

FOR INFORMATION AND ACTION
DA-2024-17
May 22, 2024

Subject: APHIS Establishes Quarantines for Box Tree Moth (*Cydalima perspectalis*) in the Commonwealth of Massachusetts and Ohio, Expands Quarantines in Michigan and New York, and Establishes Conditions for the Interstate Movement of Regulated Articles of *Buxus* species.

To: State, Tribal, and Territory Agricultural Regulatory Officials

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) in cooperation with State Agricultural Authorities of the impacted States, is updating the box tree moth (BTM; *Cydalima perspectalis*) quarantined areas and establishing the conditions for the interstate movement of regulated articles of *Buxus* species, commonly called boxwood, from BTM-quarantined areas.

This Federal Order establishes quarantined areas in the Commonwealth of Massachusetts and Ohio, and expands the quarantined areas in Michigan and New York for BTM to align with interior quarantines established in these States. Specifically, this Federal Order **a)** establishes a BTM quarantine in the entire Commonwealth of Massachusetts, **b)** adds all of Clinton, Eaton, Ingham, Jackson, Livingston, Macomb, Monroe, Oakland, St. Clair, and Wayne Counties to the BTM quarantines previously established in Lenawee and Washtenaw Counties and parts of Jackson and Monroe Counties in Michigan, **c)** adds all of Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Cortland, Franklin, Genesee, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Oneida, Onondaga, Ontario, Oswego, Otsego, Tioga, Tompkins, Saint Lawrence, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates Counties to the BTM quarantines previously established in Erie, Niagara, and Orleans Counties in New York, and **d)** establishes quarantines in Butler, Clermont, Hamilton, and Warren Counties in Ohio, as well as the portions of Montgomery County, Ohio, to the south of Interstate 70; and the portions of Greene County that are west of SR 68 to the north of Xenia, and west of interstate 42 to the south of Xenia in Ohio. This Federal Order supersedes DA-2022-13 and DA-2023-18, to include these new areas and to incorporate changes to the requirements for interstate movement of regulated articles.

Boxwood plants may only be moved interstate from a quarantined area from an establishment operating under a compliance agreement, and only if accompanied by a certificate issued by a State Agricultural Authority certifying that the requirements of this Federal Order and the compliance agreement have been met. These requirements will prevent producers and distributors of boxwood from moving infested plants interstate. State Agricultural Authorities may prescribe additional safeguards and protocols.

All other regulated articles of boxwood, including plant parts, pieces, cuttings, clippings, debris, and any portion of the plant, alive or dead, except for decorative purposes, are prohibited from movement.

The attached Federal Order and additional information about BTM are located on the [APHIS box tree moth webpage](#). For additional information, you may contact:

Allen Proxmire
National Policy Manager
(480) 392-8754
allen.proxmire@usda.gov

A handwritten signature in blue ink, appearing to read "Mark L Davidson".

Dr. Mark L Davidson
Deputy Administrator
Plant Protection and Quarantine

Attachment: Federal Order

**United States Department of Agriculture
Animal and Plant Health Inspection Service
Plant Protection and Quarantine**

Federal Order

**Domestic Quarantine for Box Tree Moth (*Cydalima perspectalis*) and Establishment of
Conditions for the Interstate Movement of Regulated Articles of *Buxus* Species**

**DA-2024-17
May 22, 2024**

Effective immediately, the Animal and Plant Health Inspection Service (APHIS) in cooperation with State Agricultural Authorities of the impacted States, is updating the box tree moth (BTM; *Cydalima perspectalis*) quarantined areas and establishing the conditions for the interstate movement of regulated articles of *Buxus* species, commonly called boxwood, from BTM-quarantined areas.

This Federal Order is issued in accordance with the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412(a), 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, or article, or means of conveyance, if the Secretary determines the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States.

