

FOR INFORMATION/ACTION  
DA-2008-20  
May 16, 2008

SUBJECT: *Phytophthora ramorum* (ramorum blight, ramorum dieback, sudden oak death):  
Listing and Regulation of Plants Recently Reported with *P. ramorum*

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

On February 27, 2007, APHIS published an interim rule in the *Federal Register* for *P. ramorum* (7 CFR 301.92). This rule regulates the interstate movement of restricted and regulated articles to prevent the artificial spread of this disease-causing organism from areas where the disease is established. This rule listed 105 hosts of *P. ramorum*. With these and other additions made since the interim rule, we are regulating 117 hosts.

The purpose of this SPRO is to provide notification that APHIS will be regulating certain new species, effective June 09, 2008. This action is necessary as we have learned that in the United States that one new plant, *Magnolia figo* has been detected infected with *P. ramorum*. We also learned that in Canada one new plant, *Cercis chinense*, has been detected infected with *P. ramorum*. These two plants need to be regulated in order to control the artificial spread of this disease.

Nurseries operating under a compliance agreement may continue to ship hosts and associated plants including the newly listed plants. However, any other nurseries containing these newly listed associated plants must be properly inspected, sampled, tested, and placed under a Compliance Agreement by June 09, 2008, in order to be able to move regulated plants interstate.

There are two attachments to this SPRO, "Federal Domestic Quarantine Order," which identifies the plants to be added to those regulated for *P. ramorum* listed in the February 27, 2007, interim rule, and the updated, "APHIS List of Regulated Hosts and Plants Associated with *Phytophthora ramorum*", dated May 05, 2008. We anticipate that these plants will be added to the regulations in the final rule.

For more information on this or the Federal *P. ramorum* regulatory program, you may contact the National *P. ramorum* Program Manager, Jonathan Jones, at (301) 734-5038.

**/s/ Paul R. Eggert**

**for**

Rebecca A. Bech

Deputy Administrator

Plant Protection and Quarantine

Attachment:

Federal Order

**FEDERAL DOMESTIC QUARANTINE ORDER**  
***PHYTOPHTHORA RAMORUM*; 7 CFR 301.92**  
**May 15, 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 States, *Magnolia figo*, and in Canada, *Cercis chinense*, have 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.

The California Department of Food and Agriculture (CDFA) and the Canadian Food Inspection Service (CFIA) have identified additional host plants associated with *P. ramorum* that were not previously recorded. CDFA reported finding one naturally infected plant, *Magnolia figo* in a nursery setting. CFIA reported finding one naturally infected plant, *Cercis chinense* in a nursery setting. Further details on these detections are as follows:

*Magnolia figo*

- Family: Magnoliaceae (magnolia family)
- Common names: banana shrub
- Symptoms: leaf necrosis
- Notes: Name was changed from *Michelia figo*, a name still used by the trade

*Cercis chinense*

- Family: Fabaceae (bean family)
- Common names: Chinese redbud
- Symptoms: leaf necrosis

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 June 09, 2008, in order to be able to move any plants interstate.**