

FOR INFORMATION
DA-2007-10
March 21, 2007

SUBJECT: Interim Rule on the Interstate Movement of Citrus Nursery Stock

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

The purpose of this SPRO memorandum is to provide notification that the Animal and Plant Health Inspection Service (APHIS) is amending its citrus canker regulations to prohibit, with limited exceptions, the interstate movement of regulated nursery stock from the State of Florida.

This interim rule clarifies a provision in APHIS' August 1, 2006, interim rule that quarantined the entire State of Florida for citrus canker and amended the regulations for the interstate movement of nursery stock from areas quarantined for the disease. This action removes any ambiguity in the citrus canker regulations and protects against the spread of the disease to other citrus-producing States. The movement of infected nursery stock has been identified worldwide as a major pathway for the spread of citrus canker.

Calamondin and kumquat plants, which are highly resistant to citrus canker, are not subject to this prohibition and may move interstate from quarantined areas only if they are shipped from the nursery premises where they originated. In addition, calamondin and kumquat growers must follow prescribed protocols, which include inspection requirements, to ensure that their kumquat and calamondin plants are citrus canker free.

The interim rule was effective on March 16, 2007, and is scheduled to be published in the March 22 *Federal Register*. APHIS acted to expedite the interim rule going into effect to safeguard against the spread of citrus canker following a February 13, 2007, U.S. District Court ruling that the language in the August 2006 interim rule allowed for the interstate shipment of citrus nursery stock to non-citrus producing States. Such movements present an unacceptable risk of spreading citrus canker.

Consideration will be given to comments received on or before May 21, 2007. Comments can be submitted via the Internet by going to the Federal eRulemaking portal at <http://www.regulations.gov>. Select "Animal and Plant Health Inspection Service" from the agency drop-down menu, then click on "Submit." In the Docket ID column, select APHIS-2007-0032 to submit or view public comments.

For more information about Federal citrus canker regulations, you may contact Patrick Gomes, National Citrus Health Response Program Coordinator, at (919) 855-7300, or Stephen Poe, Senior Staff Officer, at (301) 734-8899.

/s/ **Paul R. Eggert for**
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