

FOR INFORMATION AND ACTION
DA-2023-05
April 24, 2023

Subject: APHIS Amends Karnal Bunt (*Tilletia indica*) Regulated Areas in Maricopa County in Arizona

To: State, Tribal, and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is amending the Karnal bunt regulated areas in Maricopa County, Arizona.

Following a Spring 2023 survey of Karnal bunt regulated areas in Arizona, APHIS is reducing the regulated area in Maricopa County.

Specifically, APHIS is removing two fields from the list of regulated areas because these fields have been permanently removed from crop production and meet the criteria for deregulation listed in 7 Code of Federal Regulations (CFR) § 301.89-3(e)(1). Release of these two fields from quarantine, including all fields regulated by proximity, will result in the deregulation of 7,593 field acres. In addition, APHIS is removing another field from the list of regulated areas because the field meets the five-year cumulative tillage requirement and the criteria for deregulation listed in 7 CFR § 301.89-3(e)(2). Release of this field from quarantine, including all fields regulated by proximity, will result in the deregulation of 3,876 field acres. None of these combined 11,469 field acres is on Tribal land.

Accordingly, there are no more restrictions on the interstate movement of Karnal bunt regulated articles from these areas; however, other portions of Maricopa and Pinal Counties remain regulated.

APHIS is taking these regulatory actions to prevent the spread of Karnal bunt from Arizona. Karnal bunt is a pest that affects wheat quality. APHIS regulates this plant disease because many trading partners require that U.S. wheat be certified as grown in areas free of Karnal bunt. APHIS will follow this action by publishing a Notice in the Federal Register.

More information on Karnal bunt is available at the following website:

<http://www.aphis.usda.gov/plant-health/kb>

For additional information about the Karnal Bunt program, please contact the National Policy Manager, Lynn Evans-Goldner, at Lynn.Evans-Goldner@usda.gov or (301) 851-2286.



Dr. Mark L Davidson
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

FEDERAL ORDER

Domestic Quarantine for Karnal Bunt (*Tilletia indica*)

DA-2023-05
April 24, 2023

This Federal Order amends the Karnal bunt regulated areas in Maricopa County in Arizona. Specifically, it reduces the overall regulated area in Maricopa County by 11,469 field acres.

This Federal Order is issued pursuant to the authority provided by the Plant Protection Act of June 20, 2000, 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. The regulatory authority provided by 7 U.S.C. 7754 allows the Secretary to issue orders to carry out this provision of the Plant Protection Act. This Federal Order is likewise issued pursuant to the regulations promulgated under the Plant Protection Act found at 7 Code of Federal Regulations (CFR) § 301.89 et seq.

Section 7 CFR § 301.89-3(b) allows the designation of less than an entire state as a Karnal bunt regulated area only when the Administrator of the Animal and Plant Health Inspection Service (APHIS) has determined, as in this case, that the designation is adequate to prevent the intrastate spread of Karnal bunt. In addition, 7 CFR § 301.89-3(b)(1)(i) requires that for less than an entire state to be designated as regulated that the Administrator find that the state is enforcing an intrastate Karnal bunt quarantine that is equivalent to federal Karnal bunt regulations. The Arizona State Plant Regulatory Official has confirmed the establishment of an intrastate quarantine area for Karnal bunt that mirrors the federal regulatory requirements as specified in 7 CFR § 301.89 et seq.

7 CFR § 301.89-3(e) provides for the release from regulation of fields previously infected with Karnal bunt, as well as any non-infected acreage surrounding the field, if the field has been permanently removed from crop production [7 CFR § 301.89-3(e)(1)]; or if the field is tilled at least once per year for a total of 5 years (the years need not be consecutive). After tilling, the field may be planted with a crop or left fallow. If the field is planted with a host crop, the crop must test negative, through the absence of bunted kernels, for Karnal bunt [7 CFR § 301.89-3(e)(2)].

In accordance with 7 CFR § 301.89-3(a), this Federal Order updates and replaces the list of regulated areas in Arizona shown on the PPQ website at: www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/karnal-bunt/ct_karnal_bunt. This Federal Order replaces Federal Order (DA-2022-27) issued August 17, 2022 and Federal Order (DA-2022-43) issued December 29, 2022.

