

FOR INFORMATION  
DA-2013-43  
September 18, 2013

Subject: APHIS Updates Conditions for Intrastate Movement of Citrus from Asian Citrus  
Psyllid Regulated Areas

To: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is allowing, under certain conditions, the intrastate movement of regulated plant parts associated with citrus fruit from the Asian citrus psyllid (ACP) regulated areas.

Specifically, attached or detached leaves, stems, branches, and debris from regulated host plants that are associated with citrus fruit from an ACP regulated area may move intrastate to a processing plant, packinghouse, or disposal facility located outside of the regulated area. To be eligible for movement, the state must have an established state-led monitoring program that includes periodic on-site inspections and monitoring. In addition, the movement must occur under specified conditions as described in compliance agreements.

APHIS is taking these actions to prevent the spread of ACP into non-infested areas of the United States. The attached Federal Order outlines the requirements for the intrastate movement of ACP-regulated articles and includes the amendments to the current conditions for movement that apply to all states with less than full state quarantines for ACP.

APHIS will post a description of the ACP regulated area in the citrus-producing states at:

[http://www.aphis.usda.gov/plant\\_health/plant\\_pest\\_info/citrus\\_greening/index.shtml](http://www.aphis.usda.gov/plant_health/plant_pest_info/citrus_greening/index.shtml)

Since 2009, APHIS has regulated several citrus-producing states for ACP, the insect that transmits citrus greening.

For additional information regarding this program, please call Citrus Health Response Program National Coordinator Prakash Hebbar at (301) 851-2228 or National Policy Manager for Citrus Disease Programs Lynn Evans-Goldner at (301) 851- 2286.

/s/

Osama El-Lissy  
Deputy Administrator  
Plant Protection and Quarantine

## **FEDERAL ORDER**

### **Domestic Quarantine for the Asian Citrus Psyllid (*Diaphorina citri*) Revised Conditions for Movement**

**DA-2013-43**

**September 18, 2013**

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 §301.76.

The current regulations at 7 CFR §301.76 govern the interstate movement of Asian citrus psyllid (ACP) regulated articles from ACP quarantined areas. This Federal Order amends the conditions for movement to allow regulated plant parts associated with fruit to move from any ACP quarantined area to packinghouses, processing facilities, and receiving facilities under compliance agreements. The purpose of this Federal Order is to prevent the spread of ACP while facilitating safe interstate trade. Effective September 18, 2013, the regulated plant parts associated with fruit from ACP quarantined areas can be moved to packinghouses, processing facilities, and receiving facilities as described in this Federal Order.

#### **A. Quarantined Areas:**

A description of all areas quarantined for ACP can be found on the Plant Protection and Quarantine (PPQ) Web site at:  
([http://www.aphis.usda.gov/plant\\_health/plant\\_pest\\_info/citrus\\_greening/index.shtml](http://www.aphis.usda.gov/plant_health/plant_pest_info/citrus_greening/index.shtml)).

Section 7 CFR §301.76-3(a) and (c) provide for the Administrator to designate an area as a quarantined area for ACP in each State, or each portion of a State, in which an established population of ACP is detected or when the Administrator considers it necessary to quarantine the area because of its inseparability for quarantine enforcement purposes from localities in which ACP has been found. Section 7 CFR §301.76-3(b) allows the designation of less than an entire State as an ACP quarantined area only if the Administrator determines that the State has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are equivalent to those imposed by APHIS for the interstate movement of regulated articles, and the designation of less than the entire State as a quarantined area will prevent the interstate spread of ACP.

The Administrator or an inspector may temporarily designate any non-quarantined area as a quarantined area. The Administrator will give a copy of this Order, along with a written notice for the temporary designation, to the owner or person in possession of the area to be established

as a quarantined area. Thereafter, the interstate movement of any regulated article from an area temporarily designated as a quarantined area will be subject to this Order. When feasible, this area will be added to the list of quarantined areas or the designation will be terminated by the Administrator or an inspector. The owner or person in possession of an area for which a quarantine designation is terminated will be given notice of the termination as soon as possible.

## **B. Regulated Articles:**

The regulated articles for ACP are listed in the regulations at 7 CFR §301.76-2.

## **C. Conditions for Movement of Regulated Articles:**

Articles regulated for ACP are prohibited from movement from ACP quarantined areas except under all of the following conditions:

1. Nursery stock may move from quarantined areas if it is moved in accordance with all regulations found in 7 CFR §301.76, the APHIS protocol entitled “Interstate Movement of Citrus and Other Rutaceous Plants for Planting from Areas Quarantined for Citrus Canker, Citrus Greening, or Asian Citrus Psyllid”, and all applicable State regulations.
2. If a State with an ACP-only quarantined area has an established State monitoring program which includes periodic on-site inspections and monitoring of intrastate movement conducted by the State, the State may allow intrastate movement of attached or detached leaves, stems, branches, and debris of regulated ACP host plants that are attached to or associated with fruit that is harvested within a quarantined area to a packinghouse, processing facility, receiving facility, or to a disposal facility located outside of the quarantined area, if all of the following conditions are met:
  - a. Grove owners, grove managers, harvesters, haulers, transporters, packinghouse owners, processing plant owners, and receivers must have a signed Compliance Agreement with the State official; and
  - b. Grove owners, grove managers, harvesters, haulers, transporters, packinghouse owners, processing plant owners, and receivers must comply with a State monitoring program. This program must include periodic on-site inspections, and monitoring for the movement of attached or detached leaves, stems, branches and debris of regulated ACP host plants that are attached to, or associated with, fruit that is harvested within a quarantined area and moved outside of the quarantined area for packing, processing, or disposal.
  - c. Grove owners must operate under a Compliance Agreement that stipulates the following conditions:
    - i. Grove owners/managers should work with the harvest crew to remove as many leaves, stems, and any other plant material, as feasible, during fruit picking and prior to movement of harvested fruit outside of the quarantined area; and/or

