

FOR INFORMATION AND ACTION
DA-2019-28
October 18, 2019

Subject: APHIS Removes Plum Pox Virus Regulated Areas in Orange and Ulster Counties, New York

To: State and Territory Agricultural Regulatory Officials

Effective immediately, USDA's Animal and Plant Health Inspection Service (APHIS) is removing areas in Orange and Ulster Counties, New York, from plum pox virus (PPV) regulations. The successful partnership of the Animal and Plant Health Inspection Service (APHIS), the New York State Department of Agriculture and Markets (NYSDAM), the stone fruit industry, Cornell University, and AgDia, Inc. has eradicated plum pox virus (PPV) from the Hudson Valley region of New York.

Since PPV was first detected in Niagara County, New York in 2006, APHIS and its state, tribal, and industry partners have worked together to conduct survey and eradication 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, the PPV Program has met APHIS' criteria to remove the regulated areas in Orange and Ulster Counties.

While federal interstate movement restrictions will no longer be in effect for portions of Orange and Ulster Counties, 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 stone fruit industry, Cornell University, and AgDia, Inc. that resulted in the eradication of PPV from the Hudson Valley region of New York.

Information about APHIS' Plum Pox Virus Program can be found on the following designated website:

<https://www.aphis.usda.gov/plant-health/plumpox>

For additional information about the Plum Pox Virus Program, please contact National Policy Manager Lynn Evans-Goldner at 301-851-2286.

/s/

Osama El-Lissy
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

FEDERAL ORDER

Plum Pox Virus (PPV) Domestic Quarantine

DA-2019-28
October 17, 2019

This Federal Order removes the previously quarantined portions of Orange and Ulster Counties, 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, the stone fruit industry, Cornell University, and AgDia, Inc. Plum pox virus has previously been eradicated from Michigan, Pennsylvania, and Niagara, Orleans and Wayne Counties in New York.

The APHIS Administrator has determined PPV to be eradicated in Orange and Ulster Counties, 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:

Portions of Orange and Ulster Counties.

That area of Orange, and Ulster counties that intersect and lie within a one mile circle bounded by GPS coordinates (41.59229, -73.97927) that intersect with Route 9 W on the North following imaginary line East to intersection of Mill House Road GPS coordinates (41.58775, -73.97780) following imaginary line South West to intersection of McDonald Drive GPS coordinates (41.57976, -73.97993) following imaginary line South West to intersection of Levinson Heights

Road GPS coordinates (41.57397, -73.98737) following imaginary line South to intersection of Old Post Road GPS coordinates (41.57295, -73.99007) following imaginary line South to intersection of Route 9 W on the South GPS coordinates (41.57271, -73.99096) following imaginary line South West to intersection of Lattintown Road GPS coordinates (41.57393, -74.00663) following imaginary line North West to intersection of Candlestick Hill Road GPS coordinates (41.58121, -74.01490) following imaginary line North West to intersection of Bingham Road GPS coordinates (41.58945, -74.01589) following imaginary line North to intersection of Hampton Road GPS coordinates (41.59138, -74.01522) following imaginary line North East to intersection of Gobblers Knob Road GPS coordinates (41.59830, -74.00813) following imaginary line North East to intersection of Gobblers Knob Road GPS coordinates (41.59872, -74.00733) following imaginary line North East to intersection of South Street GPS coordinates (41.60023, -74.00320) following imaginary line North East to intersection of Lattintown Road GPS coordinates (41.60084, -73.99983) following imaginary line East to intersection of Lu El Ann Road GPS coordinates (41.60084, -73.99450) following imaginary line South East to intersection of Cross Road GPS coordinates (41.59916, -73.98775) following imaginary line South East to intersection of South Street/Rosa Drive intersection GPS coordinates (41.59774, -73.98483) following imaginary line South East to intersection of Highland Ave GPS coordinates (41.59639, -73.98296) following imaginary line South East to Vineyard Lane GPS coordinates (41.5960, -73.98245) than following imaginary line South East back to intersection of Route 9W GPS coordinates (41.59229, -73.97927) to close imaginary line one mile circle.

This Federal Order updates the list of quarantined areas in the federal regulations at 7 CFR §301.74 and will be followed by rulemaking.

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

For additional information about the Plum Pox Virus Program, please contact National Policy Manager Lynn Evans-Goldner at 301-851-2286.