Following a Spring 2023 survey of Karnal bunt regulated areas in Arizona, APHIS is reducing the regulated area in Maricopa County. Specifically, APHIS is removing two fields from the list of regulated areas because these fields have been permanently removed from crop production and meet the criteria for deregulation listed in 7 CFR § 301.89-3(e)(1). Release of these two

fields from quarantine, including all fields regulated by proximity, will result in the deregulation of 7,593 field acres.

In addition, APHIS is removing another field from the list of regulated areas because the field meets the five-year cumulative tillage requirement and the criteria for deregulation listed in 7 CFR § 301.89-3(e)(2). Release of this field from quarantine, including all fields regulated by proximity, will result in the deregulation of 3,876 field acres.

Accordingly, there are no more restrictions on the interstate movement of Karnal bunt regulated articles from these combined 11,469 field acres, none of which is on Tribal land; however, other portions of Maricopa and Pinal Counties remain regulated.

Regulated areas § 301.89-3(a)

Arizona – regulated portions of the State:

Maricopa County: (1) Beginning at the southeast corner of sec. 35, T. 2 N., R. 5 E.; then west to the northeast corner of sec. 4, T. 1 N., R. 5 E.; then south to the southeast corner of sec. 4, T. 1 N., R. 5 E.; then west to the southwest corner of sec. 4, T. 1 N., R. 5 E.; then south to the southeast corner of sec. 17, T. 1 N., R. 5 E.; then west to the southwest corner of sec. 17, T. 1 N., R. 5 E.; then north to the northwest corner of sec. 17, T. 1 N., R. 5 E.; then west to the southwest corner of sec. 12, T. 1 N., R. 4 E.; then north to the northwest corner of sec. 12, T. 1 N., R. 4 E.; then east to northeast corner of sec. 12, T. 1 N., R. 4 E.; then north to the northwest corner of sec. 18, T. 2 N., R. 5 E.; then east to the northeast corner of sec. 14, T. 2 N., R. 5 E.; then south to the point of beginning.

(2) Beginning at the southeast corner of sec. 27, T. 1 S., R. 4 W.; then west to the southwest corner of sec. 27, T. 1 S., R. 5 W.; then north to the northwest corner of sec. 22, T. 1 S., R. 5 W.; then east to the northeast corner of sec. 22, T. 1 S., R. 5 W.; then north to the northwest corner of sec. 26, T. 1 N., R. 5 W.; then east to the northeast corner of sec. 29, T. 1 N., R. 4 W.; then south to the southeast corner of sec. 29, T.1 N., R. 4 W.; then east to the northeast corner of sec. 33, T. 1 N., R. 4 W.; then south to the southeast corner of sec. 33, T. 1 N, R. 4 W.; then east to the northeast corner of sec. 3, T. 1 S., R. 4 W.; then south to the point of beginning.

Pinal County: (1) Beginning at the southeast corner of sec. 30, T. 5 S., R. 4 E.; then west to the southwest corner of sec. 28, T. 5 S., R. 3 E.; then north to the northwest corner of sec. 28, T. 5 S., R. 3 E.; then west to the southwest corner of sec. 20, T. 5 S., R. 3 E.; then north to the southeast corner of sec. 18, T. 5 S., R. 3 E.; then west to the southwest corner of sec. 18, T. 5 S., R. 3 E.; then north to the northwest corner of sec. 30, T. 4 S., R. 3E.; then east to the southwest corner of sec. 20, T. 4 S., R. 3E.; then north to the northwest corner of sec. 20, T. 4 S., R. 3E.; then east to the northeast corner of sec. 19, T. 4 S., R. 4 E.; then south to the northwest corner of sec. 32, T. 4 S., R. 4 E.; then east to the northeast corner of sec. 32, T. 4 S., R. 4 E.; then south to the southeast corner of sec. 20, T. 5 S., R. 4 E.; then west to the southwest corner of sec. 20, T. 5 S., R. 4 E.; then south to the point of beginning.

We appreciate the cooperative relationship with the state regulatory officials, Colorado River Indian Tribes, Ak-Chin Indian Community, Gila River Indian Community, the Salt River Pima Maricopa Indian Community, and the wheat industry, in our effort to prevent the spread of

Karnal bunt.

For more information on the Karnal bunt program, please contact the National Policy Manager, Lynn Evans-Goldner, at Lynn.Evans-Goldner@usda.gov or (301) 851-2286.