- ii. Grove owners/managers may move harvested fruit that is compliant with a State monitoring program that ensures that harvested fruit is free of ACP; and
    - iii. If the grove owners/managers also harvest and/or transport/haul the harvested fruit to packinghouses/processing/receiving facilities outside of the quarantined area, then all stipulations outlined in Sections “d” and “e” must also be followed.
  - d. Harvesters must operate under a Compliance Agreement that stipulates all of the following conditions:
    - i. Only fruit harvested from groves whose owners have signed Compliance Agreements will be moved out of the quarantined area; and
    - ii. Harvesters will work with grove managers to remove as many leaves, stems, and any other plant material, as feasible, during fruit picking and prior to movement of harvested fruit outside of the quarantined area; and
    - iii. If the harvesters also transport/haul the fruit to packinghouses/processing/receiving facilities outside of the quarantined area, then all stipulations outlined in Section “e” must also be followed.
  - e. Transporters/haulers must operate under a Compliance Agreement that stipulates all of the following conditions:
    - i. Attached or detached leaves, stems, branches, and debris of regulated ACP host plants that are attached to or associated with fruit that is harvested within a quarantined area must be transported in vehicles with ACP proof barriers including but not limited to the following:
      - (1) If the vehicle has solid wall construction on the sides and rear of the cargo area, then the cargo area must be covered with a solid tarpaulin on the open top before the vehicle departs from the loading site; or
      - (2) If the vehicle has side- and rear-wall construction of wire mesh screen or expanded metal, then the cargo area must be covered completely (to the bed of the vehicle) with a solid tarpaulin before the vehicle departs from the loading site.
    - ii. Vehicles transporting pallet boxes, field boxes, field bins, etc., must have the cargo area completely covered with a solid tarpaulin or with ACP-proof barriers that extend below the tops of the bottom row of boxes before the vehicle departs from the loading site; and
    - iii. Tarpaulins or covers used as ACP-proof barriers must be in good repair (i.e., no holes, rips or tears), and securely fastened or tied down in a manner that will also

prevent the loss of fruit, leaves, stems, branches and plant debris while in transit;  
and

- iv. Vehicles from quarantined areas must be given top priority for loading, transport, and unloading; and
  - v. Vehicles, trailers, tarpaulins, field boxes, field bins, and fruit containers must be cleaned of plant debris before departing from the packinghouse/processing facility/receiving facility and the debris must be disposed of as outlined in Section f. ix. below.
- f. Packinghouses/processors/receivers that receive fruit from an ACP quarantined area must operate under a Compliance Agreement that stipulates all of the following:
- i. A minimum of five Asian Citrus Psyllid (ACP) traps will be deployed inside the packinghouse or processing facility, at least five traps will be deployed outside of the packinghouse or processing facility, and all traps will be checked weekly for ACP; and
  - ii. Trapping shall begin prior to harvest and continue until no more fruit from the quarantined area is sent to the facility for packing or processing; and
  - iii. If an ACP is found, it must be reported to State Department of Agriculture regulatory officials immediately; and
  - iv. All leaves, stems, branches, and debris that are attached to, or associated with, fruit shipments will be collected and safeguarded at the packinghouse/processing facility/receiving facility; and
  - v. Vehicles from quarantined areas must be given top priority for receiving, handling, processing, and packing; and
  - vi. Fruit must undergo standard industry packinghouse procedures such as washing, brushing, disinfecting, treatment, and waxing; and
  - vii. After shipments are emptied at the processing facility, packinghouse, and/or receiving facility, the trailers, tarpaulins, field boxes, field bins, and packing equipment must be cleaned of all leaves, stems, branches and other plant debris; and
  - viii. All leaves, stems, branches, and plant debris must be collected continuously as they accumulate and be safeguarded; and
  - ix. All leaves, stems, branches, and other plant debris cleaned from vehicles, trailers, field boxes, field bins, and packing/processing equipment, and/or associated with

fruits destined for processing (e.g., juice extraction, livestock feed preparation) must be handled and disposed of as follows:

- Placed in waste receptacles and sealed as soon as collected; and either
  - Disposed of in a landfill; or
  - Returned to the grove from which they originated for disposal; or
  - Incinerated.

#### **D. Definitions:**

APHIS interstate movement protocol. An APHIS document entitled “Interstate Movement of Citrus and Other Rutaceous Plants for Planting from Areas Quarantined for Citrus Canker, Citrus Greening, or Asian Citrus Psyllid” that is posted on the APHIS ACP/CG website. The document is a subset of the regulations listed in 7 CFR §301.76.

7 CFR §301.76: Code of Federal Regulations, Title 7-Agriculture, Subtitle B –Regulations of the Department of Agriculture (Continued), Chapter III – Animal and Plant Health Inspection Service, Department of Agriculture, Part 301-Domestic Quarantine Notices, Subpart – Citrus Greening and Asian Citrus Psyllid.

Note: Additional definitions can be found at 7 CFR §301.76-1.

This Federal Order updates the conditions for movement in the federal regulations at 7 CFR § 301.76 and will be followed by an interim rule. If you would like more details on the ACP/CG regulatory program, you may you may call Prakash Hebbar, Citrus Health Response Program, National Coordinator, at (301) 851-2228 or Lynn Evans-Goldner, National Policy Manager, Citrus Disease Programs, at (301) 851-2286.

APHIS continues to appreciate the cooperative relationship with the state departments of agriculture in the citrus-producing states, Native American tribes, and the citrus industry in our effort to prevent the spread of ACP and CG.