

**COMMENTS REGARDING DOCKET NO. APHIS-2008-0015  
CITRUS GREENING AND ASIAN CITRUS PSYLLID; QUARANTINE AND  
INTERSTATE MOVEMENT REGULATIONS**

The Louisiana Department of Agriculture & Forestry, Horticulture & Quarantine Division appreciates the opportunity to comment on the interim rule, "Citrus Greening and Asian Citrus Psyllid; Quarantine and Interstate Movement Regulations".

The interim rule requires that the soil drench be applied no more than 30 days and no fewer than 20 days before shipment. The background information states that APHIS has determined that application of a soil drench fewer than 20 days before shipment often results in suboptimal absorption. We have asked on several occasions for the data that supports this determination, but have yet to receive any data. In the absence of that data we are compelled to oppose such cumbersome requirements. This requirement gives a 10 day window to drench plants. This will be a burden to the smaller, sustainable, citrus nursery stock producers who may not have the resources and facilities to logistically handle such a requirement. It will increase the probability of some plants being shipped without the treatments, if there are add-ons to an order, miscounted plants moved for the treatment, or damaged plants in the process of treating or preparing for loading. Citrus nursery stock is produced in a manner that is conducive to continuous growth instead of growth spurts. This continuous growth allows for optimum absorption of the drench material. For these reasons, we believe that the previous requirement of drenching within 30 days and foliar application within 10 days of shipment should suffice. The residual activity of the foliar application should provide ample time for the drench to become active.

An additional area of concern is the labeling requirement to become effective on September 15, 2010. If this requirement were only for plants produced in an area quarantined for citrus greening, it would be fairly straightforward. However, the requirement also applies to citrus nursery stock produced in areas not quarantined for citrus greening, then moved to and offered for sale in areas quarantined for greening. Many times the producer does not know the final destination of his nursery stock. The delivery point may be a distribution center outside of a quarantined area, which then moves the nursery stock to retail stores within a quarantined area. This rule will hold both the producer and retailer jointly liable. This is an unworkable solution since the retailer will not label the plants, and the language as required in the interim rule does not apply to all plants produced and shipped by the nursery stock producer, but only those whose final destination is within an area quarantined for citrus greening. A better and more workable approach would be for APHIS to develop generic language to be placed on all plants regardless of destination or require the proposed language only on nursery stock produced in areas quarantined for citrus greening.

Sincerely,

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