Grape Quarantine

603-052-0051

Quarantine: Grape Pests and Diseases

(1) Establishing Quarantine: A quarantine is established against harmful pests and diseases of wine grapes.

(2) Area Under Quarantine: All states, districts, and territories of the United States, and in Oregon, any property where a harmful pest or disease is found (see Section (4)).

(3) Commodities Covered: Plants, cuttings, and all other plant parts of grape (*Vitis* species).

(4) Harmful Pests and Diseases: Grapevine fanleaf virus, grapevine leaf roll-associated viruses, grapevine corky bark disease agent, grape phylloxera (*Daktulosphaira vitifoliae*), vine mealybug (*Planococcus ficus*), European grapevine moth (*Lobesia botrana*), and Pierce’s Disease (*Xylella fastidiosa*).

(5) Restrictions: All covered commodities are prohibited entry into the State of Oregon unless they meet the requirements in (a) through (e) below:

(a) Freedom from Soil: Only non-rootedgrape cuttings orrooted plants produced in sterile soil-less media are permitted entry into Oregon. Grape cuttings and rooted plants must be treated with an approvedinsecticide effective against vine mealybug and any pests that may be present on the roots prior to shipment.

(b) Freedom from harmful pests and diseases: Cuttings, fruit, and plants must be free of harmful pests and diseases.

**(**A) Grape cuttings and rooted plants must be tested and found free of *Xylella fastidiosa*. Grape vine sampling and analysis procedure for *Xylella fastidiosa*:

(i) Samples shall be taken from plants located in lots identified for shipment to Oregon.

(ii) Samples from up to five individual plants may be combined (bulked) for analysis purposes.

(iii) Samples shall be composed of petiole and/or midrib tissue, with one sample comprised of three to five leaves from a single plant. If foliar symptoms are present, the symptomatic leaf tissue must be tested.

(iv) Analysis of samples for *X. fastidiosa* shall be done using ELISA or PCR testing by a laboratory operated by an official state or federal regulatory agency or by an approved cooperator. PCR testing must be conducted using a method approved by the Department.

(I) Sampling and analysis with ELISA or PCR of non-dormant (green) plant material must take place within 60 days before the date of shipment of the plants into Oregon.

(II) Sampling and analysis with ELISA or PCR of plants to be shipped dormant must take place prior to leaf drop, but within 60 days of leaf drop during the previous season. Alternatively, sampling and analysis of such plants with PCR must be done on newly emerged leaves no less than 10-days after bud break.

(v) Sampling and analysis of plant material shall be under the direct supervision of state or county regulatory officials.

(vi) Sampling of each lot intended for shipment to Oregon must be done in a manner that provides 95% confidence that an infestation level of 1.0% or higher will be detected as described in the International Standards for Phytosanitary Measures ISPM No. 31, last modified August 2011.

(B) Grape cuttings and rooted plants must be officially inspected and found free of grapevine fanleaf virus, grapevine leaf roll-associated viruses, grapevine corky bark disease agent, and European grapevine moth prior to shipment. The cuttings and plants must be inspected during the season most appropriate for symptom expression and pest detection. Alternatively, the cuttings and plants must originate from an official certification program for freedom from grapevine fanleaf virus, grapevine leaf roll-associated virus, grapevine corky bark disease agent, and European grapevine moth.

(c) Fruit may be imported under the following conditions:

(A) Table grapes must be commercially packed in compliance with USDA recommendations for protecting perishable food products shipped interstate by truck (USDA-Agricultural Marketing Service-Transportation and Marketing Programs, In: Protecting Perishable Foods During Transport by Truck, Handbook No. 669 (2008), pp. 40-41). Table grapes shipped under these conditions may be shipped without an official phytosanitary certificate.

