The trade of plant and plant products is increasingly global, with associated externalities causing public issues. Namely, the spread of plant pests into naïve areas causes tremendous economic and ecological costs to the public. The stakeholders’ include - but is not restricted to - the forest industry and corporations, local communities, purchasers of timber products, national and state parks, in addition to tribes whose reserves are under threats.

The Plant Protection Act (PPA, part of Pub.L. 106–224), a bill signed by Bill Clinton in 2000, aimed at addressing issues related to the introduction of plant pests and noxious weeds. Section 412(a) of the PPA reserves the right of the Secretary of Agriculture to prohibit or restrict the interstate’ movement of plant products, in order to prevent the spread of plant pests within the United States.

Here, we consider the pathogen *Phytophthora ramorum*, an oomycete (fungi-like) pathogen that causes Sudden Oak Death disease in the west coast’s oak tree forests. *Phytophthora ramorum* causes damages in California, Oregon, and Washington forests. The main host of the disease is oak trees, but the pathogen is also capable of infecting California bay laurel, camellia, and rhododendron.

In 2002, the Animal and Plant Health Inspection Service (APHIS) issued an interim rule, published in the Federal Register, “Subpart—Phytophthora ramorum” (7 CFR 301.92 through 301.92-12). The regulatory policy aims at addressing the issue related to the discovery of *P. ramorum* in natural ecosystems and those nurseries on the west coast to ship plant products interstate. Several tools are used to implement the policy. First, quarantined and regulated areas are assigned to territory where the pathogen was detected in the natural environment or nurseries. Second, certificates are required to ship non-host plant product interstate from regulated areas if the nursery is also producing host plant product. Third,
inspection and sampling protocols were defined in the regulations. Annual inspections of nurseries are required to maintain certificates.

As a result, *P. ramorum* was never detected in nurseries that shipped non-host plant interstate from regulated areas. The pathogen has been detected once in the natural environment of all regulated areas. Only 3% of nurseries shipping plant product from regulated areas detected *P. ramorum* (APHIS, 2019).

However, many retail centers beyond the regulated areas had detected the pathogen either in the soil, standing water, water for irrigation, or growing media. Although many retail centers sell plants locally, some shipped plants interstate (APHIS, 2019).

In view of the above challenges, APHIS proposed to remove the regulatory restrictions associated with regulated areas. Instead they implemented a regulated establishment for all nurseries that ship interstate and have detected *P. ramorum*. APHIS also suggested redefining inspection’s criteria and sampling protocols; updating the lists of regulated and associated articles for *P. ramorum*; and defining conditions for shipment of soil from quarantined areas.

Reference: