

**FEDERAL DOMESTIC QUARANTINE ORDER**  
***PHYTOPHTHORA RAMORUM*; 7 CFR 301.92**  
**March 03, 2008**

The purpose of this Federal Order is to prevent the spread of the harmful plant diseases caused by *P. ramorum*, through regulatory authority pursuant to 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.

The Administrator of the Animal and Plant Health Inspection Service (APHIS) considers it necessary, in order to prevent the spread and dissemination of *P. ramorum*, to add certain new plant species to the list of those plant species that are already regulated pursuant to the interim rule published on February 27, 2007, which regulates the movement of nursery stock from the States of Washington, Oregon, and California. The addition of these plants to be regulated as described below in this Federal Order is necessary as APHIS has learned, as described in more detail below, that, in the United Kingdom, *M. denudata x salicifolia*, *M. liliifolia*, *M. salicifolia*, and *M. x thompsoniana* have been detected as being naturally infected by *P. ramorum*; and in Canada, *Magnolia kobus* has been detected as being naturally infected by *P. ramorum*.

Additionally, the APHIS Administrator has determined that it is also necessary, in order to prevent the spread and dissemination of *P. ramorum*, to add certain requirements as described below for any nurseries containing these newly listed associated plants and that are not currently operating under a compliance agreement for moving regulated plants interstate pursuant to 7 CFR 301.92 et. seq.

Recent information from the United Kingdom's Department for the Environment and Rural Affairs (DEFRA) has identified additional host plants associated with *P. ramorum* that were not previously recorded. DEFRA reported finding four naturally infected plants, *M. denudata x salicifolia*, *M. liliifolia*, *M. salicifolia*, and *M. x thompsoniana*, in an outdoor garden setting. We also learned from the Canadian Food Inspection Agency (CFIA) that they had detected a naturally infected *Magnolia kobus* in a nursery in British Columbia. Further details on these detections are as follows:

*Magnolia denudata x salicifolia*

- Family: Magnoliaceae (magnolia family)
- Common names: Magnolia
- Symptoms: leaf necrosis

*Magnolia kobus*

- Family: Magnoliaceae (magnolia family)
- Common names: Kobus magnolia
- Symptoms: leaf necrosis

*Magnolia liliiflora*

- Family: Magnoliaceae (magnolia family)
- Common names: Purple magnolia
- Symptoms: leaf necrosis

*Magnolia salicifolia*

- Family: Magnoliaceae (magnolia family)
- Common names: Anise magnolia
- Symptoms: leaf necrosis

*Magnolia thompsoniana*

- Family: Magnoliaceae (magnolia family)
- Common names: Magnolia
- Symptoms: stem canker

Therefore, the APHIS Administrator has determined that it is necessary and important **to immediately add the above associated plants in addition to those already regulated pursuant to the interim rule published on February 27, 2007, in the Federal Register (72 FR 8585 - 8604, Docket No. 01-054-3), which regulates the movement of nursery stock from the States of Washington, Oregon, and California.** Those nurseries currently operating under a compliance agreement with APHIS may continue to ship hosts and associated plants including the newly listed plants.

Additionally, the Administrator has determined that it is also necessary **to require that any nurseries containing these newly listed associated plants and that are not currently operating under a compliance agreement must be properly inspected, sampled, tested, and placed under a Compliance Agreement by April 01, 2008, in order to be able to move any plants interstate.**