



Animal and Plant Health Inspection Service, Plant Protection and Quarantine

Questions and Answers

Regarding the Asian Citrus Psyllid and Citrus Greening Programs

Section A. Last Modified: April 2, 2015

Reason for Revision: USDA Legislative and Public Affairs review.

Section B. Last Modified: April 2, 2015

Reason for Revision: USDA Legislative and Public Affairs review.

Section A. Frequently Asked Questions (FAQs) Regarding the Asian Citrus Psyllid (ACP) and Citrus Greening (CG or HLB) Programs in California

1) What is the science behind the 5-mile Quarantine Areas?

When ACP and/or HLB are found, the minimum quarantine radius around a detection site is currently 5 miles (8 km), the distance agreed upon by USDA officials in Texas and California. This distance is currently under review by other USDA officials and California Department of Food and Agriculture (CDFA) scientists.

2) How many 5 mi quarantine areas will be established before a full county quarantine is declared?

Whether or not to establish a county-wide Quarantine Area is at the discretion of the County Agricultural Commissioner and the Secretary of Food and Agriculture, in consultation with USDA. All available information, such as trapping data, is considered before a final decision is made.

3) What are the exit plans from an ACP and/or HLB Quarantine Area?

For an area under quarantine for ACP, no additional ACP detections for a period of at least two years is required before the current quarantine area(s) are subject to a review by CDFA, USDA, and County Officials. This review would also include data from detection efforts and feedback from CDFA's Science Advisory Panel to ensure that the ACP has truly been eradicated from the quarantine area.

There are currently no guidelines for lifting quarantines for areas under quarantine for HLB due to the many unknowns with this disease including, but not limited to, the pathogen's latency period and the inconsistency of current testing methods.

4) After detecting and removing an HLB positive tree, is there a two-year timeline for removal of a quarantined area in California?

USDA is not considering a two-year timeline for removal of quarantined areas in California after detection and removal of an HLB positive tree, especially in ACP-infested areas, due to the many unknowns with this disease including, but not limited to, the pathogen's latency period and the inconsistency of current testing methods.

5) Is there a protocol to move untreated plants to be planted in ground within an ACP Quarantine Area?

Yes; CDFA's Quarantine Compliance Master Permit QC 1378 allows for the movement of untreated and untagged nursery stock intended for planting within a contiguous ACP Interior Quarantine Area. For more information about QC 1378, please contact the ACP/HLB Risk Assessment Team.

6) What are the requirements for movement of shipments from out of a quarantine area that include multiple loads and/or multiple stops?

Shipments that move within California or intrastate, moving between Quarantine Areas, must be enclosed and sealed at loading. The seal will be confirmed and broken at the first drop point. After the seal is broken, that shipment, with multiple loads and/or stops, may move within the contiguous quarantine area.

Shipments that move outside of California or interstate must be enclosed and sealed at loading. Because California is a Commercial Citrus State and is under a partial State Quarantine, each individual shipment moves under its own seal and permit. Receiving destinations are notified of arrival and it is up to the receiving state to meet the shipment upon arrival to check seals and permits. As part of this alert, California USDA Staff request that the receiving State allow the receiver to break the seal upon arrival if an inspection is not going to be performed. This helps facilitate the movement of shipments at destinations.

Delivery of shipments with multiple loads and/or stops can occur intrastate but not interstate.

7) If a shipment is moving from a nursery under a USDA Certificate (State Certified Citrus Nursery Stock (CNS), maintained under APHIS-approved screen house) can it move without treatments IF the conveyances are cleaned of extraneous plant debris before entry into the approved screen houses and the entire loading process is done while under the protection of the approved screen house?

No; the Certificate allows movement of ACP Host Material anywhere, including commercial citrus producing areas. The plants are treated as a part of the Certificate qualification process, which is a systems approach that includes these treatments to help protect these plants in the event of potential exposure to ACP whether loading, unloading, or any other unforeseeable incidental exposure of the plants.

Any suggestions regarding alternative treatments or other safeguarding measures may be proposed, in writing, to CDFA and/or USDA via the ACP/HLB Risk Assessment Team.

8) Can budwood move untreated with a certificate, , as long as it's from an APHIS-approved State- Certified Clean Stock Program, from APHIS approved screen houses, and safeguarded through every step? Can this answer be in writing from USDA? Can this be added to the USDA regulations? Can cuttings, buds, budsticks, graft sticks, and micro-propagated materials also be handled this way?

Yes. Budwood does not require treatment for movement as long as it meets all other requirements and is adequately safeguarded. USDA leadership has provided local USDA and CDFA staff with written confirmation of this approval.

For other propagative materials including but not limited to cuttings and micro- propagated materials, CDFA and USDA are jointly reviewing this request from Industry to determine the appropriate safeguarding measures.

9) Can CNS be moved from one approved structure to another and still qualify for a USDA or CDFA Certificate?

