

FOR INFORMATION AND ACTION

DA-2018-18

June 7, 2018

Subject: APHIS Adds Vermont to the Emerald Ash Borer (*Agrilus planipennis*) Regulated Area

To: State and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is adding all of Vermont to the list of regulated areas for the emerald ash borer (EAB). APHIS is taking this action in response to the expansion of EAB in these areas.

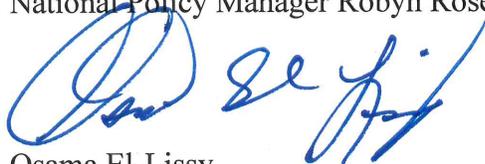
To prevent the spread of EAB to other states, the attached Federal Order outlines specific conditions for the interstate movement of EAB-regulated articles from Vermont. Specifically, the interstate movement of EAB-host wood and wood products from Vermont is regulated, including firewood of all hardwood 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* (CFR) at 7 CFR 301.53-3 and the Federal Orders located at:

[http://www.aphis.usda.gov/planthealth/eab\\_quarantine](http://www.aphis.usda.gov/planthealth/eab_quarantine)

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 Robyn Rose at 301-851-2283.



Osama El-Lissy  
Deputy Administrator  
Plant Protection and Quarantine

Attachment: Federal Order

## FEDERAL ORDER

### Domestic Quarantine of Vermont for Emerald Ash Borer (*Agrilus planipennis*)

DA-2018-18

June 7, 2018

This Federal Order expands the list of regulated areas for emerald ash borer (EAB) to include all of Vermont.

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 found at 7 *Code of Federal Regulations* (CFR) 301.53.

Effective immediately, this Federal Order quarantines all of Vermont for EAB. Due to the expansion of EAB, the Administrator of the Animal and Plant Health Inspection Service (APHIS) finds it necessary to regulate all of Vermont. Effective immediately, all interstate movement of EAB regulated articles from Vermont must be done in accordance with any applicable provisions of this Federal Order and the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.53 *et seq.* and the Federal Orders located at:

[http://www.aphis.usda.gov/planthealth/eab\\_quarantine](http://www.aphis.usda.gov/planthealth/eab_quarantine)

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 who possesses 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 due to the continuing spread of EAB. This Federal Order further expands the quarantined areas as described in the previous EAB Federal Orders.

If you wish more details on the federal EAB regulatory program, you may call EAB National Policy Manager Robyn Rose at 301-851-2283. For information on the regulatory requirements to move articles out of quarantined areas in Vermont please call the APHIS State Plant Health Director in Vermont, Stephen Lavalley at 501-324-5258.