

Texas Administrative Code

Chapter 19, Subchapter O West Indian Fruit Fly Quarantine

<u>SECTION</u>	<u>NAME OF SECTION</u>
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§19.150	Quarantined Pest
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§19.151	Quarantined Areas
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§19.152	Quarantined Articles
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§19.153	Restrictions
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§19.154	Establishment of Quarantined Area; Core Area; Treatment of Infestation; and Destruction of Quarantined Articles
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§19.150	Quarantined Pest
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The quarantined pest is the West Indian fruit fly, *Anastrepha obliqua* (Macquart) in any living stage of development.

Source Note: The provisions of this §19.150 adopted to be effective February 14, 2001, 26 TexReg 1263

§19.151	Quarantined Areas
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[None: This section not present in current regulations.]

Source Note: [none. A previous source note read, "The provisions of this §19.151 adopted to be repealed effective September 24, 2001, 26 TexReg 7269]

§19.152	Quarantined Articles
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The quarantined pest is a quarantined article. The fruit or berries of all of the following plants originating from the quarantined area are quarantined:

Attached Graphic

Source Note: The provisions of this §19.152 adopted to be effective February 14, 2001, 26 TexReg 1263

§19.153	Restrictions
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(a) Movement of quarantined articles.

(1) General. Quarantined articles originating from the quarantined area are prohibited entry into adjoining areas, except as provided in paragraph (2) of this section.

(2) Exceptions. Commercial citrus fruit may be moved outside the quarantined area in fruit bins with a United States Department of Agriculture (USDA) limited permit or other approved USDA procedure.

(b) Treatment of fruit. The fruit shall be treated using one of the following three options:

(1) Fumigation. The fruit must be covered by a tarpaulin and go directly to an approved treatment facility. The fruit shall be segregated in a packing house and fumigated as prescribed in the Texas Valley Mexican Fruit Fly Protocol 2000-2001. A copy of this protocol may be obtained at the department's Valley Regional Office, 900-B East Expressway 83, San Juan, Texas 78589.

(2) Bait Sprays. The fruit shall be treated in the field using bait sprays as prescribed in the Texas Valley Mexican Fruit Fly Protocol, 2000-2001. The treatments shall be applied at 6 to 10 day intervals starting at least 30 days before harvest and continued throughout the harvest period or until the quarantine is revoked. The entire grove shall be treated to be considered for certification. Once all fruit has been harvested from the grove, spray applications may cease. Growers shall enter into a compliance agreement with the USDA or the department to treat and handle the fruit as prescribed.

(3) Fruit should be covered by a tarpaulin if moved for juicing under guidelines prescribed by the department or USDA.

Source Note: The provisions of this §19.153 adopted to be effective February 14, 2001, 26 TexReg 1263

§19.154	Establishment of Quarantined Area; Core Area; Treatment of Infestation; and Destruction of Quarantined Articles
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(a) When two or more quarantined pests, a mated female or one larva is detected, a quarantined area is established around the detection site. The quarantined area shall cover an area of approximately 81 square miles (4.5 mile radius around the detection site). Within the quarantined area, a core area of 0.5 mile radius from each detection site will be established. The core area of the detection shall be treated by ground or aerial sprays as prescribed by the department or the USDA. Within

the core area, the spray program shall restart if an additional quarantined pest is detected.

(b) The owner or orchard manager may bear all treatment expenses.

(c) The owner or orchard manager shall enter into a compliance agreement with the department to make the required treatments and handle the fruit as prescribed.

(d) Homeowners shall not be required to pay treatment expenses when flies are detected in urban areas. Fruit will be handled as prescribed by the department.

(e) The quarantined pest shall be considered eradicated from the quarantined area when additional flies are not detected beginning with the most recent fly detection and continuing for two generations followed by one generation without trapping any flies. The number of days required to complete a fly generation will vary based on a degree-day model.

(f) In addition to assessment of administrative penalties as provided in the Texas Agriculture Code, §12.020, a violation of this subchapter may require destruction of quarantined articles.

(g) If the producer or handler of quarantined articles required to be destroyed or treated refuses to destroy or treat the articles, the department may destroy or treat the quarantined articles and charge the costs of destruction or treatment to the producer or handler, in accordance with the Texas Agriculture Code, §71.0091.

Sapote	<i>Pouteria sapota</i>
Sour Orange	<i>Citrus aurantium</i>
Strawberry Guava	<i>Psidium littorale</i>
Sweet Lime	<i>Citrus aurantifolia</i>
Sweet Orange	<i>Citrus sinensis</i>

Source Note: The provisions of this §19.154 adopted to be effective February 14, 2001, 26 TexReg 1263; amended to be effective September 24, 2001, 26 TexReg 7269

Figure: 4 TAC §19.152

<u>Common Name</u>	<u>Botanical Name</u>
Sapote	<i>Diospyros spp.</i>
Common Guava	<i>Psidium guajava</i>
Grapefruit	<i>Citrus paradisi</i>
Hog-plum	<i>Spondias mombin</i>
Barbados Cherry	<i>Malpighia glabra</i>
Japanese Plum	<i>Prunus salicina</i>
Jew plum	<i>Spondias cytherea</i>
Ketembilla	<i>Dovyalis hebecarpa</i>
Loquat	<i>Eriobotrya japonica</i>
Malay-apple	<i>Syzygium malaccense</i>
Mango	<i>Mangifera indica</i>
Passion Fruit	<i>Passiflora spp.</i>
Peach	<i>Prunus persica</i>
Pear	<i>Pyrus communis</i>
Ramon	<i>Brosimum alicastrum</i>
Red Mombin	<i>Spondias purpurea</i>
Rose-apple	<i>Syzygium jambos</i>
Sapodilla	<i>Manilkara zapoya</i>