

**NEBRASKA COLUMBIA ROOT KNOT NEMATODE QUARANTINE
#111502**

TO ALL AFFECTED PERSONS:

You are hereby notified that the Nebraska Department of Agriculture (Department) is establishing a quarantine on the importation of any seed potatoes for planting, tablestock potatoes, potatoes for processing, and other regulated articles originating in areas infested with Columbia root knot nematode (*Meloidogyne chitwoodi*), pursuant to the Plant Protection and Plant Pest Act, Neb. Rev. Stat. §§2-1072 to 2-10,117 (Act).

Sections 2-1091 and 2-10,108 provide that for the enforcement of the Act, the Department may issue a quarantine whenever the Department finds there exists, in any other state, territory, country, or part thereof, any plant pests detrimental to the agricultural interests of the state and that the control, eradication, retarding, or prevention of such pests is necessary to protect the plant industry of the state, the Department may impose and enforce a quarantine prohibiting the transportation into, within, or through Nebraska of such pests. Quarantine enforcement shall apply to any plants or any other property capable of carrying such plant pests.

The Columbia root knot nematode is a potato crop damaging nematode that not only causes damage to the potato crop, but also places at risk the ability of Nebraska potato producers to produce and sell their seed and tablestock potatoes. In order to protect Nebraska potato production areas from Columbia root knot nematode, and because countries importing potatoes from the United States can and have refused to buy seed potatoes and tablestock potatoes from areas which have confirmed infestations of Columbia root knot nematode, the Department finds it necessary to impose a quarantine.

This quarantine will be effective on November 15, 2002. Modified, March 2012. The specific requirements of the quarantine are as follows:

1. Quarantined Areas:

Quarantined areas shall consist of the entire states of California, Idaho, Oregon, and Washington, and the listed counties in the following states: Colorado (Alamosa County, Conejos County, Costilla County, Rio Grande County and Saguache County); Nevada (Humboldt County); New Mexico (San Juan County); Texas (Hartley County); Utah (Iron County, Weber County); and Wyoming (Laramie County) and any other state, county, or foreign country known to be infested.

2. Definitions:

- A. Compliance Agreement shall mean a written agreement between the Department and a Nebraska recipient;
- B. Origin shall mean the location where seed potatoes, tablestock potatoes, or potatoes intended for processing, were grown, or soil was collected from a field. Origin may also mean the county or counties in which equipment was held or used in the past twelve (12) months. This is to be listed on documents by county and state, for domestically produced articles, and country, for foreign origin commodities.

- C. Shipment shall mean a quantity of goods or cargo shipped together as part of one lot, such as a single truck load of a regulated product moving interstate.
 - D. Soil permit shall mean a permit issued by the Department for the movement of soil from Columbia root knot nematode quarantined areas, into the state.
 - E. State phytosanitary certificate shall mean an official document issued by state regulatory agency of the state of origin, certifying a single shipment. Individual state phytosanitary certificates issued to certify multiple shipments will not be accepted under this quarantine.
3. Regulated Articles:
- A. Seed potatoes including potato tubers intended for planting;
 - B. Tablestock potatoes;
 - C. Potatoes intended for processing;
 - D. Used containers, including but not limited to used bags and boxes;
 - E. Used machinery and implements that may harbor Columbia root knot nematode;
 - F. Soil from Columbia root knot nematode infested fields;
 - G. All life stages of the Columbia root knot nematode; and
 - H. Any article, product, or means of conveyance when it is determined by the Department to present the risk of spread of Columbia root knot nematode.
4. The following are conditions of movement of regulated articles:
- A. Except as otherwise provided herein, all regulated articles are prohibited entry into the state from the areas under quarantine.
 - B. Potatoes for processing. Potatoes from quarantined areas must be washed and be reasonably free of soil. The potatoes must also be accompanied by a state phytosanitary certificate or a United States Department of Agriculture (USDA) Agricultural Marketing Service (AMS) Certificate of Inspection. The state phytosanitary certificate or USDA AMS Certificate of Inspection must state that the potatoes in the shipment are for processing only and are in compliance with this quarantine.
 - C. Tablestock potatoes. Potatoes from quarantined areas must be washed and reasonably free of soil, and show no evidence of surface or internal defects caused by the Columbia root knot nematode. The potatoes must also be accompanied by a state phytosanitary certificate or a USDA AMS Certificate of Inspection. The state phytosanitary certificate or USDA AMS Certificate of Inspection must state that the potatoes in the shipment are for consumption only

and are in compliance with this quarantine. The potatoes are to be packaged in consumer bags of 100 pounds or less and, if shipped, between the period of January 1st and May 30th, must be treated with a sprout inhibitor.

- D. Seed potatoes. Potatoes from quarantined areas intended for planting must come from a growing area officially sampled in the state or county of origin and shall be tested by an official laboratory and the soil and tubers found to be free from Columbia root knot nematode. The sampling and laboratory procedures shall follow all accepted phytosanitary certification standards and shall occur prior to the shipment into Nebraska. Each shipment shall be accompanied by a state phytosanitary certificate stating the potatoes in the shipment are for planting and are in compliance with this quarantine.
 - E. Used machinery and implements from quarantined areas. Used machinery and implements employed in the planting, cultivating, harvesting, packaging, or transportation of potato tubers contaminated with Columbia root knot nematode or from areas designated as quarantine areas shall not be allowed entry, except if rendered free of soil and related debris, washed and thoroughly disinfected prior to shipment or transport into Nebraska, and accompanied by a statement of cleaning and disinfection issued by the official certification agency in the area of origin.
 - F. Used bags and containers. Used bags or other containers employed in the planting, harvesting, packaging, or transportation of potato tubers contaminated with Columbia root knot nematode and from areas designated as quarantine areas shall not be allowed entry into Nebraska.
 - G. Soil intended for laboratory analysis may be allowed entry into the state under this quarantine, provided the Nebraska recipient applies for a compliance agreement and receives a soil permit issued by the Department.
 - H. Regulated articles to be used for research purposes, at the discretion of the Department, may move into the state under Compliance Agreement between the Department and the Nebraska recipient.
5. Exemptions:
- A. All potatoes processed prior to entry into Nebraska are exempt from this quarantine.
 - B. This quarantine does not apply to regulated articles in enclosed containers transiting Nebraska in interstate or international commerce.

6. Audit:

Any of the regulated articles may be subject to a detailed import audit examination at the time of arrival in Nebraska. Samples may be drawn at random from selected shipments of regulated articles.

7. Penalties:

- A. Regulated articles transported in violation of this quarantine may be seized, destroyed, and/or returned to point of origin, without compensation, at the discretion of the Department, pursuant to §2-10,108 of the Act.
- B. Section 2-10,115 of the Act provides that any person shall be guilty of a Class IV misdemeanor for a first violation, and a Class II misdemeanor for a subsequent violation of the same nature if that person violates this quarantine.
- C. Any person or entity found to have violated this quarantine may be held financially responsible for all regulatory and mitigation expenses related to the violation, pursuant to §2-10,111 of the Act.

Any person affected by this quarantine may request a hearing before the Department. Such requests should be made in writing to the:


Nebraska Department of Agriculture
301 Centennial Mall South
P.O. Box 94756
Lincoln, Nebraska 68509

This quarantine is effective until the Department amends the quarantine or determines that the quarantine is no longer necessary.

NEBRASKA DEPARTMENT OF AGRICULTURE

3-2-2012

Date



Greg Ibach
Director

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