

FOR INFORMATION AND ACTION
DA-2011-03
January 21, 2011

SUBJECT: Revised Federal Order for Citrus Black Spot (CBS) (*Guignardia citricarpa*) in Florida

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

On April 7, 2010, the Animal and Plant Health Inspection Service (APHIS) confirmed the first U.S. detection of Citrus Black Spot (*Guignardia citricarpa*) on citrus fruit from a commercial Valencia orange grove in Collier County, Florida. APHIS and the Florida Department of Agriculture and Consumer Services, Department of Plant Industry immediately began surveying the area to determine the extent of the CBS infestation. As a result of these surveys, CBS was also detected in Hendry County, Florida. There have been no further detections of CBS outside of these two counties.

On October 14, 2010, a Federal Order was issued for CBS in Florida placing portions of Collier and Hendry counties under quarantine and establishing requirements for the movement of regulated articles. As a condition of moving fruit interstate, fresh citrus fruit from the CBS quarantine areas must be packed in commercial citrus packing houses operating under compliance agreement with APHIS. Packing house procedures must include washing, disinfestation, treatment, and waxing prior to treatment.

APHIS is issuing a revised Federal Order, effective immediately, which includes updated quarantine requirements for treatments of regulated fruit with imazalil and/or thiabendazole at the time of packing. The treatment area is localized in that the use of chemicals will be limited solely to enclosed areas within packinghouses. APHIS inspectors will monitor packing houses to insure that the conditions in the compliance agreements are fully satisfied.

For additional information regarding the movement of fresh fruit from areas quarantined for CBS, you may contact Leon Bunce, Eastern Region Program Manager at (919) 855-7360, or Deborah McPartlan, National Citrus Program Coordinator at (301) 734-5356.

/s/ Paul R. Eggert for

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

FEDERAL DOMESTIC QUARANTINE ORDER

Guignardia citricarpa Kiely Causal Agent of Citrus Black Spot (CBS)

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The purpose of this Federal Order is to prevent the spread of the plant pathogen *Guignardia citricarpa* Kiely, the causal agent of CBS, through regulatory authority provided by Section 412(a) of the Plant Protection Act of June 20, 2000, as amended, 7 U.S.C. 7712(a), which 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 that the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States.

The Administrator of the Animal and Plant Health Inspection Service (APHIS) has determined that it is necessary; in order to prevent the dissemination of CBS, to establish restrictions on the interstate movement of regulated articles from quarantined areas in the State of Florida as described in this Federal Order. This Federal Order updates and replaces Federal Order (DA-2010-47) issued October 14, 2010.

A. Quarantined Areas:

The Administrator will list as a quarantined area each state, or each portion of a state, that is within 1 mile of a site where CBS has been confirmed by an inspector to be present, in which the Administrator has reason to believe that CBS is present, or that the Administrator considers necessary to regulate because of its inseparability for quarantine area enforcement purposes from localities in which CBS has been found.

Less than an entire state will be designated as a quarantined area only if the Administrator determines that:

1. The state has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are substantially the same as those imposed by the Administrator on the interstate movement of regulated articles, except when regulated fruit moves intrastate from a quarantined area for fresh fruit packing or for processing into a product other than fresh fruit in accordance with this order; and
2. The designation of less than the entire state as a quarantined area will be sufficient to prevent the interstate spread of CBS.

The Administrator or an inspector may temporarily designate any non-quarantine area as a quarantined area. The Administrator will give a copy of this Order along with a written notice for the temporary designation to the owner or person in possession of the area to be established as a quarantined area. Thereafter, the interstate movement of any regulated article from an area temporarily designated as a quarantined area will be subject to this Order. When feasible, this

area will be added to the list of quarantined areas or the designation will be terminated by the Administrator or an inspector. The owner or person in possession of an area for which a quarantine designation is terminated will be given notice of the termination as soon as possible.

The following areas are designated as quarantined areas:

Florida

In **Collier County**: Sections 14, 15, 22 through 28, 33, 34 and 35 in Township 47, Range 29; Sections 01 through 04, 09 through 13, 15 and 16 in Township 48, Range 29; Sections 06 and 07 in Township 48, Range 30.

In **Hendry County**: Sections 35 and 36 in Township 46, Range 31; Section 31 in Township 46, Range 32; Sections 06 and 07 in Township 47, Range 32; Sections 01, 02 and 12 in Township 47, Range 31.

