

Phytophthora ramorum Forest Product Regulations: Quarantine Areas¹ and Product Movement

February 2005

Phytophthora ramorum, which causes the disease known as **Sudden Oak Death**, has wide-ranging effects on many industries that ship or move plants, plant parts, green waste, or soil. CDFA² has established regulations that govern movement within the state jurisdictional area. The federal regulator, USDA APHIS², maintains jurisdiction over movement between states. This guide is designed to provide a quick overview of the current regulatory framework. These rules are subject to change, so please use the reference section to learn about changes and stay in contact with your local Agricultural Commissioner, who enforces these state and federal regulations. Please note that nursery stock is also regulated by CDFA and USDA APHIS; this summary does not pertain to nursery articles. 2004 Emergency Orders issued by USDA APHIS and pertaining to nursery stock do not pertain to forest products.

REGULATED ARTICLE	STATE REGULATION	FEDERAL DIFFERENCES/ADDITIONS
Bark from host plants	<ul style="list-style-type: none"> • Bark from regulated host material, where the whole host is regulated³, can move out of the quarantine area only with a compliance agreement⁴. 	
Sawdust from host plants	<ul style="list-style-type: none"> • Sawdust from regulated host material, where the whole host is regulated³, can move out of the quarantine area only with a compliance agreement⁴. 	
Burls Firewood Logs Harvested under a CDF ² -approved document, e.g., THP or NTMP ⁵ (where barter, sale, or trade of the product will occur)	<ul style="list-style-type: none"> • Material that has been debarked or heat-treated can move without restrictions anywhere within the state without a compliance agreement. Out-of-state movement requires a federal 540 certificate issued by a county Agricultural Commissioner or other USDA APHIS representative. • You can move host material out of the quarantine area only with a compliance agreement unless the bark is removed prior to transport. • All articles can move freely within the quarantine area¹. 	(Continued on second page)

¹ “Quarantine Area”: For both state and federal regulations the entire area of the following counties is quarantined: Monterey, San Francisco, Santa Cruz, Santa Clara, San Mateo, Marin, Sonoma, Napa, Mendocino, Solano, Alameda, Contra Costa, Lake, and Humboldt. The federal regulation also includes part of Curry County, Oregon.

² The plant pest regulating agencies: CDFA: California Department of Food and Agriculture. USDA APHIS: United States Department of Agriculture Animal and Plant Health Inspection Service. CDF (California Department of Forestry and Fire Protection) is not a plant pest regulating agency; it regulates activities relating to timber harvest and is required to establish regulations to guide timber harvest when pests such as *Phytophthora ramorum* are present.

³ Not all parts of all *Phytophthora ramorum* hosts are regulated. For example, redwood and Douglas-fir sprouts, twigs, Christmas trees, and foliage (<1” diameter) are regulated, but redwood and Douglas-fir logs and other woody plants parts >1” diameter are not.

⁴ Compliance agreement: an agreement (permit) developed between a regulating authority and someone wanting to move a regulated article. Compliance agreements will include specific information as to the origin and destination of the article being moved, when and how (under what conditions or restrictions) the article will be moved, and the time period for which the agreement is valid.

⁵ Timber harvest documents must include specific identifications of *Phytophthora ramorum*-related risks, such as host presence or absence, and of mitigations for those risks, such as sanitation measures. Contact a local Forest Practice Inspector for more information about standard language and practices.

REGULATED ARTICLE	STATE REGULATION	FEDERAL DIFFERENCES/ADDITIONS
Firewood Burls Logs Not harvested under a CDF ² harvest document, i.e., for personal use only	<ul style="list-style-type: none"> • Material that has been debarked or heat-treated can move without restrictions anywhere within the state without a compliance agreement. Out-of-state movement requires a federal 540 certificate issued by a county Agricultural Commissioner or other USDA APHIS representative. • You can move host material out of the quarantine area only with a compliance agreement unless the bark is removed prior to transport. • All articles can move freely within the quarantine area¹ (but see established BMPs⁸). 	
Soil	<ul style="list-style-type: none"> • This is not regulated by CDFA—there are no restrictions on movement (but see established BMPs⁸). However, it is regulated by USDA APHIS; see specifications to the right. 	<ul style="list-style-type: none"> • Soil cannot move outside the state that has been in direct physical contact with infected hosts. Even clean soil must be completely free of duff or heated to 180° F in the presence of an inspector for 30 minutes to obtain a compliance agreement to ship interstate.
Acorns and Fruits	<ul style="list-style-type: none"> • These are not regulated. There are no restrictions on movement. 	
Green waste⁶ (biomass, chips, clippings, etc.)	<ul style="list-style-type: none"> • Can be moved within the quarantine area without restriction⁷ (see established BMPs⁸). • Can be moved in a closed vehicle to a biomass or waste site outside of the quarantine area under compliance agreements with both the county of origin and the receiving county. 	<ul style="list-style-type: none"> • Material cannot move outside the state without a research or experimentation permit issued by USDA APHIS.
Host wreaths and greenery	<ul style="list-style-type: none"> • Can move out of the quarantine area only with a compliance agreement, with immersion of the article in 160° F water for 60 minutes in inspector's presence, with vacuum heat treatment (for bay leaves only⁹), or other approved treatment. 	

References

State regulations (California Department of Food and Agriculture): see California Code of Regulations, Title 3, Section 3700, Oak Mortality Disease Control. CDFA web site: http://www.cdfa.ca.gov/phpps/pe/sod_survey/

Federal regulations (USDA Animal Plant and Health Inspection Service): see Code of Federal Regulations, Title 7, Subpart 301.92 (*Phytophthora ramorum*), sections 301.92-1 through 301.92-11. USDA APHIS web site: <http://www.aphis.usda.gov/ppq/ispm/sod>

California Oak Mortality Task Force: <http://www.suddenoakdeath.org/>

⁶ Green waste: material in solid or chip form that is less than 4" in diameter.

⁷ CDFA recognizes material that is composted according to the commercial composting standards outlined by the California Integrated Waste Management Board to be effectively free of *Phytophthora ramorum* and moveable within the state. However, USDA APHIS does not authorize the movement of this material out of the state.

⁸ Aside from regulations, Best Management Practices (BMPs) exist to guide actions to limit pathogen spread. Particular attention is given to soil; for the most current BMPs, see www.suddenoakdeath.org.

⁹ See USDA APHIS web site in References section above for contact information and specifications regarding this treatment.