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- 03/13/2009 Received by Lt. Gov & Speaker 02/17/2010

S 03/17/2009 Referred to Committee

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S 04/14/2009 Resolution Introduced to Approve 698

- 05/07/2009 Approved by: Ratification No. 28

- 05/22/2009 Effective Date unless otherwise

 provided for in the Regulation

Document No. 4052

**CLEMSON UNIVERSITY**

**STATE CROP PEST COMMISSION**

CHAPTER 27

Statutory Authority: 1976 Code Section 46-9-40

27-77. Light Brown Apple Moth Quarantine

**Synopsis:**

The State Crop Pest Commission has previously designated the Light Brown Apple Moth (LBAM) (*Epiphyas postvittana*) as a plant pest. The proposed quarantine will focus on the most effective method of preventing the introduction of the pest into the State by giving greater effect to state and federal quarantines at point of origin.

The Notice of Drafting was published in the South Carolina *State Register* on September 26, 2008.

**Instructions:**

This is a new regulation, designated as Regulation 27-77. Insert the new regulation in numerical order in the South Carolina Rules and Regulations, under new article 6D, as indicated below.

**Text:**

Article 6D

Light Brown Apple Moth Quarantine

27-77. Light Brown Apple Moth Quarantine

1. A state-wide quarantine is hereby imposed for the light brown apple moth (LBAM), (*Epiphyas postvittana).*

2. Regulated articles as cited below may not be moved into or within South Carolina from:

 a. Any area under federal quarantine for light brown apple moth (LBAM), ( *Epiphyas postvittana).*

 b. Any area under state quarantine for light brown apple moth (LBAM), (*Epiphyas postvittana),* regulated by the plant regulatory agency of the state concerned.

3. Regulated Articles:

 a. The light brown apple moth (*Epiphyas postvittana*) in any living stage.

 b. All host plants for light brown apple moth.

 c. Any other product, articles, or means of conveyance of any character whatsoever, not covered by the above, when it is determined by a quarantine officer of a state or federal plant pest regulatory agency that they present a hazard of spreading the light brown apple moth.

 d. A complete listing of host material may be found at [http://www.aphis.usda.gov/plant\_health/plant\_pest\_info/pest\_detection/downloads/pra/epostvittanapra.pdf](https://xmail.clemson.edu/exchweb/bin/redir.asp?URL=http://www.aphis.usda.gov/plant_health/plant_pest_info/pest_detection/downloads/pra/epostvittanapra.pdf)

4. The movement of host material into South Carolina from areas under federal quarantine for light brown apple moth (LBAM), (*Epiphyas postvittana),* is prohibited unless the host material and the surrounding area in the sending state are treated in strict accordance with the recommendations of the USDA APHIS Technical Working Group for Light Brown Apple Moth (June 8, 2007), including both judicious insecticide application and mating disruption. Host material shipped into South Carolina must be clearly labeled as having been so treated.

**Fiscal Impact Statement:**

No additional state funding is requested. The Commission estimates that no additional costs will be incurred by the State and its political subdivisions in complying with the proposed revisions.

**Statement of Rationale:**

This regulation is necessary to enhance the ability of the Commission to prevent the introduction and spread of Light Brown Apple Moth (*Epiphyas postvittana)* into the State, while minimizing administrative burdens on ornamental nursery operators and agriculture generally.