(B) The wine grapes have been:

(i) Harvested from a county known to be free of vine mealybug or from a vineyard that has been officially inspected and found free of vine mealybug; or,

(ii) The fruit has been hand harvested from a vineyard infested with vine mealybug and shipped in a covered container. Any pomace resulting from pressing of the wine grapes must be placed in piles located away from vineyard rows and securely covered with clear plastic for four (4) weeks or composted for four (4) weeks or any other appropriate method approved by the Department before spreading in vineyards rows.

(d) Phytosanitary Certificate Required: All shipments must be accompanied by a phytosanitary certificate issued by an official of the state of origin certifying that the fruit, grape cuttings, or rooted plants have been inspected and to the best of the knowledge of the inspecting official are free from harmful pests and diseases. In addition, the phytosanitary certificate must certify that rooted plants were grown in sterile soil-less media and treated with a soil or systemic insecticide and a hot water dip treatment effective against vine mealybug and any other pests that may be present in the plant. The phytosanitary certificate must include one of following additional declarations: "Grape plants in this shipment originate from an area that has been officially surveyed and found free of *Xylella fastidiosa*," or "A representative sample of [fill in number tested] grape plants in this shipment has been tested and found free of *Xylella fastidiosa*."

NOTE: Depending on origin, other State quarantines may apply (e.g. glassy-winged sharpshooter, European brown garden snail, Japanese beetle) and may require other additional declarations on the phytosanitary certificate.

 (e) Notification of regulated commodity shipment of *Vitis* plants, cuttings, or similar propagative material is required as described in OAR 603-054-0027, Notification of Imported Trees and Shrubs. The Department may require that shipments be held until inspected and released. If the recipient is not a licensed nursery, the Department may charge established rates for time and mileage to recover the cost of inspection.

(6) Control and eradication methods for harmful pests and diseases. Control and eradication methods used shall only be those approved by the Department and will be based on the best available science. These methods may include:

(a) Destruction of infected plants or composting of infected fruit, including pomace;

(b) A directive specifying implementation of Departmentally approved mitigation measures to prevent the spread of the harmful pest or disease;

(c) A directive requiring the equipment, tools, and machinery used within an infested area be thoroughly cleaned of all dirt and debris by the use of steam under pressure.

(7) Properties within Oregon. Properties where harmful pests and diseases are known to occur must implement mitigation methods as approved by the Department to prevent further spread of the harmful pest or disease (see Section (6)).

(8) Violation of Quarantine. All covered commodities determined to be in violation of this quarantine, shall be immediately returned by the recipient to the point of origin or, at their option and without expense or indemnity paid by the Department, destroyed. Violation of this quarantine may result in a fine, if convicted, of not less than $500 nor more than $5,000 as provided by ORS 561.990(4). Violators may also be subject to civil penalties of up to $10,000 as provided by ORS 561.995 and 570.990 and 570.995; nursery license suspension or nursery license revocation.

(9) Exceptions. The Department, upon receipt of an application in writing, may issue a special permitallowing movement into this state, or movement within this state, of regulated commodities not otherwise eligible for movement under the provisions of this quarantine order. Movement of such commodities will be subject to any conditions or restrictions stipulated in thespecial permit, and these conditions and restrictions may vary depending upon the intended use of the commodity and the potential risk of escape or spread of a harmful pest or disease.

(10) Review. The Department and other interested parties shall review the quarantine pest list and restrictions biennially for accuracy and effectiveness.

Stat. Auth.: ORS 561.190, 561.510 - 561.600, 570.305, 570.405 & 570.410 - 570.415
Stats. Implemented: ORS 561.190, 561.510 - 561.600, 570.305, 570.405 & 570.410 - 570.415
Hist.: AD 913(19-69), f. 12-26-69, ef. 1-25-70; AD 939(7-71), f. 8-18-71, ef. 9-1-71; Suspended by DOA 19-2001(Temp), f. & cert. ef. 9-11-01 thru 2-22-02; DOA 14-2002, f. & cert. ef. 5-23-02; DOA 2-2005, f. & cert. ef. 2-14-05; DOA 5-2010, f. & cert. ef. 1-28-10; DOA