

FOR INFORMATION AND ACTION
DA-2023-10
July 25, 2023

Subject: APHIS Expands Quarantine Areas for the Imported Fire Ant (*Solenopsis invicta*, *S. richteri*, and hybrids of these species) in Virginia

To: State, Tribal, and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is issuing a Federal Order that expands the existing imported fire ant (IFA; *S. invicta*, *S. richteri*, and hybrids of these species) quarantine areas in Charlotte, Dinwiddie, Halifax, Lunenburg, and Sussex Counties, Virginia. The Virginia Department of Agriculture and Consumer Services verified that IFA is present and established in the areas listed. APHIS is taking this action to prevent the interstate spread of IFA. APHIS will follow this action by publishing a Notice in the Federal Register.

The full lists designating IFA quarantine areas and regulated articles are published on the APHIS website at:

https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/imported-fire-ants/CT_Imported_Fire_Ants

For additional information on the Federal IFA regulatory program, please contact the IFA National Policy Manager, Ron Weeks, at Ron.D.Weeks@usda.gov or 919-559-4311.



Dr. Mark L Davidson
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

FEDERAL ORDER

APHIS Expands Quarantine Areas for the Imported Fire Ant (*Solenopsis invicta*, *S. richteri*, and hybrids of these species) in Virginia

DA-2023-10
July 25, 2023

This Federal Order expands the existing imported fire ant (IFA) quarantine areas in multiple counties in Virginia.

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 United States Code (USC) 7712(a). The Act 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. This Federal Order is likewise issued pursuant to the regulations promulgated under the Plant Protection Act found at [7 Code of Federal Regulations \(CFR\) § 301.81](#) et seq.

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is adding Charlotte, Dinwiddie, Halifax, Lunenburg, and Sussex Counties in Virginia to the quarantine area for red and black IFA (*S. invicta* and *S. richteri*, respectively), and hybrids of these species.

This action is in response to the new detections in parts of Virginia. APHIS finds it necessary to quarantine these areas to prevent the spread of IFA. Effective immediately, all interstate movement of IFA regulated articles from the listed areas must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act and found at 7 CFR § 301.81 et seq. The full lists designating IFA quarantine areas and regulated articles are published on the APHIS website at:

https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/imported-fire-ants/CT_Imported_Fire_Ants

Section 7 CFR § 301.81-3(a) allows the designation of less than an entire State as an IFA quarantined area only when the Administrator of APHIS has determined two things: 1) that the State has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are equivalent to the interstate movement restrictions imposed by this subpart [7 CFR § 301.81-3(a)(1)], which Virginia has implemented; and 2) if the designation of less than an entire State as a quarantined area will prevent the spread of this pest [7 CFR § 301.81-3(a)(2)].

Previous Federal Orders pertaining to the expansion of quarantined areas in the IFA regulations have been necessary due to the ongoing delimitation of the IFA infestation in various states. This Federal Order further expands the quarantined areas as described in the IFA domestic regulations.

For additional information on the Federal IFA regulatory program, please contact the IFA National Policy Manager, Ron Weeks, at Ron.D.Weeks@usda.gov or 919-559-4311.

We appreciate the cooperative relationships with the affected states in our effort to prevent the spread of IFA.

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