

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
PLANT INDUSTRY
ADMINISTRATIVE CODE

CHAPTER 80-10-7
PHONY PEACH DISEASE QUARANTINE

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80-10-7-.01 Determination Of Problem And Establishment Of Quarantine.

(1) It has been determined that a serious and highly infectious disease known as Phony Peach Disease, which is an RLO induced disease of peach and certain other stone fruits, exists.

(2) Due to the above determination, a quarantine against the above described disease is hereby established.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §§2-25-1, et seq.

History: Filed April 19, 1982 as Rule No. 80-10-2-.06. Rules reformatted - Rule No. changed to Chapter 80-10-7. **Amended:** Filed June 7, 1984.

80-10-7-.02 Definitions.

As used in this quarantine, the following shall be construed respectfully to mean:

(1) Pest or Disease. Phony Peach, a serious disease of peach and certain other stone fruits, caused by a rickettsia-like organism (RLO).

(2) Commissioner. The Commissioner of Agriculture and Industries or his authorized representative.

(3) Infestation. The presence of the Phony Peach Disease agent in any form or fashion, or the existence of circumstances which make it reasonable to believe that the Phony Peach Disease agent is present.

(4) Certificate of Inspection. A document issued, or authorized to be issued by the commissioner to allow the movement of regulated articles to any destination. Such certificate shall also be construed to imply complete compliance with restrictions noted in this quarantine.

(5) Regulated Area. Any county, parish, township, city or other civil division or part thereof in any state, country or territory listed in this quarantine as being placed under quarantine, and such other areas as may become infested or deemed to present a hazard of spread of the Phony Peach Disease agent.

Author: Charles H. Barnes

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80-10-7-.03 Regulated Areas.

Regulated areas shall be as follows:

(1) All infested areas of Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, Tennessee and Texas.

(2) Any other area or additional areas within currently quarantined areas hereafter found to be infested with the Phony Peach Disease agent.

Author: Charles H. Barnes

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80-10-7-.04 Products Regulated.

The following disease agent and products shall be regulated by this quarantine.

(1) All peach, plum, apricot, nectarine, and almond nursery stock.

(2) The Phony Peach Disease agent in any form or fashion.

Author: Charles H. Barnes

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80-10-7-.05 Conditions Governing Shipments.

The movement of regulated articles from any regulated area into, within, or from the state of Alabama is permitted only when there is securely attached to the outside of each container, package, or bundle, a valid certificate of inspection. Such certificate of inspection shall be construed to indicate that requirements for certification stated in Rule 80-10-7-.06 have been met.

Author: Charles H. Barnes

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80-10-7-.06 Requirements For Certification.

Prunus nursery stock may be certified provided the following conditions have been met:

- (1) Sites on which regulated articles are to be produced shall be at least 300 yards from wild or native plums, one-half mile from phony infected commercial orchards, and one-half mile from urban areas;
- (2) The one-half mile environs of the production site shall be inspected prior to October 1, and all phony trees found within such environs removed prior to November 1;
- (3) All budding shall be restricted to the slip-bud method;
- (4) None of the stock has been propagated by means of rooted cuttings; and
- (5) Recommendations by the Alabama Cooperative Extension Service with regard to insect, weed, and disease control have been followed.

Author: Charles H. Barnes

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80-10-7-.07 Removal Of Areas From Regulation.

Areas may be released from quarantine status when satisfactory evidence has been presented to the commissioner that no Phony Peach Disease has been found for a period of three consecutive years.

Author: Charles H. Barnes

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80-10-7-.08 Articles In Violation May Be Destroyed.

Shipments of regulated articles moving into, within or from the state of Alabama in violation of this quarantine shall be returned to the shipper or destroyed as directed by the commissioner.

Author: Charles H. Barnes

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80-10-7-.09 Waiver By Commissioner.

The commissioner in his discretion may waive the requirements for movement of regulated articles for experimental or scientific purposes in accordance with specified conditions.

Author: Charles H. Barnes

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