

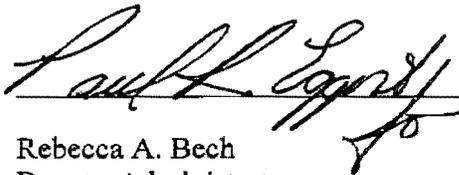
FOR ACTION/INFORMATION
May 12, 2009

SUBJECT: Federal Order for Tomatoes Adding Italy to the List of Countries
Regulated for *Tuta absoluta*

This Federal Order is being issued to add Italy to the February 23, 2009 Federal Order on *Tuta absoluta* to prevent the introduction or the dissemination of this harmful plant pest into the United States. This Federal Order is effective on May 27, 2009, the 15th day after its issuance.

Currently, Italy is authorized to export only green tomatoes to the United States. Pursuant to this Federal Order, APHIS will require that shipments of field-grown green tomatoes from Italy meet additional import requirements to prevent the introduction and establishment of *Tuta absoluta*. Those requirements are described in detail in the attached Federal Order.

For additional information regarding this Federal Order, please contact Dr. Devaiah A. Muruvanda, Senior Risk Manager-Entomology, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, (301) 734-0870, Devaiah.A.Muruvanda@aphis.usda.gov.



Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

5 - 12 - 2009

Date

FEDERAL ORDER

Federal Order for Tomatoes Adding Italy to the List of Countries
Regulated for *Tuta absoluta* (Meyrick)

May 12, 2009

The purpose of this Federal Order is to prevent the entry or introduction of the harmful plant pest, the tomato leafminer, *Tuta absoluta* (Meyrick, 1917), from foreign countries into the United States. This Federal Order is issued pursuant to the plant pest authority provided by the Plant Protection Act (PPA) 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, entry, exportation, or movement in interstate commerce of any plant, plant product, biological control organism, noxious weed, article, or means of conveyance, if the Secretary determines such action is necessary to prevent the introduction into the United States or the dissemination of a plant pest or noxious weed within the United States.

This Federal Order action is necessary because the Administrator of the Animal and Plant Health Inspection Service (APHIS) has determined that the introduction and establishment of *Tuta absoluta* poses a serious plant pest threat to U.S. agriculture including certain fruits or vegetables grown here.

Tuta absoluta is a small moth in the family Gelechiidae, Order Lepidoptera. Other serious insect pests in this family include: the angoumois grain moth, *Sitotroga cerealella*; the pink bollworm, *Pectinophora gossypiella* and the potato tuber moth *Phthorimaea operculella*. *Tuta absoluta* has a high reproductive potential. The adult female is approximately 7mm in length and lays about 260 eggs during her lifetime. The oval eggs are laid on the aerial parts of their host plants. Depending on environmental conditions, the life cycle is completed in 29-38 days and there may be 10-12 generations per year. The larvae attack, feed, and develop on all above ground plant parts. On leaves, larvae feed between the epidermal layers causing irregular mines that may later become necrotic. Fruits can be attacked upon formation, and the galleries formed inside them can be infected by secondary pathogens causing fruit rot. Pupation can be either in the soil, on the leaf surface, or within mines.

The moth is widely distributed in South America including; Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Uruguay and Venezuela. In 2007 it was reported in Spain, in 2008 in Algeria, France and Morocco, and in 2009 in Italy. Accordingly, the following countries are currently infested with *Tuta absoluta*: Algeria, Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, France, Italy, Morocco, Paraguay, Spain, Uruguay and Venezuela.

The main host for *Tuta absoluta* is tomato (*Solanum lycopersicum*), and it causes major damage on all plant parts, including fruit, if left untreated. It has also been reported to feed on potato (*Solanum tuberosum*) and eggplant (*Solanum melongena*) leaves, but not

the tubers or fruit. However, since leaves and plant parts are not allowed to enter with imported commodities, potato and eggplant as commodities are unlikely to be pathways for the pest. *Tuta absoluta* also attacks certain other wild hosts such as black nightshade (*Solanum nigrum*), jimson weed (*Datura stramonium*) and tree tobacco (*Nicotiana glauca*), but these are also not likely pathways.

