

NOTICE

DEPARTMENT OF AGRICULTURE

Addendum to the Order of Quarantine 54 Pa.B. 4004 issued Saturday, July 13, 2024

Addendum to the Order of Quarantine; Box Tree Moth

Recitals

- A. Box Tree Moth, *Cydalima perspectalis*, is a new pest to the United States and has been detected in the Commonwealth. This is a destructive insect to plants in the *Buxus* genus and not widely prevalent or distributed within or throughout the Commonwealth or the United States. This pest has been declared an actionable regulatory pest by the United States Department of Agriculture. Box Tree Moth has the potential to spread to uninfested areas by natural means or through the movement of infested articles.
- B. The Plant Pest Act (Act) (act of December 16, 1992, P.L. 1228, No. 162) (3 P.S. §§ 258.1—258.27) empowers the Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests. A plant pest is defined as an organism, including other plants, causing or capable of causing injury or damage to plants or plant products (3 P.S. § 258.2). The Department's powers include the authority to establish quarantines to prevent the spread of plant pests within this Commonwealth (3 P.S. § 258.21).
- C. The Department may declare a pest to be a public nuisance when the Department determines a plant pest to be dangerous or destructive to the agriculture, horticulture or forests of this Commonwealth (3 P.S. § 258.20). For the reasons set forth in Paragraph A above, the Department declares Box Tree Moth, *Cydalima perspectalis*, to be a public nuisance.
- D. Consistent with the Order of Quarantine: Box Tree Moth, published at 54 Pa.B. 4004 issued Saturday, July 13, 2024 (Order of Quarantine), where the Department detects or confirms any of the plant pests established in this Order of Quarantine – Box Tree Moth, *Cydalima perspectalis* – the place or area in which any of these plant pests are detected or confirmed shall be subject to the provisions of the Order of Quarantine.
- E. The place or area in which the plant pest is detected or confirmed shall be added to the Order of Quarantine through an addendum delineating the specific location and geographic parameters of the area or place. Such Addendum shall be published in the *Pennsylvania Bulletin* and enforcement of the Addendum to the Order of Quarantine, with regard to that place or area, shall become effective immediately.

Order

Under authority of section 21 of the act (3 P.S. § 258.21), and with the Recitals previously listed incorporated herein and made a part hereof this Addendum to the Order of Quarantine published at 54 Pa.B. 4004 issued Saturday, July 13, 2024 (Order of Quarantine), the Department Orders the following:

1. *Establishment of Quarantine.*

The provisions, standards and requirements of the Order of Quarantine are hereby established and hereafter apply with respect to Erie County. This is in addition to, and does not replace, any areas already subject to the Order of Quarantine and any previous Addendums to the Order of Quarantine.

2. *All Provisions Apply.*

All of the provisions established in the Order of Quarantine are hereby made a part of this Addendum as if fully set forth herein and shall hereby be made applicable to Erie County.



8/23/24

Russell C. Redding,
Secretary