

Quarantine Name: Late Blight Quarantine

Quarantine Order: MTQ-2008-02

Reason for the Quarantine: Late Blight, *Phytophthora infestans*, is a fungal plant disease that can be very devastating to Montana's potato industry. Under favorable conditions, the disease has the potential to completely defoliate fields of potatoes within 3 weeks of the first visible infections and can kill healthy potato plants. If uncontrolled, Late Blight can be spread by water or wind to non-infected plants. Late blight was the cause of the Irish Potato Famine in the 1840's.

Additional host plants, covered under this quarantine that can be a carrier of Late Blight are tomato plants. Infected plants imported into Montana, planted in a garden setting, or allowed to exist near major potato producing areas of Montana could have a devastating impact on the industry.

Montana is a major exporter of seed potatoes and protection of the seed potato industry is important to the economic well being of the state. In 2007, Montana planted 9,824 acres of potatoes and shipped 2,699,054 CWT of seed potatoes to states producing commercial potatoes. The potato industry represents Montana's sixth largest source of agricultural income, generating \$3.4 million in production value in 2007 (Montana State Agricultural Overview - 2007, http://www.nass.usda.gov/Statistics_by_State/Ag_Overview/AgOverview_MT.pdf).

Pest: Late blight (*Phytophthora infestans*)

Regulated Area: Any area outside of or within Montana that may be infested with Late Blight.

Regulated Articles:

1. Seed potatoes.
2. Potato plants.
3. Tomato plants including all varieties of *Lycopersicon lycopersicum* and *L. pimpinellifolium*. Tomato seeds are not regulated articles.
4. Any article, product or means of conveyance when it is determined by the Director to present the risk of the spread of Late Blight, *Phytophthora infestans*.

Restrictions:

1. No individual, firm, or nursery shall import regulated articles into Montana except under the following conditions:
 - a. Seed potatoes or potato plants are produced as certified seed potatoes in the state or country of origin and are certified, are inspected in the storage warehouse and no late blight is found in the lot, and are inspected at the shipping point and no late blight is found.
 - b. Tomato plants are produced in greenhouses not containing other unprotected, susceptible plant materials; are treated with a registered fungicide from the time the tomato seedlings produce their first pair of true leaves following a schedule recommended by the state's cooperative extension service, satisfactory to state plant regulatory officials, for late blight disease control; are inspected prior to shipment and found free from late blight disease; and are packed at the point of origin.
 - c. These restrictions do not apply to any unit of the Montana university system when importing into Montana potato seeds or plants or tomato plants for research, propagation, or education. Such plant materials must be certified free of late blight disease prior to import into Montana or must be placed in a Montana university system quarantine facility and properly disposed of when research is concluded.
 - d. States may apply to the department for an exemption from the requirements for tomato plants based on climatic conditions, seasonal occurrence of late blight, and shipping dates that preclude late blight infection.
 - e. Each shipment of regulated articles into Montana must be accompanied by an official certificate issued by the government regulatory agency responsible for phytosanitary certification stating that the shipment meets the requirements of this order. The regulatory agency will follow accepted phytosanitary procedures in assuring that the conditions of this rule are met.
2. No individual, firm, or nursery shall sell or plant in any location in Montana or move within Montana any regulated articles that were imported into Montana in violation of this rule.
3. The provisions of this rule do not apply to regulated articles being transported in enclosed containers through Montana in interstate or international commerce.
4. Commercial or table stock potatoes imported into Montana shall not be planted or used as seed potatoes in any location in Montana.

5. The provisions of (1), (2), and (4) do not apply to any unit of the Montana university system when importing into Montana potato seeds or plants or tomato plants for research, propagation, or education. Such plant materials must be certified free of late blight disease prior to import into Montana or must be placed in a Montana university system quarantine facility and properly disposed of when research is concluded.
6. All cull tubers must be disposed of properly and rendered nonviable by June 1 of each year.

Other Considerations:

1. This order may prohibit movement and require the removal and destruction of regulated articles. Firms may be permitted to return unsold tomato plants and potato seeds to out-of-state dealers under conditions approved by the department.
2. Orders are subject to appeal pursuant to the provisions of the Montana Administrative Procedure Act (Title 2, chapter 4, MCA) and the procedural rules of the department.
3. Any individual, firm, or nursery shall notify the department within 48 hours of discovery of any infestation of late blight, and shall then comply with the instructions of the department for control of the infestation and disposition of infested materials.
4. Any individual, firm, or nursery that violates or aids in the violation of this rule or a quarantine order shall be in violation and subject to penalties provided by 80-7-135, MCA.

Definitions:

CERTIFIED SEED POTATOES means potato seed stock that has passed limited field and storage inspections and that has been grown in accordance with the certification rules and regulations of an official seed potato certifying agency of the state or country of origin and certified as such.

COMMERCIAL PURPOSE means planting or propagating potatoes for the purpose of selling, trading, or otherwise exchanging for profit.

DIRECTOR means the Director of the Montana Department of Agriculture or their authorized representative.

LATE BLIGHT means the late blight disease of potato caused by the fungus *Phytophthora infestans*

PERSON means an individual, firm, partnership, corporation, company, association, or separate business or legal entity.

REGULATED ARTICLES means certified seed potatoes including seed potatoes for home gardens; potato plants; and tomato plants including all varieties of *Lycopersicon lycopersicum* and *L. pimpinellifolium*. Tomato seeds are not regulated articles.

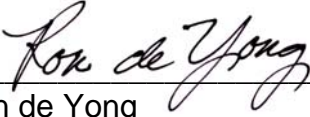
SALE means to sell, wholesale, offer or expose for sale, exchange, barter, or give away regulated articles as defined in this rule

SEED POTATOES or POTATO SEED means all varieties of potato tubers, stems, and other plant parts of the herb plant known as *Solanum tuberosum* that are intended or used for seed purposes, planting, propagation, or reproduction.

SHIPPING POINT INSPECTION means an inspection at the point of loading of the commodity, before or during the loading of the shipment.

Length of Quarantine: This is a long term quarantine; a quarantine lasting longer than one year. The quarantine will be reviewed every five years.

Attachments: None



Ron de Yong
Director
Montana Department of Agriculture

12/23/2008

Date