

FOR INFORMATION AND ACTION
DA-2021-27
October 22, 2021

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.

Following a review of the results from the 2020 survey of Karnal bunt-regulated areas and updates to the United States Geological Survey's Public Land Survey System, APHIS is reducing the regulated area in Maricopa and Pinal Counties in accordance with the criteria listed in 7 Code of Federal Regulations (CFR) § 301.89-3(f). Specifically, APHIS is removing 1,086 acres from Maricopa County and 2,728 acres from Pinal County from the list of regulated areas. There will be no more restrictions on the interstate movement of Karnal bunt-regulated articles from these areas. However, other portions of Maricopa and Pinal Counties remain regulated.

In addition, APHIS is adding 250 acres in La Paz County to the list of regulated areas. APHIS is adding these fields, not because of Karnal bunt detection, but because they are now productive agricultural land within a regulated area. We have determined that these fields meet the criteria for regulation outlined in 7 CFR § 301.89-3(e). These added acres in La Paz County are part of the Colorado River Indian Tribe Reservation that is home to the Chemehuevi, Hopi, Mohave, and Navajo Tribes.

APHIS is taking this regulatory action 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. 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 National Policy Manager, Lynn Evans-Goldner, at (301) 851-2286 or lynn.evans-goldner@usda.gov.



Dr. Osama A. El-Lissy
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

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

Federal Order

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

DA-2021-27
October 22, 2021

This Federal Order amends the Karnal bunt-regulated areas in La Paz, Maricopa, and Pinal Counties in Arizona. Specifically, it reduces the overall regulated area in Maricopa and Pinal Counties and adds areas in La Paz County.

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 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 the state enforce 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.

Section 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). Section 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 the regulated areas in Arizona designated in the Code of Federal Regulations located at 7 CFR § 301.89-3(g), and updates 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 8, 2019, and Federal Order (DA-2020-04) issued February 4, 2020. This Federal Order does not negate the removal of wheat, durum wheat, and triticale harvested for silage from the list of regulated articles listed at § 301.89-2 as presented in Federal Order (DA-2017-08).

Following a review of all available information, APHIS determined that 3,814 field acres qualify for deregulation in accordance with the criteria listed in 7 CFR § 301.89-3(f). Specifically, APHIS is removing 1,086 field acres from Maricopa County and 2,728 field acres from Pinal County from the list of regulated areas. Accordingly, there will be no APHIS restrictions on the interstate movement of Karnal bunt-regulated articles from these areas.

In addition, APHIS is adding seven fields (250 field acres) in La Paz County to the list of regulated areas. APHIS is adding these fields, not because we detected Karnal bunt, but because they are now productive agricultural land and are located within a regulated area. We have determined that these fields meet the criteria for regulation outlined in 7 CFR § 301.89-3(e). These added field acres in La Paz County are part of the Colorado River Indian Tribe Reservation that is home to the Chemehuevi, Hopi, Mohave, and Navajo Tribes.

Update § 301.89-3(g) Arizona, Pinal County, paragraph (2), as follows:

(2) Beginning at the southeast corner of sec. 4, T. 6 S., R. 4 E.; then west to the southwest corner of sec. 4, T. 6 S., R. 4 E.; then south to the southeast corner of sec. 17, T. 6 S., R. 4 E.; then west to the southwest corner of sec. 18, T. 6 S., R. 4 E.; then south to the southeast corner of sec. 24, T. 6 S., R. 3 E.; then west to the southwest corner of sec. 23, T. 6 S., R. 3 E.; then north to the southeast corner of sec. 15, T. 6 S., R. 3 E.; then west to the southwest corner of sec. 16, T. 6 S., R. 3 E.; then north to the southeast corner of sec. 8, T. 6 S., R. 3 E.; then west to the southwest corner of sec. 8, T. 6 S., R. 3 E.; then north to the southeast corner of sec. 6, T. 6 S., R. 3 E.; then west to the southwest corner of sec. 6, T. 6 S., R. 3 E.; then north to the southeast corner of sec. 31, T. 5 S., R. 3 E.; then west to the southwest corner of sec. 31, T. 5 S., R. 3 E.; north to the southeast corner of sec. 24, T. 5 S., R. 2 E.; then west to the southwest corner of sec. 24, T. 5 S., R. 2 E.; then north to the southeast corner of sec. 2, T. 5 S., R. 2 E.; then west to the southwest corner of sec. 2, T. 5 S., R. 2 E.; then north to the northwest corner of sec. 14, T. 4 S., R. 2 E.; then east to the northeast corner of sec. 14, T. 4 S., R. 2 E.; then follow the section line north to the northwest corner of sec. 12, T. 4 S., R. 2 E.; then east to the northeast corner of sec. 9, T. 4 S., R. 3 E.; then follow the section line south to the northwest corner of sec. 15, T. 4 S., R. 3 E.; then east to the northeast corner of sec. 15, T. 4 S., R. 3 E.; then south to the southeast corner of sec. 15, 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 southeast corner of sec. 30, 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. 32, T. 4 S., R. 4 E.; then east to the northeast corner of sec. 3, T. 5 S., R. 4 E.; then south to the southeast corner of sec. 3, T. 5 S., R. 4 E.; then east to the northeast corner of sec. 11, T. 5 S., R. 4 E.; then south to the southeast corner of sec. 35, T. 5 S., R. 4 E.; then west to the northeast corner of sec. 4, T. 6 S., R. 4 E.; then south to the point of beginning.

No changes were made to the legal descriptions in La Paz and Maricopa Counties because the changes in field acres did not affect the perimeter of the existing quarantines.

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 additional information about the Karnal bunt program, please call National Policy Manager, Lynn Evans-Goldner, at (301) 851-2286 or lynn.evans-goldner@usda.gov.