

## HAWAII DEPARTMENT OF AGRICULTURE

### Notice of Interim Rule Designating the Islands of Lanai and Oahu as Expanded Coffee Leaf Rust Infested Areas and Subject to Quarantine

On March 23, 2021, pursuant to Section 4-72-4.5(a), Hawaii Administrative Rules (HAR), the Board of Agriculture (Board) designated Lanai and Oahu Islands as expanded areas infested by coffee leaf rust (CLR), *Hemileia vastatrix*. This authorizes the Hawaii Department of Agriculture (HDOA), Plant Quarantine Branch (PQB) to restrict the movement of coffee and other CLR carriers from Lanai and Oahu, effective March 24, 2021.

Section 4-72-4.5(a), HAR, authorizes the Board to expand the area of infestation designated by Plant Quarantine Interim Rule 20-1 to include newly infested areas, subject to certain procedural requirements, in order to implement quarantine measures. Expanding the designated infested areas will prevent the further spread of CLR through its plant or commodity hosts to non-infested areas of the state.

Plant Quarantine Interim Rule 20-1 went into effect on November 20, 2020, to restrict the movement of coffee and other CLR carriers initially from Maui and Hawaii Islands.

The designation of Lanai and Oahu Islands as expanded CLR infested areas means that coffee plants and related CLR host material from Lanai and Oahu will be subject to the quarantine restrictions specified in Plant Quarantine Interim Rule 20-1. These quarantine measures restrict the movement of coffee plants and plant parts, used coffee-related packing materials, and equipment which has been used to harvest, transport, or process coffee plants or plant parts, from a quarantined area to a non-infested area. A permit may be issued by the PQB chief (chief) for the transportation of a commodity or item listed in the preceding sentence with conditions established by the chief appropriate for each of the following circumstances, and subject to safeguards and/or treatments established by the chief, including double-bagging in thick, transparent, non-permeable plastic bags that are sealed and labeled: (1) coffee beans for roasting, or other non-propagative plant parts, that are shipped to an approved facility located in a non-infested area that is located at least two miles away from a commercial coffee growing area, or are subjected to a treatment approved by the chief; (2) plants from HDOA certified nurseries, green coffee beans for roasting, or other non-propagative plant parts, that are transshipped through a non-infested area of the State with a final destination outside of the State; (3) previously used equipment for harvesting, processing or transporting coffee plants or plant parts that has been subjected to treatments and/or mitigation measures approved by the chief; (4) coffee plants and plant parts for scientific or diagnostic purposes at a PQB approved facility,

provided the contents and packing materials used for shipping are subjected to a treatment approved by the chief after the contents are unloaded; (5) coffee plants, beans for roasting, other non-propagative plant parts, used coffee bags, and previously-used coffee harvesting, processing, or transporting equipment, that are shipped between infested areas; and 6) limited quantities of coffee plants for propagation from an infested area to a non-infested area, subject to a one-year quarantine in a state-run facility, provided that the Board may reduce the quarantine period. In addition, the chief is authorized to approve treatments, safeguards, and mitigative measures as they are scientifically validated and may revise permit conditions accordingly.

Export (out-of-state) shipments of coffee plants and plant parts, green coffee beans, used coffee bags, or other CLR carriers are not subject to quarantine restrictions, provided that they are not transshipped through a non-infested area in the State. This interim rule does not affect the movement of roasted coffee.

Under the designation of Maui, Hawaii, Lanai, and Oahu Islands as CLR infested areas, the movement of green (unroasted) coffee, coffee plants and plant parts, used coffee bags, and used coffee harvesting, processing or transporting equipment from CLR infested areas, i.e., from Maui, Hawaii Island, Oahu, or Lanai to Molokai or Kauai will require a permit. HDOA's Plant Intrastate Rules, Chapter 4-72, HAR, provides that the chief may authorize the transportation of an untreated infested commodity to an island or area where the pest is known to be established. As it is still important to limit the spread of CLR even on an island designated as CLR infested, permits for shipments between CLR infested areas will require appropriate safeguards, such as bagging requirements.

The quarantine restrictions apply to coffee growers, distributors, and roasters, and to any individual or entity that transports coffee or related CLR carrier material from the islands of Maui, Hawaii, Lanai, and Oahu.