then, north to its intersection with 33.551705 latitude and -114.639367 longitude; then, east to its intersection with the Atchison, Topeka, and Santa Fe Railroad at

33.551740 latitude and -114.634545 longitude; then, southwest along the Atchison, Topeka, and Santa Fe Railroad to its intersection with 33.548300 latitude and -114.637487 longitude; then, east to its intersection with the C Canal at 33.548277 latitude and -114.626363 longitude; then, north along the C Canal to its intersection with 33.549084 latitude and -114.626372 longitude; then, east to its intersection with South Defrain Boulevard at 33.549145 latitude and -114.621792 longitude; then, south along South Defrain Boulevard to its intersection with 33.548217 latitude and -114.621774 longitude; then, east to its intersection with Lovekin Drain at 33.548338 latitude and -114.612488 longitude; then, south along Lovekin Drain to its intersection with 22nd Avenue; then, east along 22nd Avenue to its intersection with South Lovekin Boulevard; then south along South Lovekin Boulevard to its intersection with 33.541141 latitude and -114.603889 longitude; then, east to its intersection with 33.541274 latitude and -114.595394 longitude; then, southeast to its intersection with 33.540357 latitude and -114.595219 longitude; then south to its intersection with 33.536702 latitude and -114.595261 longitude; then, northeast to its intersection with 33.537766 latitude and -114.593187 longitude; then, east to its intersection with an intersection with an unnamed canal beginning at 33.537887 latitude and -114.586582 longitude; then, south along the unnamed canal to 33.534809 latitude and -114.586554 longitude; then, southeast to its intersection with S C and D Boulevard at 33.534561 latitude and -114.586228 longitude; then, south along S C and D Boulevard to 33.523400 latitude and -114.585948 longitude; then, east to its intersection with the D-10-11 Canal at 33.523596 latitude and -114.577832 longitude; then, southwest along the D-10-11 Canal, to its intersection with the boundary line of Riverside County at 33.540900 latitude and -114.544620 longitude; then, southeast, along the Riverside County boundary line to its intersection with 33.455829 latitude and -114.623143 longitude; then, west to its intersection with 33.455783 latitude and -114.669038 longitude; then, north to its intersection with South End Drain at 33.456190 latitude and -114.669076 longitude; then, north along South End Drain to its intersection with 34th Avenue; then west along 34th Avenue to its intersection with 33.463226 latitude and -114.682378 longitude; then, north to its intersection with the C-18-1 Canal; then, west along the C-18-1 Canal to the point at 33.470427 latitude and -114.691076 longitude; then, north from said point to its intersection with an unnamed canal at latitude 33.474836 and -114.691197 longitude; then, southwest along the unnamed canal to its intersection with Palo Verde Lagoon; then, northeast along Palo Verde Lagoon, to its intersection with Rannells Drain; then, north along Rannells Drain to its intersection with 33.499639 latitude and -114.961526 longitude; then, north to its intersection with the C-03 Canal; then, north along the C-03 Canal to its intersection with 33.522835 latitude and -114.687051 longitude; then, north to its intersection with 24th Avenue; then east along 24th Avenue to its intersection with the C-03 Canal; then, north along the C-03 Canal to its intersection with 33.537501 latitude and -114.682892 longitude; then, east to its intersection with Stephenson Boulevard; then, north along Stephenson Boulevard to its intersection with 22nd Avenue; then, east along 22nd Avenue to the point of beginning.

Throckmorton County, Texas needs to be **updated** to remove the following paragraph in its entirety as shown below:

Throckmorton County. Beginning in the northeastern portion of the county at the line of longitude -98.9921° W and the line of latitude 33.2836° N; then south along the line of longitude -98.9921° W to the line of latitude 33.2055° N; then east along the line of latitude 33.2055° N to the line of longitude -98.9891° W; then south along the line of longitude -98.9891° W to the line

of latitude 33.1809° N; then east along the line of latitude 33.1809° N to the Throckmorton/Young County line at the line of longitude -98.9527° W; then north along the line of longitude -98.9527° W to the line of latitude 33.2836° N; then west along the line of latitude 33.2836° N to the point of beginning. (Remove this paragraph).

Young County, Texas needs to be **updated** to remove the following paragraph in its entirety as shown below:

Young County: Beginning in the northwestern portion of the county at the line of longitude-98.9527° W and the line of latitude 33.2836° N; then south along the line of longitude -98.9527° W to the line of latitude 33.1809° N; then east along the line of latitude 33.1809° N to the line of longitude -98.8762° W; then north along the line of longitude -98.8762° W to the line of latitude 33.1946° N; then east along the line of latitude 33.1946° N to the line of longitude -98.8356° W; then north along the line of longitude -98.8356° W to the line of latitude 33.2880° N; then west along the line of latitude 33.2880° N to the line of longitude -98.9430° W; then south along the line of longitude -98.9430° W to the line of latitude 33.2836° N; then west along the line of latitude 33.2836° N to the point of beginning. (Remove this paragraph).