



STATE OF WASHINGTON

DEPARTMENT OF AGRICULTURE

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Concise Explanatory Statement ***for amendments to*** **Chapter 16-470 WAC** **Quarantine – Agricultural Pests** **Apple Maggot Quarantine**

The Washington State Department of Agriculture held hearings on May 28, 2020 and June 3, 2020 to accept testimony on its proposal to amend chapter 16-470 WAC. Due to the mandated social distancing requirements in place during the COVID-19 outbreak, the hearings were held over video and teleconference. Proposed amendments to chapter 16-470 WAC include:

1. Adding soil and growing medium in pots and on root balls of apple maggot host plants originating from the quarantine area, to the list of regulated commodities;
2. Adding soil and growing medium in pots and on root balls of nonhost plants originating from the quarantine area that were grown within the drip line of host plants that have produced fruit, to the list of regulated commodities;
3. Specifying the criteria for how these plants may enter the pest free area if risk is mitigated;
4. Specifying the documentation that must accompany these plants when shipping to or through a pest free area and when receiving these plants from a quarantine area; and,
5. Specifying the fees associated with inspection and certification services.

Reasons for Adopting the Rule

As a result of a petition from the Washington State Tree Fruit Association, the Plant Protection Division of the Washington State Department of Agriculture (WSDA) is including soil and growing medium in pots and on root balls of apple maggot host plants (and nonhost plants that were grown within the drip line of host plants that have produced fruit) originating from the quarantine area, to the list of regulated commodities under the apple maggot quarantine rule.

Apple maggot is a pest that threatens commercial and homegrown fruit, especially apples. In Washington, they fly and lay their eggs primarily in July and August. Apple maggot females puncture the skin of host fruit and lay their eggs under the surface. In only three to seven days, apple maggot eggs hatch and larvae begin to emerge. The larvae eat and tunnel their way through the fruit, leaving brown trails behind. After the larvae mature, they exit the fruit and drop to the ground. They overwinter as pupae in the soil, emerging the next summer as adults, starting the cycle over again. Apple maggot can survive in the soil as pupae for at least two years, if not longer.

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The growing media of apple maggot host plants that have previously fruited or have fruit present may be infested with apple maggot. Host plants shipped from the quarantine area that have fruited, or nonhost plants that have been exposed to fruited host plants, could result in apple maggot pupating in the growing media. If these plants move in growing media, to pest free areas within the state, there is a risk of apple maggot becoming introduced into the pest free area.

Once apple maggot is established, treatment is costly. Apples are the top agricultural commodity in Washington. This makes the threat of apple maggot significant, as fruit from the pest free areas has greater access to international markets. Based on these factors, it is critical to address this potential pathway of spread for apple maggot into the pest free areas of the state. The rule amendment is aimed at preventing the spread of apple maggot from quarantined areas into pest free areas through the nursery trade.

Summary of Comments and the Department's Response

The public comment period ran from April 1, 2020, until the close of business on June 3, 2020. During that time, no written comments were received regarding the proposed amendments. One oral comment was received.

The following summarizes the testimony:

Reid Robinson, representing Sierra Gold Nurseries submitted oral comment stating, "I have a nursery that ships a large volume of potted apple trees to eastern Washington from a quarantine area. We never actually have fruit that are produced on our trees as we are a nursery and are propagating from very small tissue culture produced rootstocks. So the question is, is there an inspection process that is effective for our volume of deliveries so that I don't have to get a phyto for every shipment? It sounds like it's going to be ok, but I just wanted to make sure that is being thought about."

Response: WSDA responded to this testimony during the hearing, stating the following: "Depending on what state you're shipping from, you will work with your department of agriculture on that. It's possible that we might be able to work out a compliance agreement with your department of agriculture that would address your specific situation and meet our quarantine."

Differences Between the Proposed and Adopted Rule

There are no differences between the proposed and adopted rule.