

603-052-1245

Blueberry Nursery Stock Control Area

(1) A Control area is established as authorized under ORS 570.405 to 570.435 to protect Oregon's blueberry fruit industry from the introduction of blueberry scorch virus. Blueberry scorch virus is an aphid-borne plant disease that causes necrosis of leaves and flowers in blueberry leading to a decline in productivity. Blueberry scorch virus does occur in the Pacific Northwest but does not cause symptoms on the commonly grown varieties. However, a more virulent strain of blueberry scorch virus occurs in other areas that would have a severe impact on Oregon's blueberry industry if it were introduced into Oregon. The strains of blueberry scorch virus cannot be readily distinguished by standard laboratory testing methods.

(2) This control area includes the entire state of Oregon.

(3) The following definitions apply to ORS 603-052-1245:

(a) "Blueberry plant" means plants and plant parts of *Vaccinium corymbosum*.

(b) "Pest Free Area" means an area where blueberry scorch virus does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained.

(c) "Director" means the director of the Oregon Department of Agriculture or the director's authorized representative.

(d) "Micropropagated" means plant propagation using aseptic laboratory techniques and an artificial culture medium.

(4) To prevent the introduction of blueberry scorch virus, plants and plant parts of *Vaccinium corymbosum* and any other *Vaccinium* species shown to be a host of blueberry scorch virus that are imported, planted, sold, or offered for sale within the control area must meet at least one of the following conditions. A phytosanitary certificate with an additional declaration corresponding to one of the options below is required.

(a) The blueberry plants must originate from a pest free area.

(b) The blueberry plants are certified in accordance with the regulations of an official certification program in the state or province of origin that includes testing and inspection for blueberry viruses and is approved by the director.

(c) The blueberry plants are free of blueberry scorch virus based on an official laboratory test using a protocol approved by the director.

(d) The blueberry plants are micropropagated and/or grown in an insect-proof

greenhouse or screenhouse and originate from mother plants that have been tested and found free of blueberry scorch virus.

(e) Blueberry fruit must be free of leaf tissue and other plant debris before being imported into the control area. Notification and phytosanitary certificates are not required for shipments of blueberry fruit.

(f) The ODA will operate official testing and certification programs on a cost-recovery basis. Fees charged by the Department are payable on or before December 31 of each year, and are for the sole purpose of defraying expenses incurred by the Department in conducting official testing procedures provided for in this control area order. Payment thereof shall not be construed as granting any right or privilege to the program participant.

(5) Notification of regulated commodity shipment is required. The shipper shall mail, FAX or e-mail documents including the phytosanitary certificate of compliance, listing the type and quantity of plants, address of shipper, address of recipient, test results, contact numbers to: Nursery Program Supervisor, Plant Division, Oregon Department of Agriculture, 635 Capitol Street NE, Salem, Oregon 97301; FAX 503-986-4786; e-mail: quarantine@oda.state.or.us. The department may require that shipments be held until inspected and released.

(6) Violation of the control area may result in a fine, if convicted, of not less than \$500 nor more than \$5,000 as provided by ORS 561.990. Violators may also be subject to civil penalties of up to \$10,000 as provided by 570.410, 570.990, and 570.995; nursery license suspension or nursery license revocation. Commodities shipped in violation may be treated, destroyed or returned to their point of origin at shippers expense.

(7) Review of this Control area: The necessity for this quarantine and its effectiveness will be reviewed by the department and other interested parties annually.

Stat. Auth.: ORS 570.405 Stats. Implemented: ORS 561.510 Hist.: DOA 8-2002, f. & cert. ef. 2-1-02; DOA 15-2006, f. & cert. ef. 7-13-06