

FEDERAL DOMESTIC QUARANTINE ORDER
Box Tree Moth (*Cydalima perspectalis*)

DA-2023-18
October 13, 2023

Effective immediately, the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS), in cooperation with the Michigan Department of Agriculture and Rural Development (MDARD), is expanding the quarantine for the box tree moth (BTM, *Cydalima perspectalis*) in Clinton, Eaton, Ingham, Jackson, Livingston, Monroe, Oakland, and Wayne Counties, Michigan. This Federal Order prohibits the movement of regulated articles of boxwood (*Buxus* species) from these counties, and these measures parallel the intrastate quarantine that MDARD established on July 31, 2023, which expanded the quarantine they established on April 10, 2023. On May 30, 2023, APHIS issued Federal Order DA-2023-06 establishing a quarantine for the BTM in all of Lenawee and Washtenaw Counties and parts of Jackson and Monroe Counties, Michigan. This new Federal Order expands this quarantine and supersedes DA-2023-06.

This Federal Order is issued in accordance with the regulatory authority provided by Section 412(a) of the Plant Protection Act of June 20, 2000, as amended, 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, plant product, or article if the Secretary determines that the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States. The regulatory authority provided by 7 U.S.C. 7754 allows the Secretary to issue orders to carry out this provision of the Plant Protection Act.

To prevent the spread of BTM, APHIS considers it necessary to implement the quarantine and regulate the interstate movement of regulated articles of *Buxus* sp. from the counties in Michigan noted above. Therefore, effective immediately, APHIS prohibits the interstate movement of regulated articles of *Buxus* sp. from the quarantine area. Regulated articles include the whole plant, all plant parts, pieces, cuttings, clippings, debris, and any portion of the plant, alive or dead.

The Administrator may designate a whole state or an area less than an entire state if the Administrator determines, as in this case, that the designation of less than an entire state is adequate to prevent the interstate spread of BTM. In addition, less than an entire state may be quarantined if the Administrator determines that the affected state enforces equivalent restrictions and regulations for intrastate movement to effectively mitigate the spread of the pest. MDARD has established an equivalent quarantine and restrictions for intrastate movement of *Buxus* sp. in Michigan.

This Federal Order and information about BTM may be found at:

<https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/box-tree-moth>

For more information about the BTM response program, please contact the National Policy Manager, Allen Proxmire, at 480-392-8754 or allen.proxmire@usda.gov.

A. Quarantine Areas

The quarantine area includes all of Clinton, Eaton, Ingham, Jackson, Lenawee, Livingston, Monroe, Oakland, Washtenaw, and Wayne Counties in Michigan.

B. Regulated Articles

Regulated articles include all species, varieties, and hybrids of *Buxus* spp., commonly called boxwood or box tree. Regulated articles include the whole plant, all plant parts, pieces, cuttings, clippings, debris, and any portion of the plant, alive or dead.

Regulated articles are prohibited from leaving the quarantine area.

C. Compliance Agreements

Any entity within the quarantine area that wants to commercially grow and/or sell *Buxus* spp. must enter and abide by a compliance agreement. The compliance agreement shall include but not be limited to the following restrictions:

The compliance agreement holder must:

- Apply pest management practices and other safeguards.
- Allow inspectors to survey and inspect regulated articles and other plants as necessary.
- Actively ensure *Buxus* spp. sold from their facility does not leave the quarantine area.
- Attach to each *Buxus* spp. plant for sale (or its container) a tag, sticker, or other labelling with language comparable to the following:

- o *Buxus* spp. - Regulated Article – Quarantine Material
- o By the State's Regulatory Authority and USDA APHIS PPQ
- o This plant may not leave the Box Tree Moth Quarantine area
- o For more information visit the State and/or APHIS website

Definitions

Administrator: The Administrator of APHIS, or any person authorized to act for the Administrator.

Compliance Agreement: A written agreement between APHIS and/or State authorities with an authorized person engaged in the business of growing, handling, or moving of regulated articles in which the authorized person agrees to comply with specific requirements.

Interstate: From any State into or through any other State.

Inspector: Any employee of APHIS, the U.S. Department of Agriculture, or other person authorized by the Administrator to perform the duties required under this Order.

Quarantine area: Any State, or any portion of a State, listed in this Federal Order.