PHYTOPHTHORA RAMORUM: POSITIVE NURSERY GUIDANCE

This guidance document is for officials conducting the Confirmed Positive Nursery Protocol and covers topics that should be discussed with nursery owners. Additional information and page numbers below can be found in the USDA *Phytophthora ramorum* Domestic Regulatory Program Manual.

Preventing the spread of *Phytophthora ramorum* is important for protecting natural resources and safeguarding trade. *P. ramorum* is the cause of several plant diseases, including sudden oak death which has killed over 50 million oak and tanoak trees in California and Oregon. The presence of *P. ramorum* can also cause interstate and international trade issues for timber, wood products, and nursery stock.

The authority to regulate *P. ramorum* comes from the U.S. Code of Regulations – 7 CFR Part 301.92 Subpart X: *Phytophthora ramorum*. These regulations apply to all states and territories and all interstate plant shippers. These regulations derive from the interstate commerce clause of the U.S. Constitution. There may also be state-specific authorities to regulate plant pathogens.

The nursery is required to enter into a compliance agreement to continue interstate shipping of *P. ramorum* host plants (page 3-6). Compliance agreements typically span 3 years but may be longer if new positives are detected.

The nursery is required to hold all plants on site until inspected. Plants will be released from hold as blocks are inspected and determined to be free of symptoms (except for blocks containing positive plants) (page 3-6).

Any article (plant, pot, media, etc.) the inspector considers posing a risk of spreading *P. ramorum* may be sampled (page 3-6). Plants in the four-meter radius of positive plants will be held in quarantine for at least the next 90-days and observed for symptom expression. Two inspections will occur during the minimum 90-day quarantine period (page 3-6).

During the minimum 90-day quarantine period plants should only receive basic nursery maintenance and cannot be moved, pruned, or receive treatments of fungicides registered for *Phytophthora* species (page 3-6).

To avoid the minimum 90-day quarantine period the nursery can choose the Alternative Quarantine Release Strategy (page 3-9) and destroy all the plants in the destruction and quarantine radii

Two positive delimitation surveys in the same block of plants may trigger an entire block destruction at the discretion of the inspector (page 3-16).

All soil and gravel under positive plants, the destruction radius, and adjacent downslope areas are required to be mitigated to allow host plants in the area. If there is no mitigation, then no host plants are allowed in the area (page 3-7).

Records are required to be retained while under a compliance agreement and made available to the inspector upon request. Records include sales, incoming and outgoing shipments of host and associated plants, and fungicide applications (in compliance agreement).

The nursery is required to provide advance notification for shipments of *P. ramorum* high-risk hosts to receiving states. The nursery is encouraged to use the Purdue Nursery Notify system (page 3-19).

A Critical Control Point Assessment (page 3-10) and Exhibit D (page 3-19) are required after all delimitation survey samples are returned with negative results and may require additional remediations at the discretion of the inspector.