Algeria, Chile, France, Italy, Morocco, and Spain are the only countries infested with *Tuta absoluta* that are authorized to export tomatoes to the United States, and tomatoes that are harvested green currently are admissible from these countries. APHIS already has regulations in place that enable Chile to export tomatoes, whether green or at any stage of ripeness, to the U.S. provided they are either fumigated with methyl bromide in an established preclearance program as per requirements listed in 7 CFR 319.56-28(d)(1) or grown in accordance with the systems approach outlined in 319.56-28(d)(2). In addition, APHIS issued a Federal Order on February 23, 2009 that placed additional restrictions on tomatoes (green, pink or red) from Algeria, France, Morocco and Spain.

Most recently, *Tuta absoluta* has been reported in Italy, and APHIS is now including Italy on the list of countries that are infested. Currently, Italy is authorized to export only green tomatoes to the United States. In order to prevent the introduction or the dissemination of *Tuta absoluta* into the United States, the APHIS Administrator has determined that it is necessary to restrict the importation of green tomatoes from Italy, unless mitigation measures that provide the appropriate level of phytosanitary security are complied with as required by this Federal Order.

These restrictions are immediately needed and warranted to address plant pest risks associated with currently admissible green tomatoes grown in the field. Pursuant to this Federal Order, APHIS will require that shipments of green tomatoes from Italy must meet one of the following three import requirements:

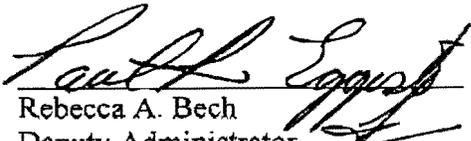
- A phytosanitary certificate accompanying the tomato shipment, including an additional declaration that the tomatoes in the shipment originate from an area recognized as free of *Tuta absoluta*, as per conditions listed in 7 CFR 319.56-5, or
- Before being shipped for importation into the United States, the tomatoes are treated with methyl bromide in accordance with 7 CFR 305, treatment schedule T101-c-3-1, an approved treatment for green, red or pink tomatoes produced in areas infested with *Tuta absoluta*. This treatment can only be applied in a preclearance program. Any country desiring establishment of a preclearance program should contact APHIS Quarantine Policy Analysis and Support (QPAS), or
- A phytosanitary certificate accompanying the tomato shipment, including an additional declaration that the tomatoes were produced in accordance with an APHIS-approved systems approach (as described below) and have been inspected and are free of *Tuta absoluta*.

APHIS believes that a systems approach with some additional requirements described below will provide the appropriate level of phytosanitary security for tomatoes originating from areas infested with *Tuta absoluta*.

The additional requirements for the APHIS-approved systems approach for shipments of green tomatoes from Italy shall include all of the following:

- The tomatoes must be grown in approved production sites that are registered with the National Plant Protection Organization (NPPO) of the country.
- Tomato production sites must include a Pest Exclusionary Structure which must have double self closing doors and have all other openings and vents covered with 1.6 mm (or less) screening.
- Registered production sites must conduct regular inspections for *Tuta absoluta* throughout the harvest season and find these areas free of *T. absoluta* evidence (e.g., eggs or larvae). If within 30 days of harvest, two *T. absoluta* are captured inside the greenhouse or a single *T. absoluta* is found inside individual fruit or in a consignment of the fruit, shipments from the production site will be suspended until APHIS and NPPO determine that an appropriate level of risk mitigation has been achieved.
- The NPPO must maintain records of *Tuta absoluta* captures for one year following the date of the capture for APHIS review. The NPPO must maintain an APHIS-approved quality control program to monitor or audit the program. APHIS must be notified when a production site is removed or added to the program. APHIS will conduct routine site visits to monitor the program.

This Federal Order is effective on the 15th day after its date of issuance. Accordingly, beginning May 27, 2009, all shipments of green, tomatoes from Italy, must meet one of the three above import requirements to be admissible into the United States.


Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

5 - 12 - 2009
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