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- 01/12/2010 Received by Lt. Gov & Speaker 05/12/2010

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 provided for in the Regulation

Document No. 4106

**CLEMSON UNIVERSITY**

**STATE CROP PEST COMMISSION**

CHAPTER 27

Statutory Authority: 1976 Code Section 46-9-40

27-78. *Phytophthora ramorum* Quarantine

**Synopsis:**

The State Crop Pest Commission proposes to impose certain additional requirements on the importation of plant material which is a host for *Phytophthora ramorum (P. ramorum)* into the state. *P. ramorum* manifests itself in a disease known as Sudden Oak Death but also as a second disease known as ramorum blight. Certain areas of certain states are already under state and/or federal quarantine for this pathogen. The proposed actions will focus on the most effective method of preventing the introduction of the pathogen into the State by giving greater effect to state and federal restrictions at point of origin.

**Instructions:**

This is an amendment to an existing regulation. There will be a technical correction in the article title. There will be no change to sections 1, 3, and 4b. Delete Section 2 of the existing regulation and replace with the new section 2. Delete section 4a and replace with the new section 4a.

**Text:**

Article 6E

PhytopHthora ramorum Quarantine

27-78. *Phytophthora ramorum* Quarantine.

1. Regulated Plant Pest. *Phytophthora ramorum*.

2. Regulated Area. Any area of any state, territory or country under state or federal quarantine for *Phytophthora ramorum*,or any area of any state, territory, or country designated as a regulated area for *Phytophthora ramorum* by the cognizant state or federal plant pest regulatory agency.

3. Regulated Articles:

 a. All host and associated plants for *Phytophthora ramorum*.

 b. Any other product, article, 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 *Phytophthora ramorum*.

 c. A complete listing of host material may be found at [http://www.aphis.usda.gov/plant\_health/plant\_pest\_info/pram/downloads/pdf\_files/usdaprlist.pdf](https://xmail.clemson.edu/exchweb/bin/redir.asp?URL=http://www.aphis.usda.gov/plant_health/plant_pest_info/pram/downloads/pdf_files/usdaprlist.pdf)

4. Movement of Regulated Articles.

 a. A state Phytosanitary certificate is required for movement of any regulated article from any regulated or quarantined area into South Carolina.

 b. Prior notification of movement of *Phytophthora ramorum* host and associated plant material is required. The shipper shall send by mail, facsimile or e-mail a copy of the State Phytosanitary Certificate to: Clemson University Department of Plant Industry, 511 Westinghouse Road, Pendleton, SC 29670; facsimile 864-646-2178; email nedward@clemson.edu. The Certificate must list the type and quantity of plants, the address of shipper, the name and address of recipient, the date and results of last *P. ramorum* nursery test, and contact number(s) of the shipper and recipient. Notice must arrive at least 24 hours prior to scheduled shipment arrival. Commodities shipped in violation of the requirements or with positive test results may be returned to their point of origin or destroyed at the expense of the owner.

**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 if necessary, the spread, of *Phytophthora ramorum* into the State, while minimizing administrative burdens on ornamental nursery operators and agriculture generally.