

FOR INFORMATION AND ACTION

DA-2022-43

December 29, 2022

Subject: APHIS Amends Karnal Bunt (*Tilletia indica*) Regulated Areas in La Paz, Maricopa, and Pinal Counties in Arizona

To: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is amending the Karnal bunt regulated areas in La Paz, Maricopa, and Pinal Counties in Arizona.

In accordance with the criteria listed in 7 Code of Federal Regulations (CFR) § 301.89-3(f) and following a review of the results of the 2022 survey of Karnal bunt-regulated areas, APHIS is reducing the regulated area in La Paz, Maricopa, and Pinal Counties in Arizona. APHIS publishes a revised Karnal bunt quarantine area description and a map of regulated areas annually. Accordingly, we are including all the changes made to the Karnal bunt regulated areas in 2022 (DA-2022-27 and this Federal Order) in this document. Specifically, APHIS is removing the following from the list of regulated areas: 20,418 field acres in La Paz County on the Colorado River Indian Reservation of the Colorado River Indian Tribes; 6,800 field acres in Maricopa County; and 25,249 field acres in Pinal County, including 1,040 field acres on Ak-Chin Indian Community land, and 7,327 field acres on the Gila River Indian Reservation of the Gila River Indian Community. Accordingly, there are no more restrictions on the interstate movement of Karnal bunt-regulated articles from these areas. There are no more regulated areas in La Paz County; however, other portions of Maricopa and Pinal Counties remain regulated.

APHIS is making one additional change to the list of regulated areas in Maricopa County, but not because of a detection of Karnal bunt. APHIS is adding one field (two field acres) because the former pastureland was converted to a wheat field. We have determined that this field meets the criteria for regulation outlined in 7 CFR § 301.89-3(e).

APHIS is taking these regulatory actions to prevent the spread of Karnal bunt from Arizona. Karnal bunt is a pest that affects wheat quality. APHIS regulates this plant disease because many trading partners require that U.S. wheat be certified as grown in areas free of Karnal bunt. APHIS will follow this emergency action by publishing an interim rule in the Federal Register.

More information on Karnal bunt is available at the following website:

<http://www.aphis.usda.gov/plant-health/kb>

For additional information about the Karnal bunt program, please call the National Policy Manager, Lynn Evans-Goldner, at (301) 851-2286.



Dr. Mark L Davidson
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

**United States Department of Agriculture
Animal and Plant Health Inspection Service
Plant Protection and Quarantine**

Federal Order

**Domestic Quarantine for
Karnal Bunt (*Tilletia indica*)**

DA-2022-43
December 29, 2022

This Federal Order amends the Karnal bunt-regulated areas in La Paz, Maricopa, and Pinal Counties in Arizona. Specifically, it reduces the overall regulated areas in La Paz, Maricopa, and Pinal Counties; it adds one field (2 field acres) in Maricopa County to the list of regulated areas because former pastureland was converted to a wheat field.

This Federal Order is issued pursuant to the authority provided by the Plant Protection Act of June 20, 2000, 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. The regulatory authority provided by 7 U.S.C. 7754 allows the Secretary to issue orders to carry out this provision of the Plant Protection Act. This Federal Order is likewise issued pursuant to the regulations promulgated under the Plant Protection Act found at 7 Code of Federal Regulations (CFR) 301.89 et seq.

Section 7 CFR § 301.89-3(b) allows the designation of less than an entire state as a Karnal bunt regulated area only when the Administrator of the Animal and Plant Health Inspection Service (APHIS) has determined, as in this case, that the designation is adequate to prevent the interstate spread of Karnal bunt. In addition, 7 CFR § 301.89-3(b)(1)(i) requires that for less than an entire state to be designated as regulated that the Administrator find that the state is enforcing an intrastate Karnal bunt quarantine that is equivalent to federal Karnal bunt regulations. The Arizona State Plant Regulatory Official has confirmed the establishment of an intrastate quarantine area for Karnal bunt that mirrors the federal regulatory requirements as specified in 7 CFR § 301.89.

