

FEDERAL ORDER

Domestic Quarantine of a Portion of Worcester County, Massachusetts, for Asian Longhorned Beetle (*Anoplophora glabripennis*) January 9, 2009

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), which 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 and is likewise issued pursuant to the regulations promulgated under the Plant Protection Act found at 7 CFR 301.51.

This Federal Order quarantines, effective immediately, a portion of Worcester County, Massachusetts, for Asian longhorned beetle (ALB), *Anoplophora glabripennis*. This action is in response to a confirmed detection of ALB in this area of Massachusetts. Thus, the Administrator of the Animal and Plant Health Inspection Service (APHIS) has determined that it is necessary to quarantine this area in order to prevent the spread of ALB. Therefore, effective immediately, all interstate movement of ALB regulated articles from the area within the boundaries listed below must be done in accordance with the regulations promulgated pursuant to the Plant Protection Act found at 7 CFR 301.51 et seq. and any applicable provisions of this Federal Order.

The boundaries of the regulated area are as follows:

The portion of Worcester County, including the municipalities of Worcester, Holden, West Boylston, Boylston, and Shrewsbury, that is bounded by a line starting at the intersection of Route 140 (Grafton Circle) and Route 9 (Belmont Street) in Shrewsbury; then north and northwest on Route 140 through Boylston into West Boylston until it intersects Muddy Brook (body of water), then east along Muddy Brook to the Wachusett Reservoir, then along the Wachusett Reservoir in a northwest direction until it intersects Worcester Street, then southwest on Worcester Street to Goodale Street; then southwest and west on Goodale Street, which becomes Malden Street at the Holden town line; then west and southwest on Malden Street to Main Street (Route 122A) in Holden; then west on Main Street to Salisbury Street; then south on Salisbury Street to Fisher Road; then southwest on Fisher Road to Stonehouse Hill Road; then south on Stonehouse Hill Road to Reservoir Street; then southeast on Reservoir Street until it intersects the Worcester City boundary, then along the Worcester City boundary until it intersects Route 20 (Hartford Turnpike), then east on Route 20 to Lake Street, then north and northeast on Lake Street to Route 9 (Belmont Street), then east on Route 9 to the point of beginning.

On September 4, 2008, APHIS issued a Federal Order (DA-2008-59) to add a portion of Worcester County to the ALB quarantined areas. On November 10, 2008, a second Federal Order (DA-2008-72) was issued to expand the quarantine areas in Massachusetts. Other States and areas of the country are also quarantined for ALB. These include areas of Queens, Brooklyn, Manhattan, Staten Island, and Long Island, New York, and portions of Middlesex and Union Counties, New Jersey. The existing boundaries for the quarantines in New York and New Jersey can be found in 7 CFR 301.51.

7 CFR 301.51-3(a) allows the designation of less than an entire State as a ALB quarantined area only when the Administrator of APHIS has determined, as in this case, that the designation of less than an entire State as a quarantined ALB area is adequate to prevent the interstate spread of infestations of this pest. In addition, 7 CFR 301.51-3(a) requires that the State enforces an intrastate ALB quarantine that is equivalent to the Federal ALB regulations. The Massachusetts Department of Conservation and Recreation has established an intra-state quarantine for a portion of Worcester County that mirrors the Federal Regulatory requirements as specified in 7 CFR 301.51.

7 CFR 301.51-3 (b) provides for the temporary designation of new quarantined areas pending publication of a rule to add areas to the list shown in 7 CFR 301.51-3(c). 7 CFR 301.51-3 (b) further requires written notification be given to the owner or person in possession of a newly quarantined area. This is the responsibility of the Federal and/or State regulatory personnel responsible for the ALB program in the affected State.

The Federal Orders quarantining areas of Massachusetts have been necessary due to the ongoing delimitation of the ALB infestation in Massachusetts. This January 9, 2009, Federal Order updates and replaces all previous versions of Federal Orders pertaining to the expansion of quarantined areas in the ALB domestic regulations.

If you wish more details on the Federal ALB regulatory program, you may contact Christine Markham, APHIS' National ALB Program Director at (919) 855-7328 or Julie Twardowski, APHIS' National ALB Program Coordinator, at (301) 734-5332.

We appreciate the cooperative relationship with the State of Massachusetts in our effort to prevent the spread of ALB.