Certain quarantined sections are only partially located within 1 mile of a site where CBS has been detected. In these cases, the Administrator considers it necessary to regulate the entire section due to their inseparability for quarantine enforcement purposes.

The Administrator has determined that Florida has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are substantially the same as those imposed by the Administrator on the interstate movement of regulated articles; and that the designation of less than the entire State of Florida as a quarantined area will be sufficient to prevent the interstate spread of CBS.

B. Regulated Articles:

The following are regulated articles and may not be moved interstate from a quarantined area unless they are moved in accordance with this Order:

1. Fruit of *Citrus spp.*
2. All plants and plant parts, including leaves for consumption, budwood, and nursery stock of *Citrus spp.*
3. Other articles intended for consumption, as apparel or as a similar personal accessory, or decorative use made from *Citrus spp.*
4. Any other products, articles, or means of conveyance of any character whatsoever, when it is determined by an inspector that they present a hazard of spread of CBS and the person in possession thereof has been provided notice.

C. Conditions for Interstate Movement of Regulated Articles:

1. Fresh fruit from groves within the CBS quarantine areas may move interstate under certificate to all U.S. States, under the following conditions:
 - a. Fruit must be practically free of leaves, stems, or other regulated plant material;

- b. Fruit must be washed, disinfested, treated, and waxed at the packing house, prior to shipment, using an APHIS-approved packing house procedure located on the APHIS website:
http://www.aphis.usda.gov/plant_health/plant_pest_info/citrus/black_spot.shtml
 - c. Fruit must be packed in a packing house operating under a signed compliance agreement with APHIS;
 - d. Fruit must be accompanied by a certificate issued by an inspector or by persons operating under a compliance agreement; and
 - e. The certificate must be present on both the paperwork accompanying the shipment and on the containers in which the fruit is packed.
2. Regulated organic fruit from CBS quarantine areas may move interstate from the packing house under certificate to all States under the following conditions:
 - a. Fruit has been inspected and determined to be asymptomatic based on visual inspection by an inspector at the packing house;
 - b. Fruit must be practically free of leaves, stems or other regulated plant material;
 - c. Fruit must be washed and disinfested at the packing house, prior to shipment using an APHIS-approved packing house procedure, which can be found on the website listed under Section 1b of this Federal Order;
 - d. Fruit must be packed in a packing house operating under a signed compliance agreement with APHIS; and
 - e. The certificate must be present on both paperwork accompanying the shipment and on the containers in which the fruit is packed.
3. Regulated organic fruit from CBS quarantine areas that exhibits symptoms may only move interstate from the packing house under limited permit to noncommercial citrus-producing states under the following conditions:
 - a. Fruit must be practically free of leaves, stems or other regulated plant material;
 - b. Fruit must be washed and disinfested at the packing house, prior to shipment using APHIS-approved packing house procedure, which can be found on the website listed under Section 1b of this Federal Order;
 - c. Fruit must be packed in a packing house operating under a signed compliance agreement with APHIS; and
 - d. The limited permit must be present on both paperwork accompanying the shipment and on the containers in which the fruit is packed.
4. Within a state with a quarantined area, the state may allow citrus fruit to move intrastate from the quarantined area for packing or processing into a product other than fresh fruit under the following conditions:
 - a. **Growers** must operate under a Compliance Agreement that stipulates the following:
 - i. Any fruit that is moved from the quarantined area must be transported in vehicles that meet the following conditions:
 - (1) Must have solid wall construction on the sides and rear of the cargo area need

only be covered with a tarpaulin or otherwise covered on the open top, providing that openings around any tailgates or hinged door do not exceed ½ inch.