7 CFR § 301.89-3(d) provides for the temporary designation of new regulated areas pending publication of a rule to add the new areas to the list shown in 7 CFR § 301.89-3(g). 7 CFR § 301.89-3(d) further requires the federal and/or state regulatory personnel responsible for the Karnal bunt program in the affected state to give written notification to the owner or person in possession of a newly quarantined area.

This Federal Order updates and replaces the regulated areas in Arizona designated in the Code of Federal Regulations located at 7 CFR § 301.89-3(g), and replaces Federal Order (DA-2011-69) issued December 6, 2011, Federal Order (DA-2013-51) issued November 22, 2013, Federal Order (DA-2016-57) issued October 3, 2016, Federal Order (DA-2017-08) issued April 11,

2017, Federal Order (DA-2018-09) issued April 5, 2018, Federal Order (DA-2019-08) issued May 20, 2019, Federal Order (DA-2020-04) issued February 4, 2020; Federal Order (DA-2021-27) issued October 22, 2021; Federal Order (DA-2022-04) issued February 2, 2022; and Federal Order (DA-2022-27) issued August 17, 2022. This Federal Order does not negate the removal of wheat, durum wheat, and triticale harvested for silage from the list of regulated articles listed in 7 CFR § 301.89-2 as presented in Federal Order (DA-2017-08).

In accordance with the criteria listed in 7 CFR § 301.89-3(f) and following a review of the results of the 2022 survey of Karnal bunt-regulated areas, APHIS is reducing the regulated area in La Paz, Maricopa, and Pinal Counties in Arizona. APHIS publishes a revised Karnal bunt quarantine area description and a map of regulated areas annually. Accordingly, we are including all the changes made to the Karnal bunt regulated areas in 2022 (DA-2022-27 and this Federal Order) in this document. Specifically, APHIS is removing the following from the list of regulated areas: 20,418 field acres in La Paz County on the Colorado River Indian Reservation of the Colorado River Indian Tribes; 6,800 field acres in Maricopa County; and 25,249 field acres in Pinal County, including 1,040 field acres on Ak-Chin Indian Community land and 7,327 field acres on the Gila River Indian Reservation of the Gila River Indian Community. Accordingly, there are no more restrictions on the interstate movement of Karnal bunt-regulated articles from these areas. There are no more regulated areas in La Paz County; however, other portions of Maricopa and Pinal Counties remain regulated.

APHIS is making one additional change to the list of regulated areas in Maricopa County, but not because of a detection of Karnal bunt. APHIS is adding one field (two field acres) because the former pastureland was converted to a wheat field. We have determined that this field meets the criteria for regulation outlined in 7 CFR § 301.89-3(e).

Regulated areas § 301.89-3 (g)

Arizona – regulated portions of the State:

Maricopa County. (1) Beginning at the southeast corner of sec. 21, T. 1 N., R. 1 E.; then west to the southwest corner of sec. 24, T. 1 N., R. 1 W.; then north to the southeast corner of sec. 14, T. 1 N., R. 1 W.; then west to the southwest corner of sec. 14, T. 1 N., R. 1 W.; then north to the northwest corner of sec. 35, T. 2 N., R. 1 W.; then east to the northeast corner of sec. 35, T. 2 N., R. 1 W.; then north to the northwest corner of sec. 25, T. 2 N., R. 1 W.; then east to the southwest corner of sec. 20, T. 2 N., R. 1 E.; then north to the northwest corner of sec. 20, T. 2 N., R. 1 E.; then east to the northeast corner of sec. 21, T. 2 N., R. 1 E.; then south to the southeast corner of sec. 21, T. 2 N., R. 1 E.; then east to the northeast corner of sec. 27, T. 2 N., R. 1 E.; then south to the southeast corner of sec. 27, T. 2 N., R. 1 E.; then east to the northeast corner of sec. 35, T. 2 N., R. 1 E.; then south to the southeast corner of sec. 14, T. 1 N., R. 1 E.; then west to the southwest corner of sec. 15, T. 1 N., R. 1 E.; then south to the point of beginning.

