

FOR INFORMATION
DA-2004-03
January 8, 2004

SUBJECT: *Phytophthora ramorum* (sudden oak death, ramorum blight, ramorum die-back); Expansion of Listed Regulated Articles--California and Oregon

TO: STATE AND TERRITORY AGRICULTURAL REGULATORY OFFICIALS

On February 14, 2002, APHIS published an interim rule (7 CFR 301.92) in the Federal Register for *Phytophthora ramorum*. This rule regulates the artificial spread of this disease-causing organism from moving out of the counties where the disease is established. We have now learned that certain plant parts of certain additional hosts require regulating in order to control the artificial spread of this disease.

Researchers in Oregon and the United Kingdom have identified six new host species of *Phytophthora ramorum*. Five of the new species were found in a nursery setting in Oregon. The other new species (witch-hazel) was found in an established planting in a large public garden in the United Kingdom.

These new hosts are:

- *Camellia sasanqua* (sasanqua camellia), member of the Theaceae
- *Pieris formosa x japonica* (Pieris 'Forest Flame'), member of the Ericaceae
- *Pieris floribunda x japonica* (Pieris 'Brouwer's Beauty'), member of the Ericaceae
- *Pieris japonica* (Japanese Pieris) a member of the Ericaceae
- *Viburnum plicatum var. tomentosum* (Doublefile viburnum), member of the Caprifoliaceae
- *Hamamelis virginiana* (witch-hazel), member of the Hamamelidaceae

Therefore, effective immediately, the following are restricted articles under 7 CFR 301.92:

- *Camellia sasanqua* (nursery stock and leaves)
- *Pieris formosa x japonica* (nursery stock, twigs, and leaves)
- *Pieris floribunda x japonica* (nursery stock, twigs and leaves)
- *Pieris japonica* (nursery stock, twigs, and leaves)
- *Viburnum plicatum var. tomentosum* (nursery stock and all plant parts except seeds)
- *Hamamelis virginiana* (nursery stock, twigs, and leaves)

This action is authorized under the Plant Protection Act of June 20, 2002, Section 412(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.

This action is also authorized by 7 CFR 301.92-2(b)(2) which designates as restricted articles any other product or article that an inspector determines to present a risk of spreading *Phytophthora ramorum*. This designation requires the inspector to notify the person in possession of

the product or article that it is a restricted article.

In accordance with the provisions of the Administrative Procedures Act, this action will be published as a regulatory update in the Federal Register for public comment.

/s/ Richard L. Dunkle

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