- (2) If with side and rear wall construction of wire mesh screen or expanded metal less than or equal to $\frac{3}{4} \times 1-11/16$ inch must have the open top of the cargo area covered.
 - (3) If they have screen mesh openings greater than $\frac{3}{4} \times 1-11/16$ inch must have the cargo area covered completely (to the bed of the vehicle). In addition, if mesh size is greater than $\frac{3}{4} \times 1-11/16$ inch, all reductions in mesh size must be done from within the cargo area (e.g., adding steel, fabric or hardware cloth lining).
- ii. Vehicles transporting pallet boxes, field boxes, field bins, etc., must have the cargo area covered with a tarpaulin or otherwise covered in a manner that does not allow any openings greater than ½ inch exposing the fruit. In most cases, this cover will have to extend to below the top of the bottom row of boxes. However, if the pallet boxes or field boxes are stacked in a solid wall with no openings of ½ inch or more on the side or back, only the open tops of the exposed boxes are required to be covered.
 - iii. Covers or tarpaulins may be constructed of any fabric that has a weave of less than ½ inch. In addition, covers must be in good repair and securely fastened or tied down in a manner that will prevent the loss of fruit, leaves, or plant debris while in transit.
 - iv. Identity of each load of fruit must be maintained by issuing an individually numbered trip ticket containing the following information:
 - (1) Name of Grove, Land Owner/agent, Lessee, Harvester
 - (2) License tag number.
 - (3) Number of boxes contained in load (if not bulk)
 - (4) Grove block fruit originated in
 - (5) Processing plant or packinghouse to which fruit is destined
 - (6) Date of harvest
 - (7) The word “TARP” written clearly, preferably at the bottom
 - v. After being emptied and cleaned of plant debris, trailers, field boxes or bins must be disinfected using:
 - (1) A 200-ppm solution of sodium hypochlorite with a pH of 6.0 to 7.5; or
 - (2) A 0.2-percent solution of a quaternary ammonium chloride (QAC) compound; or
 - (3) A solution containing 85 parts per million PAA (indoor use only).

b. Processors receiving whole fruit for juicing and **packers** receiving whole fruit for packing as fresh fruit from the CBS quarantined area must operate under a Compliance Agreement that stipulates the following:

- i. After shipments are emptied at the processing plant or packinghouse, trailers, tarpaulins, field boxes, and field bins must be cleaned of all leaves and other plant debris.
- ii. After being emptied at the processing plant or packinghouse and cleaned of plant

- debris, trailers, field boxes or bins must be disinfected using:
- (1) A 200-ppm solution of sodium hypochlorite with a pH of 6.0 to 7.5; or
 - (2) A 0.2-percent solution of a QAC compound; or
 - (3) A solution containing 85 parts per million PAA (indoor use only).

5. Within a state with a quarantined area, the state may allow the intrastate movement of leaves, stems, debris, culled fruit, or other plant material of any citrus plant from a quarantined area if the following conditions are met:
 - a. The plant parts must be moved in an enclosed or covered vehicle cargo area. The cargo must be enclosed or covered in a manner so as to have no openings greater than ½ inch exposing the leaves, litter, etc.
 - b. When plant material comes directly in contact with the vehicle, the vehicle must be disinfected following movement.
 - c. Culled fruit may only be moved intrastate for processing or destruction by one of the methods below.
 - d. All leaves and other plant debris cleaned from trailers, tarpaulins, field boxes and field bins must be handled in one of the following methods subject to monitoring by an inspector:
 - (1) Heat treated to at least 180 degrees Fahrenheit for a period of at least one hour
 - (2) Incinerated
 - (3) Buried at a landfill or other disposal site approved site approved by APHIS or the State and covered with dirt at the end of every day that dumping occurs.
6. Citrus plants and citrus plant parts, other than fresh fruit handled in accordance with this order, may not be moved interstate from the quarantine areas.

D. Definitions:

Certificate: A document, stamp, or other means of identification approved by APHIS and issued by an inspector or person operating under a compliance agreement when he or she finds that, because of certain conditions, a regulated article can be moved safely from a quarantine area.

Commercial citrus-producing states: The States of American Samoa, Arizona, California, Florida, Guam, Hawaii, Louisiana, Northern Mariana Islands, Puerto Rico, Texas, and Virgin Islands of the United States.

Compliance agreement: A written agreement between APHIS or a state and a person engaged in growing, processing, handling, or moving regulated or associated articles, wherein the person agrees to comply with stipulations set forth in the agreement. The compliance agreement may be cancelled orally or in writing by an inspector if the inspector finds that the person who entered into the compliance agreement has failed to comply with all of the requirements of this Federal Order.

Inspector: Any employee of APHIS, the U.S. Department of Agriculture, or any employee of a state, a county, or any other person specifically authorized by the Administrator to perform the

duties required under this Order.

Limited permit: A document in which an inspector or person operating under a compliance agreement affirms that the regulated article identified on the document is eligible for interstate movement in accordance with this part only to a specified destination and only in accordance with specified conditions.

Organic: USDA certified organic operations certified according to the National Organic Program regulations. <http://www.ams.usda.gov/AMSV1.0/nop>