Yes, while the Federal Order states that nursery stock must spend its entire life in “the facility,” USDA leadership has instructed local USDA and CDFA staff that the intent and application is that the nursery stock must spend its entire life in “a facility” that has been APHIS-approved as part of this program. This movement must be appropriately safeguarded and approved in accordance with USDA guidelines. Also, this movement may only be made between APHIS approved structures under the same ownership.

APHIS-approved structures under separate ownership must adhere to the requirements of 301.76 and the citrus nursery stock protocol.

10) The California Citrus Nursery Board (CCNB) has requested a combined workshop or meeting with members of CCNB, CDFA, and USDA to discuss questions and concerns. If a face to face meeting is not an option, then maybe a conference call or series of conference calls or other virtual meeting options are requested.

Local CDFA and USDA contacts are available for immediate questions and concerns. The ACP/HLB Risk Assessment Team will be the primary local contact for California nurseries. All questions or comments may be submitted to them, and any information that is available regarding the quarantine will be sent out by them to representatives of the CCNB, the California Nursery Advisory Board, and the California Citrus Nursery Society for distribution to their members.

APHIS PPQ representatives met with citrus fruit and nursery industry representatives in California in 2013. Plans are being made for APHIS PPQ representatives to return to California to meet with industry representatives in 2015.

11) Who are the CDFA and USDA contacts in California for questions, concerns, and proposals regarding the ACP and/or HLB Quarantines?

Please contact California’s ACP/HLB Risk Assessment Team:

Joshua Kress, Senior Environmental Scientist, CDFA Nursery Seed and Cotton Program
joshua.kress@cdfa.ca.gov (916) 654-0435

Nawal Sharma, Program Manager, CDFA Emergency Quarantine Response Program
nawal.sharma@cdfa.ca.gov (818) 901-7242

Michael Hennessey, Supervising Officer, USDA-APHIS-PPQ
michael.hennessey@usda.aphis.gov (909) 367-7981

12) Will new technologies, such as Smart-Dart, be used to allow rapid field determination of HLB-positive ACP by USDA and/or CDFA?

No. Currently, under USDA’s Potentially Actionable Suspect Sample (PASS) requirements, regulatory action may only be based on HLB-positive plant tissue samples confirmed by the CPHST Beltsville Laboratory. The Beltsville Lab is the confirmatory lab for the U.S. After the pathogen is confirmed by Beltsville, a local National Plant Pathogen Laboratory Accreditation Program (NPPLAP) accredited lab can perform diagnostics.

13) As used in DA-2012-49, what does “limited exposure” mean in regards to how I load my CNS for movement off my nursery grounds?

Each nursery’s unique business practices will be evaluated individually by Project Staff to determine how to best meet the requirement of “limited exposure”. If there are questions/concerns about interpretations or consistency of this rule, the ACP/HLB Risk Assessment Team will be contacted.

14) How do I ensure that trucks used to transport CNS are also ACP free while loading?

If your nursery is in an ACP Quarantine Area, the Project Detection Staff concludes that ACP is in proximity to your nursery grounds and, therefore, at risk of moving ACP.

Incorporating some additional safeguard awareness into your loading process will help reduce this risk of “hitch-hiking” ACP. These include but are not limited to what we have learned from working with shipping in/around other plant pests. The contacts listed in Answer #11 are informational resources for safeguarding methods.

15) How do USDA and CDFA ensure that regulations are being applied equally by all regulatory agencies?

Each nursery signs a Compliance Agreement, which is the basis for any regulatory actions at that location. Any concerns with the enforcement or interpretation of any rule should be forwarded to the ACP/HLB Risk Assessment Team.

16) Does the most recent research support seed transmission of HLB and are heat treatments and/or peeling seed coats effective for treating seed for HLB?

Research on seed transmissions and seed treatments for HLB is ongoing. Any research and/or proposals for treatments may be submitted in writing to CDFA/USDA via the ACP/HLB Risk Assessment Team.

17) *What is the rule making process for Federal Orders and is there an opportunity during the process for input from the public or industry?*

This is a Nine Step Process that flows, as follows, with Step 6 being the opportunity for public and/or industry comments:

Step 1: Initiating events

Step 2: Determining whether a rule is needed

Step 3: Preparation of proposed rule

Step 4: Office of Management and Budget Review (OMB) of proposed rule

Step 5: Publication of proposed rule

Step 6: Public comment period

Step 7: Preparation of final rule, interim final rule, or direct final rule

Step 8: OMB review of final rule, interim rule, or direct final rule

Step 9: Publication of final rule, interim rule, or direct final rule

18) What is DA-2012-49?

DA-2012-49 is the Serial Number assigned to the informational Memo that was sent out to notify Stakeholders of the updated Citrus Nursery Stock (CNS) Protocol published December 3, 2012. The full name of the CNS Protocol is "Interstate Movement of Citrus and Other Rutaceous Plants for Planting from Areas Quarantined for Citrus Canker, Citrus Greening, or Asian Citrus Psyllid." The CNS Protocol is one portion of the Federal Regulations for Citrus Greening (CG) and Asian Citrus Psyllid (ACP). The CNS Protocol must be used in conjunction with all provisions found in the ACP/CG Rule in the Code of Federal Regulations (CFR 301.76). This protocol is a companion document to 7 CFR 301.76. These are also the guidelines CDFA uses for the movement of these materials from quarantine areas within California.

