

FOR INFORMATION AND ACTION
DA-2008-41
August 5, 2008

SUBJECT: Four Additional Counties in Virginia Added to the Quarantine Area for Emerald Ash Borer (*Agrilus planipennis*)

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

On July 21, 2008, the State of Virginia established a quarantine area for emerald ash borer (EAB) which included Arlington, Fauquier, Loudon, and Prince William Counties. Virginia also established a quarantine area for the independent Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park. Under Virginia law an independent city is a distinct and separate governmental unit from the county in which it is located. EAB has not been detected in these additional areas, but Virginia has established these as quarantine areas due to their physical proximity to known infestations and because of known high risk associations with Fairfax County such as the movement of woody landscaping debris and firewood in recent years.

In response to Virginia's phytosanitary action, APHIS is publishing regulations which are parallel to Virginia's for EAB in Arlington, Fauquier, Loudon, and Prince William Counties and the independent Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park. Due to the phytosanitary actions taken by the State of Virginia to place these EAB restrictions in place, APHIS is establishing a parallel quarantine area in order to prevent the further spread of EAB. Accordingly, effective immediately, all interstate movement of EAB-regulated articles from the quarantined area must be done in accordance with the attached Federal Order. Specifically, the interstate movement of EAB-host wood and wood products from Arlington, Fauquier, Loudon, and Prince William Counties and the independent Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park is regulated, including firewood of all hardwood species, nursery stock, green lumber, waste, compost, and chips of ash species.

EAB is present in some parts of the United States, but is subject to official controls to prevent further spread. Currently, Allegheny, Beaver, Butler, Lawrence, and Mercer Counties in western Pennsylvania have been established as quarantine areas for EAB, together with the entire States of Ohio, Indiana, and Illinois. Portions of Michigan's Upper Peninsula, the entirety of Michigan's Lower Peninsula, Prince George's County in Maryland, and Fairfax County in Virginia, have also been established as quarantine areas and EAB was detected last year in one county in West Virginia.

EAB is an invasive wood boring beetle that is native to China and eastern Asia. EAB probably arrived in North America hidden in wood packing materials commonly used to ship consumer and other goods. It was first detected in the United States in southeastern Michigan. Since then, EAB has been responsible for the death and decline of more than 25 million ash trees in the United States. The interstate movement of firewood from quarantined areas is an especially high risk pathway for spreading EAB, and APHIS is working with State cooperators and foresters to raise awareness about this threat among the public.

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EAB is considered to be present in some areas in the United States, and subject to official control. For more information about the EAB program and Federal EAB regulations, you may contact Paul Chaloux, Acting EAB National Program Manager, at Area Code (301) 734-0917.

/s/ Paul R. Eggert /for

Rebecca A. Bech
Deputy Administrator
Plant Protection and Quarantine

Attachment:
Federal Order

FEDERAL ORDER

Domestic Quarantine of Arlington, Fauquier, Loudon, and Prince William Counties and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park in Virginia for Emerald Ash Borer (*Agrilus planipennis*)

This Federal Order is issued under the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412(a), 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 the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States and the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.53.

This Federal Order quarantines, effective immediately, Arlington, Fauquier, Loudon, and Prince William Counties and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park in Virginia for Emerald Ash Borer (EAB). This action is necessary since Virginia established an intrastate quarantine due to the proximity of these areas to known EAB infestations in Fairfax County and the high-risk association of these areas with Fairfax County through known movements of woody landscaping debris and firewood. Therefore, the Administrator of the Animal and Plant Health Inspection Service (APHIS) has determined that it is likewise necessary to quarantine these areas in Virginia in order to prevent the spread of EAB. Accordingly, effective immediately, all interstate movement of EAB-regulated articles from the quarantined areas in Virginia must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.53 et seq.

7 CFR 301.53-3(a) allows the designation of less than an entire State as an EAB-quarantined area only when the Administrator of APHIS has determined, as in this case, that the designation of less than an entire State as a quarantined EAB area is adequate to prevent the interstate spread of infestations of Emerald Ash Borer. In addition, 7 CFR 301.53-3(a) requires that the State enforces an intrastate EAB quarantine that are equivalent to the Federal EAB regulations. The Virginia Department of Agriculture has established an intrastate quarantine for Arlington, Fauquier, Loudon and Prince William Counties and the cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park under a Virginia interior quarantine that mirrors Federal requirements for Emerald Ash Borer.

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). 7 CFR 301.53-3 (b) further requires written notification be given to the owner or person in possession of a newly-quarantined area. This is the responsibility of the Federal and/or State regulatory personnel responsible for the EAB program in the affected State.

We continue to appreciate the cooperative relationship with the State of Virginia in our efforts to prevent the spread of EAB. If you wish more details on the Federal EAB regulatory program, you may contact the EAB National Program Coordinator, Paul Chaloux, at Area Code (301) 734-0917. For information on regulatory requirements for movement of articles out of Virginia, please contact the APHIS State Plant Health Director, Bernetta Barco.