

FOR INFORMATION AND ACTION
DA-2010- 61
December 22, 2010

SUBJECT: *Globodera rostochiensis* (Golden Nematode) - Removal of Regulated Areas in New York

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is removing the townships of Elba and Byron in Genesee County, New York, from the golden nematode regulated area. These townships have been regulated since 1977.

Based on results of official surveys and criteria in “Guidelines on Surveillance and Phytosanitary Actions for Potato Cyst Nematodes” agreed to by APHIS and the Canadian Food Inspection Agency, APHIS determined that the townships of Elba and Byron (approximately 68-square miles) meet all requirements for removal from the golden nematode regulation. Accordingly, restrictions on the interstate movement of golden nematode regulated articles from these areas are no longer required. Following this action, there will be no areas in Genesee County, New York, regulated for the golden nematode.

The specific changes to the quarantine areas are described in the attached Federal Order and documented on the following website:

http://www.aphis.usda.gov/plant_health/plant_pest_info/nematode/index.shtml

APHIS plans to publish an interim rule codifying the changes detailed in the attached Federal Order.

For additional information, you may contact Jonathan Jones, National Program Manager, at (301) 734-5038.

/s/ Jane E. Levy for

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

FEDERAL DOMESTIC QUARANTINE ORDER

Golden Nematode (*Globodera rostochiensis*)

DA-2010-61

December 22, 2010

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 301.85.

Golden nematode (*Globodera rostochiensis*) is a nematode that attacks potatoes and results in reduced yield of the crop and negatively impacts trade. The agency's regulations prevent the further spread of golden nematode within the United States. Areas or fields in the State of New York are currently designated as regulated areas for golden nematode under 7 CFR 301.85-2(a).

The Administrator has determined, following review of surveys conducted of golden nematode regulated areas, that certain areas have met the criteria in § 301.85-2(c) of the regulations to terminate their designation as a regulated area. We are adjusting the quarantine boundaries based on negative surveys on all associated, exposed and non-exposed properties in Genesee County that demonstrate that the areas no longer meet the requirements for regulated areas for golden nematode. Accordingly, effective immediately, the interstate movement of golden nematode regulated articles from these areas is no longer regulated.

This Federal Order removes two townships in Genesee County New York from golden nematode quarantine. As such, there are no longer any areas in Genesee County under golden nematode quarantine. We will publish a rule soon to remove these counties from the CFR; and the removal of these areas is effective December 22, 2010.

If you wish more details on the golden nematode regulatory program, you may contact the Golden Nematode National Program Manager Jonathan Jones, at (301) 734-5038. We continue to appreciate the cooperative relationship with all State Regulatory Officials in our effort to prevent the spread of golden nematode.