



# EASTERN PLANT BOARD

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2011 Annual Meeting  
Worcester, Massachusetts

## ***P. RAMORUM* ADVANCE NOTIFICATION AND TRACE FORWARDS**

The USDA APHIS issued a Federal Order on January 11, 2011 with an amendment on February 25, 2011, requiring certain interstate shipping nurseries located in certain current quarantined and/or regulated counties and shipping any species of the genera *Camellia*, *Kalmia*, *Pieris*, *Rhododendron* (including *Azalea*), and *Viburnum* (defined under 7 CFR 301.92-2 (d) proven host taxa) interstate to non-regulated areas to provide advance notification to regulatory agencies in receiving states.

The Eastern Plant Board supports the intent, as stated in the federal order, to “allow States receiving *P. ramorum*-host nursery stock to assign and prioritize resources, provide direct traceability for high-risk nursery stock (as defined under 7 CFR 301.92-2) and assure rapid response if *P. ramorum* is detected at the originating nursery.” However, per the guidance document accompanying the federal order and through APHIS’ stated policy to no longer provide trace forward lists after six months of the order being in place, the unregulated receiving states are expected to shoulder the burden of administration, data maintenance, and enforcement of this federal order without compensation and in many cases without the authority to do so. The consequences of this include:

- If a state plans to conduct trace forward activities in response to a positive find in a nursery regulated under the federal order, they have to maintain the records themselves.
- There is no way to be sure that all notification information is being provided or received; previously, positive shipping nurseries were required to provide shipment information to APHIS which was then passed on to the receiving states, ensuring completeness and accuracy.
- This federal order applies only to high-risk genera; previously, and for positive nurseries in counties not required to provide advance notification under this order, trace forward lists from positive nurseries included all HAP shipped. This creates inconsistency in trace forward information within regulated areas, and less comprehensive information from shipping nurseries in counties ostensibly determined to be of higher risk.
- Many states are so overwhelmed by the administrative burden of maintaining these data that they do not have the opportunity to direct resources and distribute notifications to field inspection staff in order to meet the intent of the federal order.

- Many states simply lack the authority to enforce the provisions of the order, even if they had the resources to do so, and therefore are at a disadvantage in the event of non-compliance.
- Liability issues could arise if a state doesn't maintain records and does not respond to a trace forward resulting in an introduction of *P. ramorum* in that state.
- SPHDs are not aware of federally regulated activities in their states and depend on SPRO agencies to voluntarily communicate these activities to them, marginalizing their role as federal regulatory personnel at the state level.

**RESOLVED**, by the Eastern Plant Board at its 86<sup>th</sup> annual meeting in Worcester, Massachusetts, April 14, 2011, request USDA, APHIS to require that *P. ramorum* advance notification be provided concurrently to SPHDs and SPROs.

**BE IT FURTHER RESOLVED**, that SPHDs be assigned responsibility for maintaining the advance notification data in a manner so as to be able to provide timely trace forward information to their state SPRO agency in the event of a nursery detection in a county regulated under this federal order.

**BE IT FURTHER RESOLVED** that APHIS describe how they will handle the inconsistency in trace forward information between counties under the advance notice federal order and the other regulated counties.

**DISTRIBUTION:**

Rebecca Bech, Deputy Administrator, USDA APHIS PPQ  
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