

FOR INFORMATION AND ACTION

DA-2022-34

October 27, 2022

Subject: Expansion of Quarantine Areas for the Imported Fire Ant (*Solenopsis invicta* Buren, *S. richteri* Forel, and hybrids of these species) in Arkansas and Tennessee

To: State and Territory Agricultural Regulatory Official

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is issuing a Federal Order that expands the existing imported fire ant (IFA) quarantine areas in Arkansas and Tennessee. APHIS is taking this action to prevent the interstate spread of IFA.

The following list describes the action in this Federal Order:

- Arkansas: Extends the IFA quarantine area to the entire county for Cross, Franklin, Johnson, Lee, Monroe, St. Francis, and Woodruff Counties.
- Tennessee: Extends the IFA quarantine area to the entire county for Fentress, Morgan, and Union Counties.

APHIS is taking these actions based upon verification from the Arkansas Department of Agriculture and the Tennessee Department of Agriculture's Division of Consumer and Industry Services that IFA is present and established in the areas listed.

For additional information on the Federal IFA regulatory program, please contact the IFA Acting National Policy Manager, Benjamin Slager, at 810-844-2704.

/s/

Dr. Mark L Davidson
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

**United States Department of Agriculture
Animal Plant Health Inspection Service
Plant Protection and Quarantine**

Federal Order

***Domestic Quarantine of Multiple Counties in Arkansas and Tennessee
for Imported Fire Ant (Solenopsis invicta Buren, S. richteri Forel and
hybrids of these species)***

DA-2022-34
October 27, 2022

This Federal Order expands the existing imported fire ant (IFA) quarantine areas in Arkansas and Tennessee.

This Federal Order is issued pursuant to the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412 (a), 7 U.S.C. 7712 (a). The Act 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 is likewise issued pursuant to the regulations promulgated under the Plant Protection Act found at 7 CFR § 301.81.

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is adding the following to the quarantine areas in the respective states for red and black IFAs (*S. invicta* and *S. richteri*, respectively), and hybrids of these species:

- Arkansas: Extends the IFA quarantine area to the entire county for Cross, Franklin, Johnson, Lee, Monroe, St. Francis, and Woodruff Counties.
- Tennessee: Extends the IFA quarantine area to the entire county for Fentress, Morgan, and Union Counties.

This action is in response to the new detections in portions of the states of Arkansas and Tennessee described in the attached document. APHIS finds it necessary to quarantine these areas to prevent the spread of IFA. Effective immediately, all interstate movement of IFA regulated articles from the listed areas must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act and found at 7 CFR § 301.81 et seq. and in the Federal Orders, which are located at the following APHIS website:

https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/imported-fire-ants/ct_regulations

Section 7 CFR § 301.81-3(a) allows the designation of less than an entire State as an IFA quarantined area only when the Administrator of APHIS has determined that the designation of less than an entire State as a quarantined IFA area is adequate to prevent the interstate spread of infestations of this pest. In addition, 7 CFR § 301.81-3(b) requires that the State enforces an intrastate IFA quarantine equivalent to the Federal IFA regulations. The States have established intrastate quarantines for the areas listed that mirror the Federal regulatory requirements as specified in 7 CFR § 301.81.

Previous Federal Orders pertaining to the expansion of quarantined areas in the IFA regulations have been necessary due to the ongoing delimitation of the IFA infestation in various states. This Federal Order further expands the quarantined areas as described in the IFA domestic regulations.

For additional information on the Federal IFA regulatory program, please contact the IFA Acting National Policy Manager, Benjamin Slager, at 810-844-2704.

We appreciate the cooperative relationships with the affected states in our effort to prevent the spread of IFA.