

Texas Administrative Code

Chapter 19, Subchapter E Date Palm Lethal Decline Quarantine

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§19.50 Quarantined Pest

The quarantined pest is the disease, Date Palm Lethal Decline, which is caused by phytoplasma 16SrIV-D.

Source Note: The provisions of this §19.50 adopted to be effective September 2, 1996, 21 TexReg 7803; amended to be effective April 26, 2015, 40 TexReg 2191

§19.51 Geographical Areas Subject to the Quarantine

(a) Quarantined areas. Those areas described as quarantined areas on the department's Date Palm Lethal Decline Quarantine web page (<http://www.TexasAgriculture.gov>) are declared to be quarantined areas.

(1) Quarantined areas in Texas shall be drawn so as to include an area approximately two miles in all directions around each latitude-longitude location where an infected tree has been found.

(2) Quarantined areas outside of Texas shall include the area that the department believes on the basis of evidence to be infested.

(b) Core areas. Those areas described as core areas on the department's Date Palm Lethal Decline Quarantine web page (<http://www.TexasAgriculture.gov>) are declared to be core areas. Core areas shall be drawn so as to include an area approximately one mile around each latitude-longitude location where an infected tree has been found.

(c) Designation or modification of a quarantined area or a core area is effective upon the posting of the notification of the quarantined area or core area on the department's Date Palm Lethal Decline Quarantine web page (<http://www.TexasAgriculture.gov>).

Source Note: The provisions of this §19.51 adopted to be effective April 26, 2015, 40 TexReg 2191

§19.52 Quarantined Articles

(a) The quarantined pest is a quarantined article.

(b) All parts of the Canary Island date palm, *Phoenix canariensis*; silver date palm, *Phoenix sylvestris*; queen palm, *Syagrus romanzoffiana*; cabbage palm or sabal palm, *Sabal palmetto*; and the date palm, *Phoenix dactylifera* are quarantined.

(c) Tools used in pruning and handling quarantined articles are quarantined.

Source Note: The provisions of this §19.52 adopted to be effective September 2, 1996, 21 TexReg 7803; amended to be effective July 26, 2009, 34 TexReg 4733

§19.53 Restrictions

(a) General. Movement of quarantined articles from the quarantined areas of Texas are prohibited, except as provided in subsections (b) and (c) of this section.

(b) Exemptions.

(1) Palm seed are exempt from the provisions of this subchapter.

(2) Quarantined articles from quarantined areas of Texas are exempt from the requirements of treatment and a phytosanitary certificate after a six-month absence of an infected tree or when located more than 2 miles from an infected tree.

(c) Exceptions.

(1) When an infected tree has been detected, shipments of quarantined palms from quarantined areas of Texas specified in subparagraphs (A) or (B) of this paragraph may be allowed to move under the following conditions.

(A) Quarantined palms located within one mile of a known infected tree may:

(i) not move for a period of six months following removal of an infected tree; and

(ii) have been treated, as approved by the department, for a minimum period of three months during the six-month period following the removal of an infected tree; and

(iii) be allowed to move after six months if no other infected trees are found within a mile radius.

(B) Quarantined palms located more than one mile and less than two miles from known infected trees must:

(i) be inspected within 24 hours prior to shipment with no symptoms of lethal decline apparent; and

(ii) have been treated, as approved by the department, for a period of three months prior to shipment; and

(iii) must be treated within 48 hours prior to movement; and

(iv) be allowed to move when accompanied by a phytosanitary certificate over a three-month period since completion of the treatment.

(C) A phytosanitary certificate is not required for shipments made beyond six months since detection of an infected tree.

(2) Tools used in pruning and handling of host plants may be allowed movement from the quarantined area if disinfected with one part liquid household bleach (sodium hypochlorite) to four parts water or some other suitable disinfectant.

(3) Shipments of quarantined palms from Florida may be allowed movement into Texas when accompanied by a phytosanitary certificate issued by the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, under the following conditions.

(A) Quarantined palms located within two miles of known infected trees are prohibited.

(B) Quarantined palms located more than two miles from known infected trees:

(i) must be inspected within 24 hours prior to shipment with no symptoms of date palm lethal decline apparent;

(ii) must be under a prescribed pest management program for six weeks prior to shipment and receive a final treatment within 48 hours prior to movement; and

(iii) tools used in pruning and handling of host plants must be disinfected with one part liquid household bleach (sodium hypochlorite) to four parts water or some other suitable disinfectant.

Source Note: The provisions of this §19.53 adopted to be effective September 2, 1996, 21 TexReg 7803; amended to be effective July 26, 2009, 34 TexReg 4733