

**MICHIGAN DEPARTMENT OF AGRICULTURE
PESTICIDE AND PLANT PEST MANAGEMENT DIVISION
PLUM POX VIRUS INTERIOR QUARANTINE**

WHEREAS, the Director of the Michigan Department of Agriculture, having found that an exotic plant disease, known as plum pox virus (PPV), has been detected in this state and has a limited distribution at this time; and

WHEREAS, PPV is a serious plant disease that damages stone fruits such as peaches, plums, apricots and nectarines by significantly reducing fruit yields in these stone fruit trees and by disfiguring the fruit to the point where it is not marketable; and, can cause entire crop loss due to sudden and premature fruit drop; and,

WHEREAS, PPV is transmitted from infected trees by aphids and by budding or grafting, and can be spread into new areas by movement of infected nursery stock, scion wood, or aphids; and,

WHEREAS, PPV is not easily detected and there is no known control for plum pox virus except the destruction of infected trees; and,

WHEREAS, peaches, plums, apricots and nectarines are a valuable resource for the fruit and nursery industry in Michigan;

NOW, THEREFORE, the Director of the Michigan Department of Agriculture by the authority of Section 6 of Act No. 72 of the Public Acts of 1945, as amended, does promulgate this quarantine to prevent the further spread of this disease and sets forth: definitions, regulated articles, regulated areas, conditions of movement, violations and penalties, and special exemptions. This quarantine shall become effective immediately and will remain in effect until rescinded by the Director.

I. DEFINITIONS

The following terms shall be construed to mean:

- (A) **CERTIFICATE** and **CERTIFICATE OF INSPECTION** mean a document issued or authorized to be issued by the Director, including state-issued certificates of quarantine compliance, state phytosanitary certificates and multiple-use quarantine certificates, to allow the movement of regulated articles to any destination.
- (B) **COMPLIANCE AGREEMENT** means a written agreement between a person moving or receiving regulated articles and the Director.
- (C) **DEPARTMENT** - means the Michigan Department of Agriculture.
- (D) **DIRECTOR** means the Director of the Michigan Department of Agriculture or his or her authorized representative.
- (E) **INFECTION** means the presence of PPV or the existence of the circumstances that make it reasonable to believe that PPV is present.
- (F) **MOVED (MOVE, MOVEMENT)** means shipped, offered for shipment, received for transportation, transported, carried, or allowed to be moved or shipped.

- (G) NURSERY STOCK means, for the purpose of this quarantine, botanically classified trees and shrubs, either domesticated or naturally-occurring, cuttings (rooted or for rooting), rootstock or plants produced by tissue culture, cloning, stem cell culture, or other prepared media culture or biotechnology.
- (H) PERMIT means a document issued by a duly authorized regulatory official that allows the movement of any regulated article from one location to another in accordance with specified conditions or requirements and for a specified purpose.
- (I) PERSON means an individual, society, association, partnership, corporation or other organized entities
- (J) PLUM POX VIRUS or PPV means, for the purpose of this quarantine, plum pox potyvirus Dideron strain, also known as strain D, which is a pathogen affecting susceptible *Prunus* species listed in Part III of this document.

II. PEST

Plum pox potyvirus Dideron strain

III. REGULATED ARTICLES.

- (A) All plant material and plant parts of *Prunus* (stone fruit) species susceptible to PPV strain D, except for seeds and fruit that is free of leaves and other plant parts. This includes, but is not limited to, trees, seedlings, root stock, scions (buds, budsticks, bud wood), branches, twigs, and leaves.
- (B) *Prunus* species susceptible to PPV strain D include:
 1. All fruit-bearing and ornamental varieties of *P. americana* (American plum, wild plum), *P. armeniaca* (apricot), *P. cerasifera* (Myrobalan plum/cherry plum); *P. domestica* (European plum), *P. dulcis* (sweet almond), *P. persica* var. *persica* (peach, flowering peach), *P. persica* var. *nucipersica* (nectarine), and *P. salicina* (Japanese plum)
 2. Ornamental *Prunus* species including but not limited to *P. cerasifera* (Myrobalan plum/cherry plum); *P. cerasifera* "Atropurpurea" (purple leaf plum); *P. x cistena* (purple leaf sand cherry); *P. glandulosa* (flowering almond); *P. persica* (flowering peach, purple leaf peach); *P. pumila* (sand cherry); *P. spinosa* (black thorn, sloe); *P. serrulata* (Japanese flowering cherry, Kwanzan cherry); *P. tomentosa* (Nanking cherry, Hansen's bush cherry); and, *P. triloba* (flowering plum).

