

Quarantine Against Apple Maggot **603-052-0121**

(1) Establishing a Quarantine. A quarantine is established against apple maggot (*Rhagoletis pomonella*), a dipterous insect of the family Tephritidae whose larval stages live within the fruit of their host plants and cause extensive damage to such fruit.

(2) Areas Under Quarantine:

(a) Within the State of Oregon: the counties of Benton, Clackamas, Clatsop, Columbia, Coos, Curry, Douglas, Gilliam, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Sherman, Tillamook, Yamhill, Wasco, Washington, and the City of Pendleton in Umatilla County.

(b) In the western United States: California, Idaho, Utah and Washington.

(c) In the eastern United States: all states and districts east of and including the states of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma and Texas.

(3) Commodities Covered. From the areas under quarantine: all fresh fruit of hawthorne (haw); all non-commercial fresh fruit of pear; and all fresh fruit of apple (including crabapple).

(4) Restrictions:

(a) Certification Required. Commodities covered which are produced in or shipped from the area under quarantine are prohibited entry into the commercial apple producing counties of Gilliam, Grant, Hood River, Morrow, Sherman, Umatilla and Wasco counties of the State of Oregon unless each lot or shipment is accompanied by a certificate issued by and bearing

the original or facsimile signature of the authorized agricultural official of the state from which the commodity is shipped evidencing compliance with subsection (e), (f), or (g) of this section. No certificate is required for commodities meeting the requirements of subsection (c) or (d) of this section;

(b) In the western U.S., not all counties in infested states have established populations of apple maggot. Provided each lot or shipment is certified by an authorized agricultural official to have been grown in a county not known to be infested with apple maggot, the commodities may be shipped to the Oregon counties of Gilliam, Grant, Hood River, Morrow, Sherman, Umatilla and Wasco.

(c) Reshipments in Original Containers if Commodities Grown Outside Area Under Quarantine. Commodities in original unopened containers, each bearing labels or other identifying marks evidencing origin outside the areas under quarantine, may be reshipped to the counties Gilliam, Grant, Hood River, Morrow, Sherman, Umatilla and Wasco of the State of Oregon from any point within the areas under quarantine;

(d) Repacked Commodities Admissible if Certified Grown Outside from Area Under Quarantine. Provided each lot or shipment is certified by an authorized agricultural official to have been grown outside the area under quarantine and that continued identity has been maintained while within the area under quarantine, the commodities may be repacked and shipped by common carrier from any point within the area under quarantine to the Oregon counties of Gilliam, Grant, Hood River, Morrow, Sherman, Umatilla and Wasco. The certificate shall set forth the state in which commodities were grown, point of repacking and reshipment, amount and kind of commodities comprising the lot or shipment, and the names and addresses of the shipper and consignee;

(e) Apples Exposed to Controlled Atmosphere (CA) Storage Admissible Under Certificate. Apples which are exposed to controlled atmosphere (CA) storage for a continuous period of 90 days, during which period the temperature within the storage room is maintained at 38° F (3.3°C) or less, may be admitted into the counties of Hood River, Morrow, Umatilla and Wasco of the State of Oregon provided said storage room or building is approved by the proper authorities in the state of origin as a controlled atmosphere facility and further provided each lot or shipment of such apples to the afore named Oregon counties is accompanied by a certificate, as stated in subsection (a) of this section, evidencing compliance with the minimum requirements of this section;

(f) Solid Frozen Fruits Exempt. No restrictions are placed by this regulation on the entry into the Oregon counties of Hood River, Morrow, Umatilla and Wasco of fruits which upon arrival are frozen solid and which are under refrigeration to assure their solid frozen state;

(g) Shipments from Cold Storage at 32° F (0°C). Commodities covered which are held in cold storage for a continuous period of 40 days or more, during which period the temperature within the storage room is maintained at 32° F (0°C) or less, may be admitted into the counties of Hood River, Morrow, Umatilla and Wasco of the State of Oregon provided each lot or shipment is accompanied by a certificate, as described in subsection (a) of this section, evidencing compliance with the requirements of this section.

(5) Exceptions:

(a) Based on a memorandum of agreement between the Oregon and Washington Departments of Agriculture, the Washington counties of Klickitat and Skamania and the Oregon counties of Hood River and Wasco are considered a single production area,

and under the terms of this memorandum fresh commercial apple fruit produced in this production area may move freely throughout these counties. This exception shall be allowable only as long as such memorandum is in effect;

(b) Special Permits: The Director of the Oregon State Department of Agriculture may issue special permits admitting covered commodities not otherwise eligible for entry into of Gilliam, Grant, Hood River, Morrow, Sherman, Umatilla and Wasco counties of the State of Oregon from areas under quarantine subject to specific conditions and provisions which the director may prescribe to prevent introduction, escape or spread of the quarantined pests.

Stat. Auth.: ORS 561 & 570

Stats. Implemented: ORS 561.190, 561.510 - 561.600, 570.305, 570.405 & 570.410 - 570.415

Hist.: AD 7-1985, f. 9-16-85, ef. 10-1-85; DOA 5-2005, f. & cert. ef. 2-15-05