

FEDERAL ORDER

Domestic Quarantine of Mercer County in Pennsylvania for Emerald Ash Borer (*Agrilus planipennis*)

This Federal 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 and the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.53.

This Federal Order quarantines, effective immediately, Mercer County, Pennsylvania for Emerald Ash Borer (EAB), *Agrilus planipennis*. This action is in response to a confirmed detection of EAB in Mercer County. The Administrator of the Animal and Plant Health Inspection Service (APHIS) has determined that it is necessary to quarantine this area in order to prevent the spread of EAB. Accordingly, effective immediately, all interstate movement of EAB regulated articles from Mercer County must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.53 et seq.

7 CFR 301.53-3(a) allows the designation of less than an entire State as a EAB 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 EAB area is adequate to prevent the interstate spread of infestations of Emerald Ash Borer. In addition, 7 CFR 301.53-3(a) requires that the State enforces an intrastate EAB quarantine that are equivalent to the Federal EAB regulations. The Pennsylvania Department of Agriculture has established an intrastate quarantine for Mercer County under a Pennsylvania interior quarantine that mirrors Federal requirements for Emerald Ash Borer.

7 CFR 301.53-3 (b) provides for the temporary designation of new quarantined areas pending publication of a rule to add counties to the list shown in 7 CFR 301.53-3(c). 7 CFR 301.53-3 (b) 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 EAB program in the affected State.

We continue to appreciate the cooperative relationship with the State of Pennsylvania in our effort to prevent the spread of EAB. If you wish more details on the Federal EAB regulatory program, you may contact the EAB National Program Coordinator, Paul Chaloux, at Area Code (301) 734-0917. For information on regulatory requirements for movement of articles out of Pennsylvania, please contact the APHIS State Plant Health Director, Coanne O'Hern.