

FOR INFORMATION AND ACTION
DA-2013-38
September 5, 2013

Subject: APHIS Removes Plum Pox Virus Regulated Areas in Orleans and Wayne Counties,
New York

To: State and Territory Agricultural Regulatory Officials

The successful partnership of the Animal and Plant Health Inspection Service (APHIS), the New York State Department of Agriculture and Markets (NYSDAM), the Tuscarora Nation of New York, and the stone fruit industry has eradicated plum pox virus (PPV) from Orleans and Wayne Counties in New York. The attached Federal Order removes these areas from PPV regulated area, effective immediately.

Since the initial detection of PPV in New York in 2006, APHIS and its State, Tribal, and industry partners have worked together to conduct eradication and survey activities throughout the State. Based on three years of negative survey results, which included all orchards and residential properties with host plants within the regulated areas, APHIS has determined that the PPV program has met the criteria for removal of the PPV regulated areas in Orleans and Wayne Counties in New York.

While Federal interstate movement restrictions will no longer be in effect for Orleans County or Wayne County, certain New York State regulations will remain in place. Specifically, people may once again plant PPV-host *Prunus* trees for fruit or ornamental purposes in what was once a “no plant zone”. New York State regulations still prohibit PPV-host plant propagation, including budwood collection and nursery plantings.

APHIS will continue to regulate portions of Niagara County in New York and survey for PPV via a cooperative program due to a positive test result for PPV in 2011. No positive detections of PPV occurred in Niagara County in 2012.

For additional information regarding this program, you may call National Policy Manager Lynn Evans-Goldner at (301) 851-2286.

APHIS continues to appreciate the cooperative relationship with NYSDAM, the Tuscarora Nation, and the stone fruit industry in our effort to eradicate plum pox virus.

/s/ Osama El-Lissy

Osama El-Lissy
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

Federal Order
Plum Pox Virus Domestic Quarantine
DA-2013-38
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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). The Act 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. This Federal Order is likewise issued pursuant to the regulations promulgated under the Plant Protection Act found at 7 CFR 301.74 *et seq.*

Regulations for plum pox virus (PPV) were first promulgated on September 14, 2000, due to the detection of this exotic plant virus. Also known as Sharka, PPV is the most devastating viral disease worldwide of stone fruit, causing yield losses to growers and reducing the marketability of fruit and nursery stock. The regulations located at 7 CFR § 301.74 established provisions to address plant pest risk associated with PPV. Since that time, APHIS has been conducting survey and eradication activities in cooperation with the Commonwealth of Pennsylvania, the State of Michigan, the State of New York, the Tuscarora Nation of New York, and the stone fruit industry. Plum pox virus has been eradicated from Michigan and Pennsylvania.

The APHIS Administrator has now determined PPV to be eradicated in Orleans and Wayne Counties in New York based on three years of negative survey, which included all orchards and residential properties with host plants within the quarantine areas. The survey method included the collection of leaves from host plants and testing for PPV using a standard enzyme-linked immunosorbent assay (ELISA) test. Quality control and backup testing were done using polymerase chain reaction (PCR) testing. Accordingly, the Administrator has determined that the imposition of a Federal quarantine for PPV is no longer necessary in the aforementioned areas. Effective immediately, this Federal Order removes the following areas in New York from the list of federal PPV quarantined areas:

Orleans County. That area of Orleans County in the Towns of Ridgeway and Gaines bordered on the north by Route 104 (Ridge Road) at its intersection with Eagle Harbor Waterport Road; then south on Eagle Harbor Waterport Road to Eagle Harbor Knowlesville Road; then west on Eagle Harbor Knowlesville Road to Presbyterian Road; then southwest on Presbyterian Road to Longbridge Road; then south on Longbridge Road to State Route 31; then west on State Route 31 to Wood Road; then south on Wood Road to West County House Road; then west on West County House Road to Maple Ridge Road; then west on Maple Ridge Road to Culvert Road; then north on Culvert Road to Telegraph Road; then west on Telegraph Road to Beales Road; then north on Beales Road to Portage Road; then east on Portage Road to Culvert Rd; then north on Culvert Road to Route 104 (Ridge Road).

Wayne County. (1) That area of Wayne County in the Town of Sodus bordered on the north by Lake Road at its intersection with Redman Road; then east on Lake Road to Maple Avenue; then south on Maple Avenue to Middle Road; then west on Middle Road to Rotterdam Road; then

south on Rotterdam Road to State Route 104; then west on State Route 104 to Pratt Road; then south on Pratt Road to Ridge Road; then west on Ridge Road to Richardson Road; then south on Richardson Road to Tripp Road; then south on Tripp Road to Podger Road; then west on Podger Road to East Townline Road; then north on East Townline Road to Everdyke Road; then west on Everdyke Road to Russell Road; then south on Russell Road to Pearsall Road; then west on Pearsall Road to State Route 21; then north on State Route 21 to State Route 104; then east on State Route 104 to East Townline Road; then north on East Townline Road to Van Lare Road; then east on Van Lare Road to Redman Road; then north on Redman Road to Lake Road.

(2) That area of Wayne County in the Towns of Ontario and Williamson bordered on the north by Shepard Road at its intersection with Fisher Road; then east on Shepard Road to Salmon Creek Road; then southwest on Salmon Creek Road to Kenyon Road; then west on Kenyon Road to Furnace Road; then north on Furnace Road to Putnam Road; then east on Putnam Road to Fisher Road; then north on Fisher Road to Shepard Road.

(3) That area of Wayne County in the Town of Sodus beginning on the Sodus Bay shoreline at Ridge Road; then west on Ridge Road to Boyd Road; then north on Boyd Road to Sergeant Road; then north on Sergeant Road to Morley Road; then east on Morley Road to State Route 14; then north on State Route 14 to South Shore Road; then east on South Shore Road and continuing to the shoreline of Sodus Bay.

This Federal Order updates the list of quarantined areas in the federal regulations at 7 CFR § 301.74 and will be followed by an interim rule. If you would like more details on the PPV regulatory program, you may call PPV National Policy Manager Lynn Evans-Goldner at (301) 851-2286.

APHIS continues to appreciate the cooperative relationship with the New York State Department of Agriculture and Markets, the Tuscarora Nation of New York, and the stone fruit industry in our effort to prevent the spread of PPV.