(2) Beginning at the southeast corner of sec. 35, T. 2 N., R. 5 E.; then west to the northeast corner of sec. 4, T. 1 N., R. 5 E.; then south to the southeast corner of sec. 4, T. 1 N., R. 5 E.; then west to the southwest corner of sec. 4, T. 1 N., R. 5 E.; then south to the southeast corner of sec. 17, T. 1 N., R. 5 E.; then west to the southwest corner of sec. 17, T. 1 N., R. 5 E.; then north

to the northwest corner of sec. 17, T. 1 N., R. 5 E.; then west to the southwest corner of sec. 12, T. 1 N., R. 4 E.; then north to the northwest corner of sec. 12, T. 1 N., R. 4 E.; then east to northeast corner of sec. 12, T. 1 N., R. 4 E.; then north to the northwest corner of sec. 18, T. 2 N., R. 5 E.; then east to the northeast corner of sec. 14, T. 2 N., R. 5 E.; then south to the point of beginning.

(3) Beginning at the southeast corner of sec. 31, T. 2 N., R. 1 W.; then west to the southwest corner of sec. 34, T. 2 N., R. 2 W.; then north to the southeast corner of sec. 21, T. 2 N., R. 2 W.; then west to the southwest corner of sec. 21, T. 2 N., R. 2 W.; then north to the northwest corner of sec. 21, T. 2 N., R. 2 W.; then east to the northeast corner of sec. 21, T. 2 N., R. 2 W.; then north to the northwest corner of sec. 34, T. 3 N., R. 2 W.; then east to the northeast corner of sec. 31, T. 3 N., R. 1 W.; south to the southeast corner of section 31, T. 3 N., R. 1 W.; then east to the northeast corner of sec. 5, T. 2 N., R. 1 W.; then south to the southeast corner of sec. 29, T. 2 N., R. 1 W.; then west to the southwest corner of sec. 29, T. 2 N., R. 1 W.; then south to the point of beginning.

(4) Beginning at the southeast corner of sec. 27, T. 1 S., R. 4 W.; then west to the southwest corner of sec. 27, T. 1 S., R. 5 W.; then north to the northwest corner of sec. 22, T. 1 S., R. 5 W.; then east to the northeast corner of sec. 22, T. 1 S., R. 5 W.; then north to the northwest corner of sec. 26, T. 1 N., R. 5 W.; then east to the northeast corner of sec. 29, T. 1 N., R. 4 W.; then south to the southeast corner of sec. 29, T. 1 N., R. 4 W.; then east to the northeast corner of sec. 33, T. 1 N., R. 4 W.; then south to the southeast corner of sec. 33, T. 1 N., R. 4 W.; then east to the northeast corner of sec. 3, T. 1 S., R. 4 W.; then south to the point of beginning.

Pinal County: (1) Beginning at the southeast corner of sec. 30, T. 5 S., R. 4 E.; then west to the southwest corner of sec. 28, T. 5 S., R. 3 E.; then north to the northwest corner of sec. 28, T. 5 S., R. 3 E.; then west to the southwest corner of sec. 20, T. 5 S., R. 3 E.; then north to the southeast corner of sec. 18, T. 5 S., R. 3 E.; then west to the southwest corner of sec. 18, T. 5 S., R. 3 E.; then north to the northwest corner of sec. 30, T. 4 S., R. 3 E.; then east to the southwest corner of sec. 20, T. 4 S., R. 3 E.; then north to the northwest corner of sec. 20, T. 4 S., R. 3 E.; then east to the northeast corner of sec. 19, T. 4 S., R. 4 E.; then south to the northwest corner of sec. 32, T. 4 S., R. 4 E.; then east to the northeast corner of sec. 32, T. 4 S., R. 4 E.; then south to the southeast corner of sec. 20, T. 5 S., R. 4 E.; then west to the southwest corner of sec. 20, T. 5 S., R. 4 E.; then south to the point of beginning.

We appreciate the cooperative relationship with the state regulatory officials, Colorado River Indian Tribes, Ak-Chin Indian Community, Gila River Indian Community, the Salt River Pima Maricopa Indian Community, and the wheat industry, in our effort to prevent the spread of Karnal bunt.

For more information on the Karnal bunt program, please call the National Policy Manager, Lynn Evans-Goldner, at (301) 851-2286.