19) CDFA has proposed a new systems approach for the movement of curry leaves outside of areas quarantined for CG. Can such a systems approach be implemented?

On January 26, 2015, USDA APHIS PPQ revised the interstate regulations for certain culinary leaves. A protocol is now available for the interstate movement of fresh, mature leaves of kaffir lime, curry, and bael intended for consumption.

20) Can the regular 30 day ACP inspection schedule required to maintain exclusionary facilities be stopped and then restarted if a business wants to stop shipping for a period of time?

As long as a nursery is under APHIS compliance, the 30 day inspections must be maintained to ensure the integrity of the exclusionary facility. Both the facility and the plants are under compliance. Stopping and starting the inspection regime is not scientifically supported and is not consistent with Federal regulations. Under the current regulations, an exclusionary facility must be under inspection its entire "life." Owner/operators may choose to cancel their compliance agreement at any time and then start the process from the beginning when they are ready to resume. The APHIS Citrus Subject Matter Expert group concurs and supports the responses that have already been provided by USDA APHIS PPQ Field Operations on this topic.

21) The Federal CNS requirements do not make provisions for confinement nurseries where trees have spent their entire life in protective structures.

APHIS has a pre-certification policy in place and has agreed to allow States/Counties to pre-certify nurseries with exclusionary facilities that meet APHIS standards as outlined in the APHIS CNS Protocol. Nurseries in the pre-certification program will be placed under a State/County Compliance Agreement and an APHIS-Approved State-Certified Clean Stock program. All testing/inspections records must be maintained. When the State/County/portion of County is quarantined, APHIS will perform an inspection of the facility and review the historical testing/inspection records to ensure APHIS standards are met. If the facility meets the provisions of the CNS Protocol, they will be placed under an APHIS Compliance Agreement with no interruption in shipping. If the facility does not meet the requirements, the facility must make the changes required to become APHIS-compliant and start over with the required testing/inspection timetable before shipping interstate.

22) Nursery stock and previous language changes in the regulations caused some confusion among the citrus industry. Can APHIS clarify?

APHIS consistently addresses industry questions and requests for clarification to explain the CNS rule in plain language. The CNS rule is a legal document and explanations, sometimes, require the use of Federal rule language.

23) There is no protocol for moving trees from one protective structure to another during the production process. There are other concerns, but these are two of the main issues.

While the Federal Order states that nursery stock must spend its entire life in “the facility”, USDA leadership has instructed local USDA and CDFA staff that the intent and application of the Federal Order is for nursery stock to spend its entire life in “a facility” that has been APHIS-approved as part of this program. This movement must be appropriately safeguarded and approved in accordance with USDA guidelines. Also, this movement may only be made between APHIS-approved structures under the same ownership.

APHIS-approved structures under separate ownership must adhere to the requirements of 301.76 and the citrus nursery stock protocol.

24) It seems the CNS regulation was written to stop the movement of HLB in nursery trees in areas where HLB was already present. They are overly restrictive in HLB free areas like California, where trees are being preemptively propagated in protective structures where they have never been exposed to ACP, let alone HLB positive ACP.

USDA supports CDFA efforts to prepare nurseries outside the quarantine area for the possible future incursion of HLB. Also see # 21 above.

25) I would like to see the language revised with representatives from the citrus nursery industry involved in the discussion.

When the CNS Protocol was being drafted by APHIS Policy Management, numerous industry members were part of the group that gave input and reviewed the final draft of the interim rule before it was published. A comment period also followed publication of the interim rule. Comments were received from industry and all were addressed in the publication of the final rule. There have also been calls and meetings with industry to work out any questions and concerns there may have been.

26) In 2013, while visiting a nursery in CA, a nursery owner asked why fewer insecticides were listed on the USDA side of a citrus nursery stock program handout, produced by CDFA, as were listed on the CDFA side of the handout.

The USDA-approved list of insecticides included “active ingredients.” CDFA listed trade names under each active ingredient, which gave the impression that CDFA’s list included more insecticides.

Section B. Frequently Asked Questions (FAQs) Regarding the Asian Citrus Psyllid (ACP) and Citrus Greening (CG or HLB) Programs in Louisiana and Texas.

1) Does the seal along the bottom edge of the greenhouse screen, as described in a detailed accounting provided by a nursery owner/operator, meet APHIS’ standards for an ACP/CG/CC exclusionary facility?

As described by the nursery owner/operator, sealing the bottom edge of the greenhouse screen by positioning gravel under and along the aluminum track that supports the structure is an APHIS-approved method to create an adequate seal for quarantine purposes. In particular, it is outside the behavior pattern of ACP to move down through gravel. It is understood that the nursery owner/operator will not excavate channels under the seal for any reason, and the seal must be routinely inspected to check for breaches due to mechanical, human, or animal activity inside and/or outside the facility.