

FOR INFORMATION AND ACTION

DA-2017-08

April 11, 2017

Subject: APHIS Amends Karnal Bunt (*Tilletia indica* (Mitra) Mundkur) Regulated Areas in La Paz, Maricopa, and Pinal Counties, Arizona, and Removes Silage from the List of Regulated Articles

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. Specifically, APHIS is reducing the regulated area in La Paz and Maricopa Counties and increasing the regulated area in Pinal County. APHIS is also removing wheat, durum wheat, and triticale harvested for silage from the list of regulated articles.

Following a review of available information, APHIS determined that 167 fields qualify for deregulation in accordance with the criteria listed in 7 *Code of Federal Regulations* (CFR) 301.89-3(f). Accordingly, restrictions are no longer required on the interstate movement of Karnal bunt regulated articles from these areas. APHIS is removing a total of 3,911 acres of Colorado Indian Tribes land from the list of regulated areas in La Paz County and 2,622 acres in Maricopa County, Arizona.

In addition, APHIS is adding 3,488 acres in the Maricopa area of Pinal County, Arizona, to the Karnal bunt regulated area in response to the detection of 83 Karnal bunt-positive fields. Following the completion of field surveys of Karnal bunt regulated areas, we have determined that these fields meet the criteria for regulation outlined in 7 CFR 301.89-3(e).

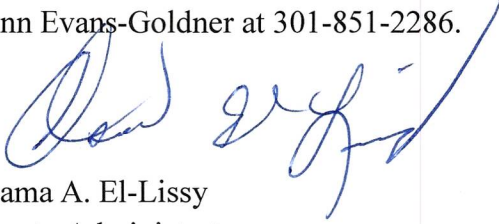
APHIS is taking this regulatory action to prevent the spread of Karnal bunt from Arizona. Karnal bunt is a pest that affects wheat quality. APHIS regulates this plant disease because many trading partners require that U.S. wheat be certified as grown in areas free of Karnal bunt. APHIS will follow this emergency action with the publication of an interim rule in the *Federal Register*. The Karnal bunt regulations can be found at the following website:

<http://www.aphis.usda.gov/plant-health/kb>

Additionally, based on the findings of a pathway analysis completed on January 11, 2017, APHIS is removing wheat, durum wheat, and triticale harvested for silage from the list of regulated articles listed at 7 CFR 301.89-2. The pathway analysis concluded that wheat, durum wheat, and triticale harvested for silage from the Karnal bunt regulated areas pose a negligible

likelihood of introducing the disease into new areas. Growing wheat, durum wheat, and triticales for silage that will be fed to livestock provides another production option for farmers in addition to grain.

For additional information about the Karnal Bunt Program, please call National Policy Manager Lynn Evans-Goldner at 301-851-2286.

A handwritten signature in blue ink, appearing to read 'Osama A. El-Lissy', is written over the printed name.

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

Attachment: Federal Order

FEDERAL ORDER

Domestic Quarantine Notice for Karnal Bunt (*Tilletia indica* (Mitra) Mundkur)

DA-2017-08

April 11, 2017

This Federal Order amends the Karnal bunt regulated areas in Arizona. Specifically, APHIS is reducing the regulated area in La Paz and Maricopa Counties and increasing the regulated area in Pinal County. In addition, APHIS is removing wheat, durum wheat, and triticale harvested for silage from the list of regulated articles.

Quarantine Areas

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) 301.89 *et. seq.*

APHIS determined that 167 fields qualify for deregulation in accordance with the criteria listed in 7 CFR 301.89-3(f). Accordingly, restrictions are no longer required on the interstate movement of Karnal bunt regulated articles from the areas of La Paz and Maricopa, Arizona, listed below. Specifically, APHIS is removing a total of 3,911 acres of Colorado Indian Tribes land from the list of regulated areas in La Paz County and 2,622 acres in Maricopa County, Arizona.

