

FOR INFORMATION AND ACTION
DA-2023-11
August 8, 2023

Subject: APHIS Adds Lake and Whitley Counties, Indiana to the Spongy Moth (*Lymantria dispar*) Quarantine Area

To: State, Tribal, and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) is adding Lake and Whitley Counties in Indiana to the list of quarantine areas for spongy moth (formerly known as gypsy moth¹). The moth populations in these counties have reached the threshold to trigger the quarantine expansion.

To prevent further spread of spongy moth, the attached Federal Order provides notification that APHIS is adding Lake and Whitley Counties in Indiana to the regulated area. Effective immediately, all interstate movement of regulated articles from Lake and Whitley Counties must be handled in accordance with [7 Code of Federal Regulations \(CFR\) § 301.45](#). Indiana has established a parallel state quarantine.

Spongy Moth is a highly destructive insect of approximately 300 species of trees and shrubs. The Spongy Moth Program prescribes conditions for the interstate movement of regulated articles from quarantine areas. The federal and state partnership limits the establishment of the moth outside the quarantine area that would result from human-assisted movement of the pest. We appreciate the cooperative relationship with Indiana in the effort to limit the spread of spongy moth.

The full lists designating spongy moth quarantine areas and regulated articles are published on the APHIS website at:

https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/sa_insects/spongy-moth/

For more information about the Spongy Moth Program and Federal spongy moth regulations, please contact National Policy Manager, Kathryn Bronsky, at kathryn.e.bronsky@usda.gov or (301) 851-2147.



Dr. Mark L Davidson
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

¹[APHIS Announces New Common Names for Regulated Lymantria Moths](#)

FEDERAL ORDER

APHIS Adds Lake and Whitley Counties, Indiana to Spongy Moth (*Lymantria dispar*) Quarantine Area

DA-2023-11
August 8, 2023

This Federal Order lists the expanded quarantine area for spongy moth (formerly known as gypsy moth) to include Lake and Whitley Counties, Indiana.

This Federal Order is issued in accordance with 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 also issued pursuant to the regulations implemented under the Plant Protection Act found at 7 Code of Federal Regulations (CFR) § 301.45.

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) adds Lake and Whitley Counties in Indiana to the quarantine areas for spongy moth. The spongy moth populations in Lake and Whitley Counties have reached the threshold to trigger the regulated area. Accordingly, the APHIS Administrator finds it necessary to quarantine these counties to prevent the spread of spongy moth. All interstate movement of spongy moth-regulated articles from Lake and Whitley Counties must be done in accordance with the regulations implemented pursuant to the Plant Protection Act found at 7 CFR § 301.45 et seq. and any applicable provisions of this Federal Order.

APHIS confirmed spongy moth infestations in various areas of the United States, for which the Administrator has determined that quarantine areas are necessary to prevent the spread of the moth. The full list of quarantine areas due to the continuing spread of spongy moth are designated at:

https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/sa_insects/spongy-moth/

7 CFR § 301.45-2(a) allows the designation of less than an entire state as a spongy moth quarantine area only when the APHIS Administrator has determined, as in this case, that the designation of less than an entire state as a quarantined-spongy moth area is adequate to prevent the interstate spread of infestations. In addition, 7 CFR § 301.45-2(b) requires that the state enforce an intrastate spongy moth quarantine equivalent to the federal regulations. The state plant regulatory official for Indiana confirmed the establishment of an intrastate quarantine for the regulated area that mirrors the Federal Regulatory requirements as specified in 7 CFR § 301.45.

7 CFR § 301.45-2(c) provides the temporary designation of new quarantined areas to be added to the list on the APHIS website at: https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/sa_insects/spongy-moth/. 7 CFR § 301.45-2(c) further requires written notification to the owner or person who possesses a newly quarantined area. This is the responsibility of the federal and/or state regulatory personnel responsible for the spongy moth program in the affected state.

For more details on the Spongy Moth Program and Federal spongy moth regulations, please contact National Policy Manager, Kathryn Bronsky, at kathryn.e.bronsky@usda.gov or (301) 851-2147. For information on regulatory requirements for the movement of articles out of quarantined areas in Indiana, please call Indiana State Plant Health Director, Jason Allen at (765) 413-2551.

We continue to appreciate the cooperative relationship with Indiana in our effort to prevent the spread of spongy moth.