

FEDERAL ORDER

All Imported Firewood from Canada and Spruce Logs from Nova Scotia, Canada

The purpose of this Federal Order is to prevent the entry of certain pests of firewood moving from Canada into the United States, and to prevent the entry of brown spruce longhorn beetle on spruce logs (*Picea* spp.) from where it exists in the province of Nova Scotia, Canada. This Federal Order is issued pursuant to 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 importation or entry of any plant, plant part, or article if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction or dissemination of a plant pest into or within the United States. This Federal Order updates and replaces the Federal Order (DA-2008-69) issued on October 17, 2008.

There are pests of firewood, such as Asian longhorned beetle (*Anoplophora glabripennis*), emerald ash borer (*Agrilus planipennis*), gypsy moth (*Lymantria dispar*), pine shoot beetle (*Tomicus piniperda*), European spruce bark beetle (*Ips typographis*), and brown spruce longhorn beetle (*Tetropium fuscum*) that are either not present in the United States, or they are present, yet being officially controlled.

The Animal and Plant Health Inspection Service (APHIS) Administrator has determined that, in addition to the movement of commercial and noncommercial hardwood firewood, softwood firewood from Canada and spruce logs from Nova Scotia can be sources of introduction and dissemination of these pests into the United States. Firewood transiting through other countries known to be regulated for pests can become infested if not properly safeguarded and segregated during movement. We cannot definitively identify the origin of the firewood or whether it has transited areas that are regulated for listed pests. Furthermore, the brown spruce longhorn beetle has been reported in Nova Scotia, Canada, and the movement of spruce logs from Nova Scotia can be a source of introduction and dissemination of brown spruce longhorn beetle.

APHIS currently has regulations in place to prohibit or restrict the movement of certain commodities to protect the United States from the introduction of these exotic pests. In a previously issued Federal Order (DA-2008-69, October 17, 2008), APHIS required that all commercial and noncommercial hardwood firewood (non-coniferous) species imported into the United States from Canada be treated at 71.1° centigrade (minimal core temperature) for 75 minutes. Since that time, APHIS has determined that lowering the treatment requirements to at 60° centigrade (minimal core temperature) for 60 minutes will sufficiently mitigate risks to the United States associated with the importation of hardwood. Furthermore, we do not have restrictions in place for softwood (coniferous) firewood from Canada or spruce logs from Nova Scotia.

For the reasons stated above, the Administrator has determined that certain regulatory requirements are necessary to safeguard all imported Canadian firewood and spruce logs from Nova Scotia to ensure that these commodities do not introduce certain plant pests into the United States. Therefore, effective May 22, 2011, we are requiring that all commercial and noncommercial shipments of imported firewood from Canada and spruce logs from Nova Scotia, Canada must be heat treated in accordance with Title 7, Code of Federal Regulations, §319.40-7(c) and this Federal Order.

All hardwood firewood being imported into the United States from Canada must be heat treated at 60° centigrade (minimal core temperature) for 60 minutes. All softwood firewood being imported into the United States from Canada must be heat treated at 56° centigrade (minimal core temperature) for 30 minutes. As verification that Canadian firewood entering the United States has been properly treated in accordance with 7CFR §319.40-7(c) and this Federal Order, we will require that each commercial shipment be accompanied by a treatment certificate. For noncommercial firewood, each shipment must be accompanied by a treatment certificate **or** an attached commercial treatment label indicating the firewood was previously heat treated.

All spruce logs entering the United States from Nova Scotia must be heat treated at 56° centigrade (minimal core temperature) for 30 minutes and accompanied by a treatment certificate, except when consigned to an approved facility that operates under a compliance agreement in accordance with 7CFR §319.40-8. Spruce logs entering the United States from Canadian Provinces or Territories other than Nova Scotia do not require treatment for the brown spruce longhorn beetle; however, they must be accompanied by a certificate that specifies where the logs originated and comply with all other regulations specific to wood imports. In addition, spruce logs from Nova Scotia will require an import permit in accordance with 7CFR §319.40-4. To apply for a permit online or learn more about plant health permits go to the following website: http://www.aphis.usda.gov/permits/ppq_epermits.shtml

FOR INFORMATION/ACTION

DA-2011-28

May 19, 2011

SUBJECT: Revisions to the import requirements for firewood imported from Canada and spruce logs from Nova Scotia, Canada.

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

The purpose of this SPRO is to provide notification that the Animal and Plant Health Inspection Service (APHIS) is issuing a Federal Order to require that all firewood imported from Canada, as well as spruce logs imported from Nova Scotia, Canada to be treated. This requirement for commercial and noncommercial shipments will be effective date May 22, 2011.

Imported firewood can be a source of introduction and dissemination of foreign pests into the United States. Certain pests are either not present in the United States, or they are present, yet being officially controlled. The problem of the movement of such firewood is increased when it is cut into firewood since it is difficult to identify the species of tree from which the firewood is derived. In addition, we have found that, although movements of commercial firewood can be certified, the same is not practical or possible for firewood that is defined as noncommercial, e.g., personal use for camping. Lastly, there have been instances where we were unable to definitively determine the origin of the firewood or whether the firewood transited areas that were known regulated areas for the listed pests. Firewood transiting through areas known to be regulated for pests can become infested if not properly safeguarded and segregated during movement.

In a previously issued Federal Order (DA-2008-69, October 17, 2008), APHIS required that all commercial and noncommercial hardwood firewood (non-coniferous) species imported into the United States from Canada be treated at 71.1° centigrade (minimal core temperature) for 75 minutes. Since that time, APHIS has determined that lowering the treatment requirements to 60° centigrade (minimal core temperature) for 60 minutes will sufficiently mitigate risks to the United States associated with the importation of hardwood. This action is consistent with our responsibilities to the IPPC to take action that represents the least restrictive measure available and result in the minimum impediment to international trade. In addition, the Federal Order will require that all softwood firewood being imported from Canada and spruce logs imported from Nova Scotia, Canada must be heat treated at 56° centigrade (minimal core temperature) for 30 minutes.

Additionally, commercial shipments of firewood will require a treatment certificate and the noncommercial shipments will require a treatment certificate or label indicating the firewood was previously treated. Spruce logs from Nova Scotia must be accompanied by a treatment certificate and an import permit. Spruce logs entering the United States from Canadian Provinces or Territories other than Nova Scotia do not require treatment for the brown spruce longhorn beetle; however, they must be accompanied by a certificate that specifies where the logs originated and comply with all other regulations specific to wood imports.

These regulatory requirements are necessary to safeguard and ensure that all firewood entering the United States from Canada and spruce logs from Nova Scotia, Canada have been properly treated in accordance with the Federal Order. For additional information regarding this Federal Order, please contact John T. Jones, at (301) 734-8860.

/s/ Rebecca A. Bech

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

Attachment