

FOR INFORMATION AND ACTION
DA-2012-13
APRIL 04, 2012

SUBJECT: APHIS Establishes Regulated Areas in Ashland, Bayfield, and Clark Counties, Wisconsin, for Gypsy Moth (*Lymantria dispar*)

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

The Animal and Plant Health Inspection Service (APHIS) expanded its gypsy moth (GM), *Lymantria dispar*, regulated area to include Ashland, Bayfield, and Clark Counties, Wisconsin. The GM populations in these counties have reached the threshold level to trigger the regulated area.

The attached Federal Order establishes Ashland, Bayfield, and Clark Counties as regulated areas in order to prevent the further spread of GM. Effective immediately, all interstate movement of GM-regulated articles from Ashland, Bayfield, and Clark Counties, Wisconsin, must be handled in accordance with the attached Federal Order. The Wisconsin Department of Agriculture plans to establish a parallel intrastate quarantine.

GM is a highly destructive insect of approximately 300 species of trees and shrubs. The GM program prescribes conditions for the interstate movement of regulated articles from GM-quarantine areas. The Federal and State partnership works to limit the establishment of GM outside of the quarantine area due to human-assisted movement of the pest. We appreciate the cooperative relationship with the State of Wisconsin in the effort to limit the spread of GM.

For more information about the GM program and Federal GM regulations, you may contact JoAnn Cruse, APHIS' State Plant Health Director for Wisconsin, at (608) 231-9553 or Julie Spaulding, National Program Manager, at (301) 851-2184.

/s/ Osama El-Lissy for

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

FEDERAL ORDER
DA-2012-13
April 04, 2012

Domestic Quarantine Notice for
Gypsy Moth (GM) (*Lymantria dispar*)

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 §301.45.

This Federal Order quarantines, effective immediately, Ashland, Bayfield, and Clark Counties in Wisconsin for Gypsy Moth (GM), *Lymantria dispar*. This action is in response to the detection of established populations of GM in these areas. Thus, the Administrator of the Animal and Plant Health Inspection Service (APHIS) finds it necessary to regulate Ashland, Bayfield, and Clark Counties in Wisconsin in order to prevent the spread of GM. Accordingly, effective immediately, all interstate movement of GM regulated articles from these areas must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR §301.45 *et seq.* and any applicable provisions of this Federal Order.

APHIS has confirmed established populations of GM 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 GM. The areas quarantined due to the continuing spread of GM are designated in the Federal regulations located at 7 CFR §301.45 and in the Federal Orders located at the following APHIS website:

http://www.aphis.usda.gov/plant_health/plant_pest_info/gypsy_moth/federalorders.shtml

Section 7 CFR §301.45-2(b) allows the designation of less than an entire state as a GM generally infested area only when the Administrator of APHIS has determined the designation of less than an entire state as a generally infested GM area is adequate to prevent the interstate spread of infestations of GM. In addition, 7 CFR §301.45-2(b) requires the state adopt and enforce an intrastate GM quarantine or regulation, which imposes restrictions on the intrastate movement of the regulated articles that are substantially the same as the Federal GM regulations. Accordingly, the State of Wisconsin must confirm, within 30 days of the date of this order, the establishment of an intrastate quarantine for Ashland, Bayfield, and Clark Counties that parallels Federal requirements stipulated in 7 CFR §301.45; otherwise, it will be necessary to quarantine the entire state as of that date in order to prevent the interstate spread of the plant pest. The confirmation should be made in writing to the APHIS State Plant Health Director of Wisconsin.

Section 7 CFR §301.45-2(c) provides for the temporary designation of new generally infested areas pending publication of a rule to add counties to the list shown in 7 CFR §301.45-3(a). Section 7 CFR §301.45-2(c) 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 GM program in the affected state.

If you want more details on the Federal GM regulatory program, you may contact National Program Manager Julie Spaulding at (301) 851-2184. For information on the GM survey and trapping program in Wisconsin, please contact JoAnn Cruse, APHIS' State Plant Health Director, at (608) 231-9553. APHIS continues to appreciate the cooperative relationship with the State of Wisconsin in our effort to prevent the spread of GM.