In addition, APHIS is adding 3,488 acres in the Maricopa area of Pinal County, Arizona, to the Karnal bunt regulated area in response to the detection of 83 Karnal bunt-positive fields. Following the completion of field surveys of Karnal bunt regulated areas, APHIS has determined that these fields meet the criteria for regulation outlined in 7 CFR 301.89-3(e).

This Federal Order updates the regulated areas in Arizona and updates and replaces Federal Order DA-2011-69 issued December 6, 2011, Federal Order DA-2013-51 issued November 22, 2013, and Federal Order DA-2016-57 issued October 3, 2016.

Quarantine Boundaries – Arizona

Update 7 CFR 301.89-3(g) Arizona, La Paz County, as follows:

La Paz County. Beginning at the northeast corner of sec. 24, T. 8 N., R. 21 W.; then south to the southeast corner of sec. 1, T. 7 N., R. 21 W.; then east to the northeast corner of sec. 7, T. 7 N., R. 20 W.; then south to the southeast corner of sec. 19, T. 7 N., R. 20 W.; then west to the southwest corner of sec. 19, T. 7 N., R. 20 W.; then south to the southeast corner of sec. 36, T. 7 N., R. 21 W.; then west to the southwest corner of sec. 36, T. 7 N., R. 21 W.; then south to the southeast corner of sec. 2, T. 6 N., R. 21 W.; then west to the southwest corner of sec. 5, T. 6 N., R. 21 W.; then north to the southeast corner of sec. 31, T. 7 N., R. 21 W.; then west to the southwest corner of sec. 31, T. 7 N., R. 21 W.; then north from that point to the Colorado River; then northeast along the Colorado River to the northern boundary of sec. 21 T. 8 N., R. 21 W.; then east to the point of beginning.

Update 7 CFR 301.89-3(g) Arizona, Maricopa County, paragraph (1), as follows:

(1) Beginning at the southeast corner of sec. 4, T. 1 S., R. 1 E.; then west to the northeast corner of sec. 7, T. 1 S., R. 1 W.; then south to the southeast corner of sec. 7, T. 1 S., R. 1 W.; then west to the southwest corner of sec. 9, T. 1 S., R. 2 W.; then north to the northwest corner of sec. 9, T. 1 S., R. 2 W.; then west to the southwest corner of sec. 5, T. 1 S., R. 2 W.; then north to the northwest corner of sec. 5, T. 1 S., R. 2 W.; then west to the northeast corner of sec. 1, T. 1 S., R. 3 W.; then south to the southeast corner of sec. 12, T. 1 S., R. 3 W.; then west to the northeast corner of sec. 15, T. 1 S., R. 3 W.; then south to the southeast corner of sec. 15, T. 1 S., R. 3 W.; then west to the southwest corner of sec. 18, T. 1 S., R. 3 W.; then north to the northwest corner of sec. 18, T. 1 S., R. 3 W.; then west to the southwest corner of sec. 12, T. 1 S., R. 4 W.; then north to the northwest corner of sec. 24, T. 1 N., R. 4 W.; then east to the northeast corner of sec. 24, T. 1 N., R. 4 W.; then north to the northwest corner of sec. 18, T. 1 N., R. 3 W.; then east to the northeast corner of sec. 14, T. 1 N., R. 3 W.; then south to the southeast corner of sec. 14, T. 1 N., R. 3 W.; then east to the northeast corner of sec. 24, T. 1 N., R. 3 W.; then south to the southeast corner of sec. 24, T. 1 N., R. 3 W.; then east to the southwest corner of sec. 20 T. 1 N., R. 2 W.; then north to the northwest corner of sec. 8, T. 1 N., R. 2 W.; then east to the northeast corner of sec. 12, T. 1 N., R. 2 W.; then south to the southeast corner of sec. 12, T. 1 N., R. 2 W.; then east to the northeast corner of sec. 15, T. 1 N., R. 1 W.; then north to the northwest corner of sec. 23, T. 2 N., R. 1 W.; then east to the northeast corner of sec. 21, T. 2 N., R. 1 E.; then south to the southeast corner of sec. 21, T. 2 N., R. 1 E.; then east to the northeast corner of sec. 27, T. 2 N., R. 1 E.; then south to the southeast corner of sec. 27, T. 2 N., R. 1 E.; then east to the northeast corner of sec. 35, T. 2 N., R. 1 E.; then south to the southeast corner of sec. 14, T. 1 N., R. 1 E.; then west to the southwest corner of sec. 15, T. 1 N., R. 1 E.; then south to the point of beginning.

