

FOR INFORMATION AND ACTION  
DA-2013-52  
November 21, 2013

Subject: APHIS Adds the Entirety of Missouri to the Emerald Ash Borer (*Agilus planipennis*) Regulated Area

To: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is expanding the list of regulated areas for the emerald ash borer (*Agilus planipennis*) to include the entire state of Missouri. APHIS is taking this action in response to the detection of emerald ash borer (EAB) in widely separated locations in the state. APHIS previously regulated only a portion of Missouri due to the establishment and enforcement of equivalent state quarantines. Missouri has now expanded its EAB quarantine to include all counties in the state. For this reason, APHIS is adding all of Missouri to its list of regulated areas to prevent the spread of EAB to other states.

The attached Federal Order outlines the conditions for the interstate movement of EAB-regulated articles from Missouri. Specifically, the interstate movement of EAB-host wood and wood products from Missouri is regulated, including firewood of all hardwood species, nursery stock, green lumber, waste, compost, and chips of ash species.

EAB is an invasive wood-boring beetle that is native to China and other areas of East Asia. The beetle is present in some portions of the United States, and because of its continuing spread, APHIS has established regulated areas that are designated in the *Code of Federal Regulations* at 7 CFR 301.53-3 and Federal Orders located at:

[http://www.aphis.usda.gov/plant\\_health/plant\\_pest\\_info/emerald\\_ash\\_b/quarantine.shtml](http://www.aphis.usda.gov/plant_health/plant_pest_info/emerald_ash_b/quarantine.shtml)

The interstate movement of firewood from quarantine areas is an especially high-risk pathway for the spread EAB. Therefore, APHIS works with state cooperators and foresters to prevent the human assisted movement of EAB, develop biological and other controls for EAB, and raise public awareness about this pest and the potential threats associated with the long distance movement of firewood.

For more information about the EAB program and federal EAB regulations, please call EAB National Policy Manager Paul Chaloux at 301-851-2064.

/s/

Osama El-Lissy  
Deputy Administrator  
Plant Protection and Quarantine

Attachment: Federal Order

**FEDERAL ORDER**  
**Domestic Quarantine of the State of Missouri for Emerald Ash Borer (*Agrilus planipennis*)**  
**DA-2013-52**

The purpose of this Federal Order is to prevent the spread of the invasive wood-boring beetle known as emerald ash borer (*Agrilus planipennis*). This Federal Order is issued in accordance with the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412(a), 7 U.S.C. 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 also issued pursuant to the regulations promulgated under the Plant Protection Act and found in the *Code of Federal Regulations* at 7 CFR 301.53.

Effective immediately, this Federal Order quarantines the entire state of Missouri for emerald ash borer (EAB). APHIS previously quarantined only a portion of the state due to the establishment and enforcement of equivalent quarantines by the state. Missouri, however, has now expanded its EAB quarantine to include all of the state's counties. Thus, the Administrator of the Animal and Plant Health Inspection Service (APHIS) finds it necessary to regulate the entire state to prevent the spread of EAB. Effective immediately, all interstate movement of EAB regulated articles from Missouri must be done in accordance with the regulations promulgated under the Plant Protection Act and found at 7 CFR 301.53 et seq. and any applicable provisions of this Federal Order.

APHIS has confirmed EAB infestations in various areas of the United States. To prevent the spread of EAB from those areas, the APHIS Administrator has determined that those areas must be quarantined. The affected areas are designated in the federal regulations at 7 CFR 301.53-3 and the Federal Orders located at:

[http://www.aphis.usda.gov/plant\\_health/plant\\_pest\\_info/emerald\\_ash\\_b/quarantine.shtml](http://www.aphis.usda.gov/plant_health/plant_pest_info/emerald_ash_b/quarantine.shtml)

Section 7 CFR 301.53-3 (b) provides for the temporary designation of new quarantined areas pending publication of a rule to add counties to the list shown in 7 CFR 301.53-3(c). Section 7 CFR 301.53-3 (b) further requires written notification to the owner or person in possession of a newly quarantined area. This is the responsibility of the federal and/or state regulatory personnel who are responsible for the EAB program in the affected state.

Previous Federal Orders pertaining to the expansion of quarantined areas in the EAB domestic regulations have been necessary because of the continuing spread of EAB. This Federal Order further expands the quarantined areas as described in the previous EAB Federal Orders.

If you would like more detail about the federal EAB regulatory program, you may call EAB National Policy Manager Paul Chaloux at 301-851-2064. For information on regulatory requirements for the movement of articles out of Missouri, please call APHIS State Plant Health Director Michael Brown at 573-893-6833. We continue to appreciate the cooperative relationship with Missouri in our effort to prevent the spread of EAB.