

603-052-1221

Quarantine; Glassy-Winged Sharpshooter

(1) Establishing a Quarantine. A quarantine is established against glassy-winged sharpshooter, *Homalodisca coagulata*. This quarantine is established under ORS 561.510 and 561.540 to protect Oregon's agricultural industries from the artificial spread of glassy-winged sharpshooter. Glassy-winged sharpshooter is a vector of Pierce's disease, *Xylella fastidiosa*, in grapes and other diseases of important horticultural plants. Neither glassy-winged sharpshooter nor *X. fastidiosa* are known to be established in Oregon. Introduction of glassy-winged sharpshooter could result in serious damage to vineyards in Oregon and cause trade restrictions on many other host plants.

(2) Area under Quarantine: Mexico; the entire States of Alabama, Arkansas, California, Florida, Georgia, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, and Texas; and any other state found to be infested with glassy-winged sharpshooter during the life of this quarantine. In Oregon, any property where glassy-winged sharpshooter is found.

(3) Commodities Covered: All plants referenced in Appendix A. This does not include cut flowers, cut foliage, leafless budwood, grafting wood, or dormant, leafless nursery stock except all types of propagative material of grape plants (*Vitis* spp.) (see (4) (c) below). All life stages of the glassy-winged sharpshooter, including eggs, nymphs, and adults, and *Xylella fastidiosa*.

(4) Provisions of the Quarantine: All shipments of covered commodities from areas under quarantine outside the state of Oregon are prohibited unless they meet the conditions below:

(a) Covered commodities, except grape plants (*Vitis* spp.), from non-infested counties in California (see (b) below) are exempt from provisions of this quarantine.

(b) Covered commodities originating from the area under quarantine including infested counties in California: Fresno, Kern, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, Santa Barbara, Tulare, Ventura, and any other county found to be infested with glassy-winged sharpshooter during the life of this quarantine, must meet either (i) or (ii) below. Note: an infestation is defined as an established, reproducing population as evidenced by positive trap catches or sightings over more than one generation of the glassy-winged sharpshooter or more than one life stage of the glassy-winged sharpshooter found on plants not including regulatory interceptions on recently imported plants.

(i) originate from nurseries under compliance agreement with the state of origin Department of Agriculture requiring adherence to specific protocols to ensure that shipped host nursery stock is free of glassy-winged sharpshooter; or

(ii) have been treated with a registered pesticide effective at killing all stages of glassy-winged sharpshooter prior to shipment as near to the time of shipping as is reasonably possible. A phytosanitary certificate or certificate of quarantine compliance must accompany the shipment with one of the following additional declarations: "All glassy-winged sharpshooter host plants in this shipment have been grown in a nursery under compliance agreement with the [fill in state] Department of Agriculture to ensure freedom from glassy-winged sharpshooter," or ": "All glassy-winged sharpshooter host plants in this shipment have been treated with [fill in name and rate of pesticide] for

glassy-winged sharpshooter."

(c) Grape plants (*Vitis* spp.) from the area under quarantine, including the entire state of California, must be treated for glassy-winged sharpshooter as in (4)(b)(i) or (ii) above and must be tested and found free of *Xylella fastidiosa* (see procedures in(4)(c)(i) to (vii) below). A phytosanitary certificate must accompany the shipment with one of the following additional declarations: "Grape plants (*Vitis* spp.) in this shipment have been treated for glassy-winged sharpshooter with [fill in name and rate of pesticide] and a representative sample of [fill in number tested] has been tested and found free of *Xylella fastidiosa*," or "Grape plants (*Vitis* spp.) in this shipment have been grown under a compliance agreement with the [fill in state] Department of Agriculture to ensure freedom from glassy-winged sharpshooter and a representative sample of [fill in number tested] has been tested and found free of *Xylella fastidiosa*." Grape Vine Sampling and Analysis Procedure for *Xylella fastidiosa*:

(i) Samples shall be taken from plants located in lots identified for shipment to Oregon.

(ii) Samples from up to five individual plants may be combined (bulked) for analysis purposes.

(iii) Samples shall be composed of petiole and/or midrib tissue.

(iv) Analysis of samples for *X. fastidiosa* shall be done using ELISA or PCR testing by a laboratory operated by an official state or federal regulatory agency or by an approved cooperator.

(v) Sampling and analysis of non-dormant (green) plant material must take place within 60 days before the date of shipment of the plants into Oregon. Sampling and analysis of plants to be shipped dormant must take place prior to leaf drop, but within 60 days of leaf drop during the previous season.

(vi) Sampling and analysis of plant material shall be under the direct supervision of state or county regulatory officials

(vii) The following table should be used for determining the number of samples required for laboratory testing of grape plants for *Xylella fastidiosa*: (Table not included. See Ed. Note.)

(d) Notification of regulated commodity shipment is required. The shipper shall mail, FAX or e-mail documents including the phytosanitary certificate or certificate of quarantine compliance, listing the type and quantity of plants, address of shipper, address of recipient, test results if required in (4)(c) above, and contact phone numbers to: Nursery Program Supervisor, Plant Division, Oregon Department of Agriculture, 635 Capitol Street NE, Salem, Oregon 97301; FAX: 503/986-4786; e-mail: gmcaninc@oda.state.or.us. The Department may require that shipments be held until inspected and released.

(e) Sites within Oregon where glassy-winged sharpshooter is found associated with covered commodities imported from the area under quarantine must be treated with a registered pesticide effective at killing all stages of glassy-winged sharpshooter. All imported host material received from areas under quarantine must be treated as well as all other host material in a reasonable buffer zone approved by the Oregon Department of Agriculture. Host material within the spray block may not be moved or sold until after it is treated. In cases where spray blocks include more than one owner, each owner will be

responsible for spraying host material on their own property.

(5) Violation of quarantine. Violation of this quarantine may result in a fine, if convicted, of not less than \$500 nor more than \$5,000, as provided by ORS 561.990(4). Violators may also be subject to civil penalties of up to \$10,000 as provided by Oregon Laws 1999, chapter 390, section 2; nursery license suspension or nursery license revocation. Commodities shipped in violation of this quarantine may be treated, destroyed or returned to their point of origin without expense or indemnity paid by the State.

(6) Review of this Quarantine: The necessity for this quarantine and its effectiveness will be reviewed by the department and other interested parties in 2003. [Appendix not included. See Ed. Note.]

[ED. NOTE: The Table & Appendix referenced in this rule are not printed in the OAR Compilation. Copies are available from the agency.]

Stat. Auth.: ORS 561.190, ORS 561-510, ORS 561-540

Stats. Implemented: ORS 570.305

Hist.: DOA 35-2000 f. & cert. ef. 12-15-00