This Federal Order establishes quarantined areas in the Commonwealth of Massachusetts and Ohio, and expands the quarantined areas in Michigan and New York for BTM to align with interior quarantines established in these States. Specifically, this Federal Order **a)** establishes a BTM quarantine in the entire Commonwealth of Massachusetts, **b)** adds all of Clinton, Eaton, Ingham, Jackson, Livingston, Macomb, Monroe, Oakland, St. Clair, and Wayne Counties to the BTM quarantines previously established in Lenawee and Washtenaw Counties and parts of Jackson and Monroe Counties in Michigan, **c)** adds all of Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Cortland, Franklin, Genesee, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Oneida, Onondaga, Ontario, Oswego, Otsego, Tioga, Tompkins, Saint Lawrence, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates Counties to the BTM quarantines previously established in Erie, Niagara, and Orleans Counties in New York, and **d)** establishes quarantines in Butler, Clermont, Hamilton, and Warren Counties in Ohio, as well as the portions of Montgomery County, Ohio, to the south of Interstate 70; and the portions of Greene County that are west of SR 68 to the north of Xenia, and west of interstate 42 to the south of Xenia in Ohio. This Federal Order supersedes Federal Orders DA-2022-13 and DA-2023-18, to include these new areas and to incorporate changes to the requirements for interstate movement of regulated articles.

To prevent the spread of BTM, APHIS considers it necessary to regulate the interstate movement of regulated articles of boxwood from quarantined areas. Therefore, effective immediately, APHIS prohibits the interstate movement of regulated articles of boxwood from quarantined areas, unless in accordance with this Federal Order.

Boxwood plants may only be moved interstate from a quarantined area from an establishment operating under a compliance agreement, and only if accompanied by a certificate issued by a State Agricultural Authority certifying that the requirements of this Federal Order and the compliance agreement have been met. These requirements will prevent producers and distributors of boxwood from moving infested plants interstate. State Agricultural Authorities may prescribe additional safeguards and protocols.

All other regulated articles of boxwood, including plant parts, pieces, cuttings, clippings, debris, and any portion of the plant, alive or dead, except for decorative purposes, are prohibited from movement.

This Federal Order and additional information about BTM are located on the [APHIS box tree moth webpage](#). For additional information, please contact the National Policy Manager, Allen Proxmire, at allen.proxmire@usda.gov or (480) 392-8754.

A. Quarantined Areas

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.

The following areas are designated as quarantined areas for BTM:

The Commonwealth of Massachusetts: The entire State.

Michigan: All of Clinton, Eaton, Ingham, Jackson, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne Counties.

New York: All of Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Cortland, Erie, Franklin, Genesee, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Tioga, Tompkins, Saint Lawrence, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates Counties.

Ohio: All of Butler, Clermont, Hamilton, and Warren Counties, as well as the portions of Montgomery County to the south of Interstate 70; and the portions of Greene County that are west of SR 68 to the north of Xenia, and west of Interstate 42 to the south of Xenia.

B. Regulated Articles

Regulated articles include the whole plant, all plant parts, pieces, cuttings, clippings, debris, and any portion of the plant, alive or dead, except for decorative purposes.

C. Conditions for movement of Regulated Articles

No person may move interstate any regulated article from any quarantined area except in accordance with this Federal Order.

Boxwood plants may only be moved interstate from a quarantined area from an establishment operating under a compliance agreement, and only if accompanied by a certificate issued by a State Agricultural Authority certifying that the requirements of this Federal Order and the compliance agreement have been met.

All other regulated articles of boxwood, including plant parts, pieces, cuttings, clippings, debris, and any portion of the plant, alive or dead, except for decorative purposes are prohibited from movement.

D. Definitions

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

Certificate. A document, stamp, or other means of identification issued by an inspector or person operating under a compliance agreement when he or she finds that, because of certain conditions, a regulated article can be moved safely from an area quarantined for BTM, without spreading the pest.

Compliance Agreement. A written agreement between the State Agriculture Authority and a person engaged in the business of growing, maintaining, processing, handling, packing, or moving regulated articles for interstate movement, in which the person agrees to comply with specific requirements.

Inspector. An individual authorized to determine the eligibility of plants for interstate movement.

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

Quarantined Area. Any State, or any portion of a State, listed in this Federal Order.

Regulated Article. *Buxus* spp., commonly called boxwood. The whole plant, all plant parts, pieces, cuttings, clippings, debris, and any portion of the plant, alive or dead, except for decorative purposes.

State Agriculture Authority. A State agency that regulates agriculture, natural resources, and related issues.