

FOR INFORMATION AND ACTION

DA-2016-09

JAN 29 2016

Subject: APHIS Removes Plum Pox Virus Regulated Areas in Niagara County,
New York

To: State and Territory Agricultural Regulatory Officials

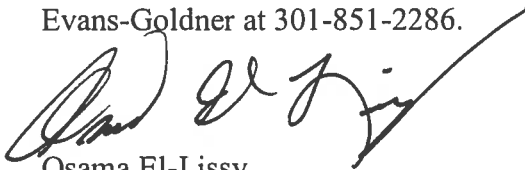
The successful partnership of the Animal and Plant Health Inspection Service (APHIS), the New York State Department of Agriculture and Markets (NYSDAM), the Tuscarora Nation of New York, and the stone fruit industry has eradicated plum pox virus (PPV) from Niagara County in New York. The attached Federal Order removes areas in Niagara County from PPV regulation, effective immediately.

Since the initial detection of PPV in New York in 2006, APHIS and its state, tribal, and industry partners have worked together to conduct eradication and survey activities throughout the state. Based on three years of negative survey results—which included all orchards and residential properties with host plants within the regulated areas—APHIS has determined that the PPV Program has met the criteria to remove the PPV regulated areas in Niagara County, New York.

While federal interstate movement restrictions will no longer be in effect for Niagara County, certain New York state regulations will remain in place. Specifically, New York state regulations still prohibit PPV-host plant propagation, including budwood collection and nursery plantings in state regulated areas. However, people may once again plant PPV-host *Prunus* trees for fruit or ornamental purposes in what was once a “no plant zone.”

APHIS appreciates the cooperative relationship with NYSDAM, the Tuscarora Nation, and the stone fruit industry that resulted in the eradication of PPV from the Niagara region of New York.

For additional information regarding this program, you may call National Policy Manager Lynn Evans-Goldner at 301-851-2286.



Osama El-Lissy
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

FEDERAL ORDER

Plum Pox Virus (PPV) Domestic Quarantine

DA-2016-09

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This Federal Order removes the previously quarantined portions of Niagara County, New York, from the quarantine for plum pox virus (PPV).

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) §301.74 *et seq.*

Regulations for PPV were first promulgated on September 14, 2000, due to the detection of this exotic plant virus. Also known as “Sharka,” PPV is the most devastating viral disease worldwide of stone fruit, causing yield losses to growers and reducing the marketability of fruit and nursery stock. The regulations located at 7 CFR §301.74 established provisions to address the plant pest risk associated with PPV. Since that time, APHIS has conducted survey and eradication activities in cooperation with Pennsylvania, Michigan, New York, the Tuscarora Nation of New York, and the stone fruit industry. Plum pox virus has previously been eradicated from Michigan, Pennsylvania, and Orleans and Wayne Counties in New York.

The APHIS Administrator has determined PPV to be eradicated in Niagara County in New York based on three years of negative surveys, which included all orchards and residential properties with host plants within the quarantine areas. The survey method included the collection of leaves from host plants and testing for PPV using a standard enzyme-linked immunosorbent assay (ELISA) test. Quality control and backup testing were done using polymerase chain reaction (PCR) testing. Accordingly, the Administrator has determined that the imposition of a federal quarantine for PPV is no longer necessary in the aforementioned areas. Effective immediately, this Federal Order removes the following areas in New York from the list of federal PPV quarantined areas:

Niagara County.

(1) That area of Niagara County in the Towns of Burt, Newfane, and Wilson bordered on the north by Lake Ontario; bordered on the west by Maple Road; then south on Maple Road to Wilson-Burt Road; then east on Wilson-Burt Road to Beebe Road; then south on Beebe Road to Ide Road; then east on Ide Road to Route 78 (Lockport-Olcott Road); then north on Route 78 (Lockport-Olcott Road) to the Lake Ontario shoreline.

(2) That area of Niagara County in the Town of Lewiston bordered on the west by Porter Center Road starting at its intersection with Route 104 (Ridge Road); then north-northeast on Porter Center Road to Langdon Road; then east on Langdon Road to Dickersonville Road; then north on Dickersonville Road to Schoolhouse Road; then east on Schoolhouse Road to Ransomville Road; then south on Ransomville Road to Route 104 (Ridge Road); then northeast on Route 104 (Ridge Road) to Simmons Road; then south on Simmons Road to Albright Road; then east on Albright Road to Townline Road; then south on Townline Road to Lower Mountain Road; then west on Lower Mountain Road to Meyers Hill Road; then south on Meyers Hill Road to Upper Mountain Road; then west on Upper Mountain Road to Indian Hill Road; then northeast on Indian Hill Road to Route 104 (Ridge Road); then east on Route 104 (Ridge Road) to Porter Center Road.

(3) That area of Niagara County bordered on the north by Lake Ontario and on the east by Keg Creek; then south on Keg Creek to Route 18 (Lake Road); then east on Route 18 (Lake Road) to Hess Road; then south on Hess Road to Drake Settlement Road; then west on Drake Settlement Road to Transit Road; then north on Transit Road to Route 18 (Lake Road); then west on Route 18 (Lake Road) to Lockport Olcott Road; then north on Lockport Olcott Road to the Lake Ontario shoreline.

This Federal Order updates the list of quarantined areas in the federal regulations at 7 CFR §301.74 and will be followed by an interim rule. If you would like more details on the PPV regulatory program, you may call PPV National Policy Manager Lynn Evans-Goldner at 301-851-2286.

APHIS continues to appreciate the cooperative relationship with the New York State Department of Agriculture and Markets, the Tuscarora Nation of New York, and the stone fruit industry in our effort to prevent the spread of PPV.