§ 301.76–2 Regulated articles for Asian citrus psyllid and citrus greening.

The following are regulated articles for Asian citrus psyllid and citrus greening:

(a) All plants and plant parts (including leaves), except fruit, of: Aegle marmelos, Aeglopsis chevalieri, Afraegle gabonensis, A. paniculata, Angris madrensis, Atalantia spp. (including Atalantia monophylla), Balsamocitrus dawei, Bergera (=Murraya) koenigii, Calodendrum capense, Choisya ternate, C. arizonica, X Citroncirus webberi, Citropsis articulata, Citropsis gilitiana, Citrus madurensis (= X Citrofortunella microcarpa), Citrus spp., Clausena anisum-olens, C. excavata, C. indica, C. lansium, Eremocitrus glauca, Eremocitrus hybrid, Esenbeckia berlandieri, Fortunella spp., Limonia acidissima, Merrillia caloxylon, Microcitrus australasica, M. australis, M. papuana, X Microcitronella spp., Murraya spp., Naringi crenulata, Pamburus missionis, Poncirus trifoliata, Severinia buxifolia, Swinglea glutinosa, Tetradium ruticarpum, Todalia asiatica, Triphasia trifolia, Vepris (=Todalia) lanceolata, and Zanthoxylum fagara.

(b) Propagative seed of the species listed in paragraph (a) of this section is considered a host of citrus greening but not a host of Asian citrus psyllid. Therefore, notwithstanding the other provisions of this subpart, the movement of propagative seed of these species from an area quarantined for citrus greening is prohibited, while the movement of such seed from an area quarantined only for Asian citrus psyllid, but not for citrus greening, is allowed without restriction.

(c) Any other product, article, or means of conveyance may be designated a regulated article for Asian citrus psyllid or citrus greening, if an inspector determines that it presents a risk of spreading these pests, and after the inspector provides written notification to the person in possession of the regulated article in accordance with §301.76-2(c).

State. The District of Columbia, Puerto Rico, the Northern Marianas Islands, or any State, territory, or possession of the United States.
product, article, or means of conveyance that it is subject to the restrictions of this subpart.

(d) Plant parts of the species listed in paragraph (a) of this section may be exempted from the regulations in this subpart, provided that the parts have been processed such that an inspector determines they no longer present a risk of spreading Asian citrus psyllid or citrus greening.

§ 301.76–3 Quarantined areas; citrus greening and Asian citrus psyllid.

(a) The Administrator will designate an area as a quarantined area for citrus greening or as a quarantined area for Asian citrus psyllid in accordance with the criteria listed in paragraph (c) of this section. The Administrator will publish a description of all areas quarantined for citrus greening or Asian citrus psyllid on the Plant Protection and Quarantine (PPQ) Web site: (http://www.aphis.usda.gov/plant_health/plant_pest_info/citrus_greening/index.shtml). The description of each quarantined area will include the date the description was last updated and a description of any changes that have been made to the quarantined area. Lists of all quarantined areas may also be obtained by request from any local office of PPQ: local offices are listed in telephone directories and on the Internet at (http://www.aphis.usda.gov/services/report_pest_disease/report_pest_disease.shtml). After a change is made to the description of quarantined areas, we will publish a notice in the Federal Register informing the public that the change has occurred and describing the change to the quarantined areas.

(b) Designation of an area less than an entire State as a quarantined area. Less than an entire State will be designated as a quarantined area for citrus greening or the Asian citrus psyllid only if the Administrator determines that:

(1) The State has adopted and is enforcing restrictions on the intrastate movement of regulated articles that are equivalent to those imposed by this subpart on the interstate movement of regulated articles; and

(2) The designation of less than the entire State as a quarantined area will prevent the interstate spread of citrus greening or Asian citrus psyllid.

(c) Criteria for designation of a State, or a portion of a State, as a quarantined area for citrus greening or Asian citrus psyllid.

(1) A State, or portion of a State, will be designated as a quarantined area for citrus greening when the presence of citrus greening is confirmed within the area by an APHIS-administered test.

(2) A State, or portion of a State, will be designated as a quarantined area for Asian citrus psyllid in which an established population of Asian citrus psyllids has been detected.

(3) A State, or portion of a State, will be designated as a quarantined area for either citrus greening or Asian citrus psyllid if the Administrator considers it necessary to quarantine the area because of its inseparability for quarantine enforcement purposes from localities in which citrus greening or an established population of Asian citrus psyllids has been found.

§ 301.76–4 Labeling requirements for regulated nursery stock produced within an area quarantined for citrus greening.

(a) Effective September 15, 2010, except as provided in paragraphs (b) and (c) of this section, all regulated nursery stock offered for commercial sale within an area quarantined for citrus greening must have an APHIS-approved plastic or metal tag on which a statement alerting consumers to Federal prohibitions regarding the interstate movement of the article is prominently and legibly displayed. Alternatively, if the article is destined for commercial sale in a box or container, the statement may be printed on the box or container, or printed on a label permanently affixed to the box or container, provided that, in either case, the statement is prominently and legibly displayed. The operator of the site of propagation of the nursery stock and the person offering the plants for commercial sale are jointly responsible for all such labeling.

(b) Nursery stock produced within a quarantined area for planting in a commercial citrus grove within that same area and moved directly to that grove,