

FOR INFORMATION AND ACTION  
DA-2012-51  
December 04, 2012

SUBJECT: APHIS Adds Lewis, Macon, and Marion Counties, Missouri, to the Pine Shoot Beetle Regulated Area

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

In response to the confirmation of pine shoot beetle (PSB), *Tomicus piniperda*, in Lewis, Macon, and Marion Counties in Missouri, the Animal and Plant Health Inspection Service (APHIS) is expanding its PSB regulated area to include these areas. This action, which is effective immediately, is necessary to restrict the movement of PSB-host material to uninfested areas of the United States.

The attached Federal Order describes the new regulated area, along with the associated reference to the regulatory requirements per 7 CFR §301.50, which lists the provisions for the movement of PSB-host material.

For more information concerning APHIS' PSB Regulatory Program, please contact Joseph Beckwith, Field Operations Manager, at (919) 855-7345. For information on the regulatory requirements for interstate movement of articles out of Missouri, please contact the State Plant Health Director, Michael Brown, at (573) 893-6833.

**/s/ Osama El-Lissy for**

Rebecca A. Bech  
Deputy Administrator  
Plant Protection and Quarantine

Attachment (1):  
Federal Order

**FEDERAL ORDER**  
**Domestic Quarantine of Lewis, Macon, and Marion Counties, Missouri,**  
**for Pine Shoot Beetle (PSB) (*Tomicus piniperda*)**

**DA-2012-51**  
**December 4, 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 §301.50.

Effective immediately, this Federal Order quarantines Lewis, Macon, and Marion Counties in Missouri for PSB, *Tomicus piniperda*. This action is in response to detection of PSB in these counties. Thus, the Administrator of the Animal and Plant Health Inspection Service (APHIS) finds it necessary to regulate Lewis, Macon, and Marion Counties, Missouri, in order to prevent the spread of PSB. Accordingly, all interstate movement of PSB regulated articles from the counties identified above must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act found in 7 CFR 301.50 *et seq.*

APHIS has confirmed detections of PSB 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 PSB. The quarantined areas are designated in the Federal regulations located at 7 CFR §301.50 and in the Federal Orders located at the following APHIS website: [http://www.aphis.usda.gov/plant\\_health/plant\\_pest\\_info/psb/index.shtml](http://www.aphis.usda.gov/plant_health/plant_pest_info/psb/index.shtml)

Section 7 CFR §301.50-3(a) allows the quarantine of less than an entire State as a PSB quarantined area only when the Administrator of APHIS has determined, as in this case, that the designation of less than an entire state as a quarantined PSB area is adequate to prevent the interstate spread of this pest. In addition, 7 CFR §301.50-3(a) requires that the state adopt and enforce an intrastate PSB quarantine that is equivalent to the Federal PSB regulations. Within 30 days of this Order, the State Plant Regulatory Official for Missouri must confirm the establishment of an intrastate quarantine for the counties listed above that mirrors the Federal PSB regulatory requirements as specified in 7 CFR §301.50. The confirmation will be made in writing to the APHIS State Plant Health Director for Missouri.

Section 7 CFR §301.50-3(b) provides for the temporary designation of new quarantine areas pending publication of a rule to add those new quarantine areas to the list shown in 7 CFR §301.50-3(c). Section 7 CFR §301.50-3(b) further requires written notification be given to the owners of property in a newly quarantined area, advising them of the quarantine and the necessity of complying with the imposed APHIS requirements for the

interstate movement of regulated articles. This is the responsibility of the Federal and/or State regulatory personnel responsible for the PSB program in the affected state.

For more information concerning APHIS' PSB Regulatory Program, you may contact Joseph Beckwith, Field Operations Manager at (919) 855-7345. For information on the regulatory requirements for interstate movement of articles out of Missouri, please contact the State Plant Health Director, Michael Brown at (573) 893-6833.

APHIS continues to appreciate the cooperative relationship with the State of Missouri in our mutual effort to prevent the spread of quarantine pests, including PSB.