Update 7 CFR 301.89-3(g) Arizona, Pinal County, paragraph (2), as follows:

(2) Beginning at the southeast corner of sec. 3, 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. 19, T. 6 S., R. 3 E.; then north to the southeast corner of sec. 13, T. 6 S., R. 2 E.; then west to the southwest corner of sec. 13, T. 6 S., R. 2 E.; then north to the southeast corner of sec. 26, T. 5 S., R. 2 E.; then west to the southwest corner of sec. 26, T. 5 S., R. 2 E.; then north to the southeast corner of sec. 10, T. 5 S., R. 2 E.; then west to the southwest corner of sec. 10, T. 5 S., R. 2 E.; then north to the northwest corner of sec. 27, T. 4 S., R. 2 E.; then east to the northeast corner of sec. 27, T. 4 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. 18, T. 4 S., R. 3 E.; then follow the section line north to the northwest corner of sec. 8, T. 4 S., R. 3 E.; then east to the northeast corner of sec. 9, T. 4 S., R. 3 E.; then follow the section line south to the southeast corner of sec. 9, 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. 22, T. 4 S., R. 3 E.; then east to the northeast corner of sec. 25, T. 4 S., R. 3 E.; then south to the southeast corner of sec. 25, T. 4 S., R. 3 E.; then east to the southwest corner of sec. 28, T. 4 S., R. 4 E.; then north to the northwest corner of sec. 28, T. 4 S., R. 4 E.; then east to the northeast corner of sec. 28, T. 4 S., R. 4 E.; then south to the southeast corner of sec. 28, T. 4 S., R. 4 E.; then east to the northeast corner of sec. 35, T. 4 S., R. 4 E.; then south to the northwest corner of sec. 1, T. 5 S., R. 4 E.; then east to the northeast corner of sec. 1, T. 5 S., R. 4 E.; then south to the southeast corner of sec. 1, T. 5 S., R. 4 E.; then west to the northeast corner of sec. 12, T. 5 S., R. 4 E.; then south to the southeast corner of sec. 36, T. 5 S., R. 4 E.; then west to the northeast corner of sec. 3, T. 6 S., R. 4 E.; then south to the point of beginning.

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 APHIS Administrator has determined—as in this case—that the designation of less than an entire state as a regulated Karnal bunt area is adequate to prevent the interstate spread of infestations of Karnal bunt. In addition, 7 CFR 301.89-3(a) requires that the state enforce an intrastate Karnal bunt quarantine that is equivalent to the Federal Karnal bunt regulations. The state plant regulatory official for Arizona 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 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 responsible for the Karnal bunt program in the affected state.

Regulated Articles

Based on the findings of a pathway analysis completed on January 11, 2017, APHIS is removing wheat, durum wheat, and triticale harvested for silage from the list of regulated articles. The pathway analysis concluded that wheat, durum wheat, and triticale harvested for silage from the Karnal bunt regulated areas poses a negligible likelihood of introducing the disease into new areas. Conveyances and harvesting equipment used to produce wheat, durum wheat, and triticale silage still need to be cleaned/disinfected prior to leaving the regulated areas in accordance with 7 CFR 301.89-13.

For more information on the Karnal Bunt Program, please call National Policy Manager Lynn Evans-Goldner at 301-851-2286.

We continue to appreciate the cooperative relationship with the state regulatory officials and Native American tribes in Arizona and the wheat industry in our effort to prevent the spread of Karnal bunt.