Exemptions: *Prunus* species not susceptible to PPV strain D are not regulated, including: *P. avium* (sweet cherry, bird cherry, mazzard cherry); *P. cerasus* (sour cherry, pie cherry), *P. effusa* (duke cherry); *P. laurocerasus* (cherry laurel); *P. mahaleb* (mahaleb, St. Lucie cherry, perfumed cherry); *P. padus* (European bird cherry, hagberry); *P. sargentii* (Sargent cherry, north Japanese hill cherry), *P. serotina* (black cherry, wild bird cherry, rum cherry), *P. serrula* (birch bark cherry), *P. subhirtella* (Higan cherry); *P. subhirtella* "Pendula" (weeping cherry); *P. virginiana* (chokecherry); and, *P. yedoensis* (Japanese flowering cherry, flowering cherry, Potomac cherry).

Although not regulated under this quarantine, *P. virginiana* (chokecherry) is regulated under Act 189 of 1931 Sec. 19a (MCL 286.219a) and Regulation 612 Peach X-Disease. Chokecherry plants are prohibited within 500 feet of peach and cherry orchards and 1,000 feet of peach or cherry nursery stock.

IV. QUARANTINE AREA

This area is comprised of the following:

That area in Berrien County which includes parts of Benton Twp, Bainbridge Twp., Sodus Twp. and Pipestone Twp. in Berrien Co. and is bounded as follows: Beginning at the intersection of Britain Avenue and Benton Center Road in Benton Twp. ; then south along Benton Center Road to Meadowbrook Road; then continuing west to Yore Avenue; then south on Yore Avenue to Snyder Road in Sodus Twp.; then east along a line formed by Snyder and Union Roads including an imaginary line between those roads to Park Road in Bainbridge Twp.; then north on Park Road to Britain Avenue; then west to the point of beginning.

V. NURSERY STOCK REGULATED AREA

This area is comprised of the following:

Any area within 11.5 kilometers of any location from which a PPV-positive sample has been detected within the preceding three years. These PPV-positive locations and the area formed by the 11.5 kilometer radius from these locations are identified on the attached map. If a planting block is intersected by the Nursery Stock Regulated Area boundary, the entire contiguous block will be included in the Nursery Stock Regulated Area.

VI. RESTRICTIONS

- (A) Movement of regulated articles from the Nursery Stock Regulated Area to any destination outside that area is prohibited, except under a permit issued by the Director.
- (B) Movement of regulated articles within the Quarantine Area is prohibited except under compliance agreement issued by the Director.
- (C) Regulated species of nursery stock shall not be moved or planted in the Quarantine Area.
- (D) Regulated species of nursery stock originating from or growing within the Quarantine Area or the Nursery Stock Regulated Area shall not be used as a source of propagative material (either rootstock or scion or seed) unless it is grown under a compliance agreement issued by the Director.
- (E) Regulated articles originating outside the Quarantine Area which are moved into that area shall be subject to restrictions for the Quarantine Area.
- (F) Regulated articles may be moved through the Quarantine Area if the article originated outside the Quarantine Area, and:
 - 1. The regulated article's point of origin is indicated on the waybill or bill of lading; and,
 - 2. A certificate of inspection accompanies the regulated article; and,
 - 3. During the period April 1 - November 30 the regulated article is moved in an enclosed vehicle or is completely enclosed by a covering such as canvas, plastic, or

other closely woven cloth to prevent access by aphids or other transmission agents of PPV while in the quarantine area.

4. The regulated article moves through the Quarantine Area without stopping except for fuel.

VII. STATEWIDE RESTRICTIONS

No regulated species of *Prunus* shall be submitted to a virus free program unless it has been tested for PPV. Testing must be in accordance with the protocol described for mother trees in the National PPV Surveillance Program. The Department will oversee sampling. Testing will be done by the Department or by a laboratory approved by the Department.

VIII. VIOLATIONS AND PENALTIES

Any violation of this quarantine is subject to the full authority of Act No. 72, Public Acts of 1945, as amended.

IX. EXEMPTIONS

- (A) The movement and sale of fruit is exempt from the provisions of this quarantine as per Section III (A).
- (B) The movement, sale and propagation of non-susceptible *Prunus* species listed in Section III (B) is exempt from the provisions of this quarantine.

Dated May 16, 2007 at Lansing, Michigan



Mitch Irwin, Director

