

FOR INFORMATION AND ACTION
DA-2016-02

JAN - 7 2016

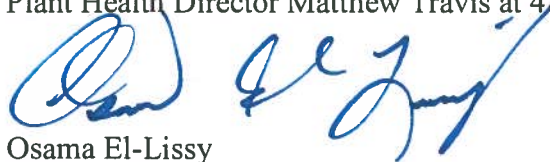
Subject: APHIS Adds Scotland County, Missouri, and all of Maryland to the Pine Shoot Beetle (*Tomicus piniperda* (L.)) Regulated Area

To: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is expanding its pine shoot beetle regulated area to include Scotland County in Missouri and all of Maryland. APHIS is taking this action in response to the confirmation of pine shoot beetle (PSB), *Tomicus piniperda*, in both Maryland and Scotland County in Missouri.

The attached Federal Order describes the new regulated areas and includes the associated reference to the regulatory requirements in the Code of Federal Regulations (7 CFR §301.50), which lists the provisions for the movement of PSB host material. This action is necessary to restrict the movement of PSB-host material so that it does not go to noninfested areas of the United States.

For more information concerning APHIS' Pine Shoot Beetle Regulatory Program, please call National Policy Manager William Wesela at 301-851-2229. For information on the regulatory requirements for the interstate movement of articles out of Missouri, please call APHIS State Plant Health Director Michael Brown at 573-893-6833. For information on the regulatory requirements for the interstate movement of articles out of Maryland, please call APHIS State Plant Health Director Matthew Travis at 410-288-5541.



Osama El-Lissy
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

FEDERAL ORDER

Domestic Quarantine of Scotland County, Missouri, and all of Maryland for Pine Shoot Beetle
(*Tomicus piniperda* (L.))

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This Federal Order expands the list of regulated areas for pine shoot beetle (PSB), *Tomicus piniperda*, to include Scotland County in Missouri and all of Maryland.

This Federal Order is issued in accordance with 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 also issued pursuant to the regulations promulgated under the Plant Protection Act and found in the Code of Federal Regulations at 7 CFR 301.50 *et seq.*

Effective immediately, this Federal Order quarantines Scotland County in Missouri and all of Maryland for PSB. This action responds to the detection of PSB in this county and state. To prevent the spread of PSB, the Administrator of the Animal and Plant Health Inspection Service (APHIS) finds it necessary to regulate Scotland County, Missouri and all of Maryland. Accordingly, all interstate movement of PSB regulated articles from the identified county and state must be done in accordance with any applicable provisions of this Federal Order and the regulations promulgated pursuant to the Plant Protection Act found at 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 a quarantine is necessary to prevent the human assisted spread of PSB. The quarantined areas are designated in the Code of 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/psb>

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 PSB-quarantined area is adequate to prevent the interstate spread of the pest. In addition, 7 CFR §301.50-3(a) requires that the state adopt and enforce an intrastate PSB quarantine for the county listed above that mirrors the federal PSB regulatory requirements as specified in 7 CFR § 301.50.

Section 7 CFR §301.50-3(b) provides for the temporary designation of new quarantine areas pending the publication of a rule to add those new quarantine areas to the list shown in 7 CFR §301.50-3(c). Furthermore, Section 7 CFR §301.50-3(b) requires written notification to the property owners in a newly quarantined area, advising them of the quarantine and the necessity of complying with APHIS' requirements for the interstate movement of regulated articles. This is the responsibility of the federal and/or state regulatory personnel who are responsible for the PSB program in the affected state.

Previous Federal Orders pertaining to the expansion of quarantined areas in the PSB domestic regulations have been necessary due to the continuing spread of PSB. This Federal Order further expands the quarantined areas as described in the previous PSB Federal Orders.

For more information concerning APHIS' Pine Shoot Beetle Regulatory Program, you may call PSB National Policy Manager William Wesela at 301-851-2229. For information on the regulatory requirements to move articles out of quarantined areas in Missouri, please call APHIS State Plant Health Director Michael Brown at 573-893-6833. For information on the regulatory requirements for the interstate movement of articles out of Maryland, please call APHIS State Plant Health Director Matthew Travis at 410-288-5541.

We continue to appreciate the cooperative relationship with Missouri and Maryland in our effort to prevent the spread of PSB.