

FEDERAL ORDER
August 8, 2007

**Domestic Quarantine of Four Counties in Pennsylvania
for Emerald Ash Borer (EAB) (*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), 7U.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.

This Federal order quarantines, effective immediately, Allegheny County, Beaver County, Butler County and Lawrence County, in Pennsylvania, for EAB, *Agrilus planipennis*. Movement of EAB regulated articles from these four counties must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act found at 7CFR 301.53. This action is in response to the detection of EAB in Butler and Allegheny Counties in Pennsylvania.

The 7CFR 301.53-3(a) allows the quarantine of less than an entire state only when the state enforces an intra-state quarantine that matches Federal EAB regulations. The State Plant Regulatory Official for Pennsylvania has confirmed the establishment of an intra-state quarantine for Pennsylvania that mirrors the federal regulatory requirements as specified in 7CFR301.53.

The 7CFR 301.53-3(b) provides for temporary designation of new quarantine areas pending publication of a rule to add counties to the list shown in 7CFR 301.53-3(c). 7CFR 301.53-3(b) further requires written notification be given to the owners of property and enterprises in a newly quarantined area, advising them of the quarantine and the necessity of complying with requirements for the movement of regulated articles. This is the responsibility of the federal and/or state regulatory personnel responsible for the EAB program in the affected state.

If you wish more details on the Federal EAB regulatory program, you may contact the Staff Officer Deborah McPartlan at (301) 734-5356. We continue to appreciate the cooperative relationship with the state of Pennsylvania in our mutual effort to prevent the spread of quarantine pests.