

ARIZONA DEPARTMENT OF AGRICULTURE

DIRECTOR'S ADMINISTRATIVE ORDER

PLANT SERVICES DIVISION

Pink Bollworm Eradication and Bt Cotton  
in Rotational Crops Planted in 2007

DIVISION/PROGRAM: PSD

DAO 07-01

  
SIGNATURE

1/3/07  
EFFECTIVE DATE

1. **PURPOSE**

This Order is issued to clarify the timeframe of Administrative Order DAO 06-06, *Pink Bollworm Eradication and Bt Cotton in Rotational Crops*, effective December 13, 2006 ("DAO 06-06"). This Order becomes effective when signed by the Director, and will apply only to cotton crops planted beginning in the Spring of 2007. It is not applicable to cotton crops planted in 2006.

This Order is being issued to insure the effectiveness of the Arizona Cotton Growers Association pink bollworm eradication program. Under the current rule regarding rotational crops in the *Arizona Administrative Code*, R3-4-204 (E)(4), a potential for pink bollworm infestation exists, which could damage upcoming crop yields.

This Order supersedes DAO 06-06 and A.A.C. R3-4-204 in order to reduce the potential for infestation in Arizona and support eradicating the pest from the State. This Order will remain in effect until completion of the regular rulemaking process.

2. **AUTHORITY**

- A. R. S. § 3-201.01 Associate director; powers and duties
- A. R. S. § 3-202. Infested or infected plants as public nuisances

3. **RESPONSIBILITY**

The Associate Director, managers and supervisors shall ensure that all employees of the Plant Services Division understand and properly enforce this Order.

4. **APPLICABILITY**

This Order applies to any rotational crop following cotton harvest.

5. **ORDER**

**R3-4-204. Pink Bollworm and the Cotton Boll Weevil Complex**

A. Definitions. In addition to the definitions provided in A.R.S. § 3-201 and R3-4-101, the following terms apply to this Section:

1. "Crop remnant" means the stalks, leaves, bolls, lint, pods, and seeds of cotton;
  2. "Pests" means the pink bollworm, *Pectinophora gossypiella* (Saunders), and the boll weevil complex, *Anthonomus grandis* Boheman complex.
  3. "Bt Cotton" means cotton containing *Bacillus thuringiensis* Cry1Ac and or Cry2Ab2 proteins and the genetic material necessary for their production in cotton.
- B. Covered commodities.** The following commodities are host plants or carriers of the pests:
1. Cotton, all parts;
  2. Cotton gin trash;
  3. Used cotton harvesting machines; and
  4. Other materials, products, and equipment that are means of disseminating or proliferating the pests.
- C. Processing cotton gin trash.** Any person operating an Arizona cotton gin shall daily destroy cotton gin trash by using a disposal fan as prescribed by the *United States Department of Agriculture Domestic Program Manual*, M301.52 Regulatory Procedures (III)(C)(4), revised December 1979. This material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Office of the Secretary of State.
- D. Movement of covered commodities.**
1. No covered commodity produced or located within an area infested with the pests may be moved out of that area unless a permit is issued by the Director. Any person intending to move, transport, or allow the movement of a covered commodity shall provide the Department with the following information before the date of movement or shipment:
    - a. The quantity of the covered commodity to be moved;
    - b. The location of the commodity;
    - c. The names and addresses of the consignee and consignor;
    - d. The method of shipment; and
    - e. The scheduled date of the shipment.
  2. The shipper shall attach all permits to the manifest, waybill, or bill of lading which shall accompany the shipment. Permits shall specify the manner of handling or treating the host plant or commodity. Pink bollworm treatment shall be under official supervision and applied as prescribed for cotton products in the USDA Treatment Manual, revised April 1998. This material is incorporated by reference, does not include any later amendments or editions of the incorporated matter, and is on file with the Office of the Secretary of State.
- E. Cultural practices.**
1. Arizona's cultural zones are:
    - a. Zone "A" -- Yuma County west of a line extended directly north and directly south of Avenue 58E.
    - b. Zone "B" -- Cochise County, Graham County, and Greenlee County.

c. Zone "C" -- Mohave County, La Paz County, except the Cibola Valley, and T6N, R11W, 12W, 13W; T5N, R13W; T4N, R12W, 14W, 15W; T3N, R10W, 11W; T2N, R11W.

d. Zone "D" -- Pima County and the following portions of Pinal County: T10S, R10E, section 34, 35, and 36, T10S, R11E, section 31, T7S, R16E, T6S, R16E, T5S, R15E, and T4S, R14E, and the Aguila area T7N, R8W and T7N, R9W and T7N, R10W and T7N, R11W to the western boundary of section 35, 26, and 23.

e. Zone "E" -- The following portions of La Paz County: Cibola Valley TIN, R23W and TIN, R24W and T1S, R23W and T1S, R24W.

f. Zone "F" -- All portions of the state not included in zones "A", "B", "C", "D", and "E."

2. No stub, soca, or volunteer cotton shall be grown in or allowed to grow in the state. The landowner shall be responsible for eliminating stub, soca, or volunteer cotton.

3. Tillage deadline. Except as provided in subsection (E)(4), a grower shall ensure that a crop remnant of a host plant remaining in the field after harvest is shredded and the land tilled to destroy the host plant and its root system so no stalks remain attached to the soil before the following dates or before planting another crop, whichever occurs earlier: Zone "A", December 15; Zone "B", March 1; Zone "C", January 15; Zone "D", March 1; Zone "E", January 31; Zone "F", February 15.

4. Rotational crop following cotton harvest.

a. BT Cotton Harvest. If a grower elects to plant a small-grain crop following a Bt cotton harvest, the grower may, after the host plant is shredded, irrigate and plant with wheat, barley, or oats, (or other similar small-grain crop approved in writing by the Director) but before planting, instead of tilling as prescribed in subsection (E)(3). The small-grain crop shall be planted before the following dates: Zone "A", December 30; Zone "B", March 1; Zone "C", January 30; Zone "D", March 1; Zone "E", January 31; Zone "F", February 15.

b. Non-Bt Cotton Harvest. If a grower elects to plant a small-grain crop following a non-Bt cotton harvest, the grower may irrigate and plant with wheat, barley, or oats, (or other similar small-grain crop approved in writing by the Director) but before planting, shall shred and the land tilled to destroy the host plant and its root system so that no stalks remain attached to the soil.

c. The Director shall approve other small-grain crops not specifically listed in subsection (E)(4)(a), if the planting, growth, and harvest cycles of the small-grain crop prevents the maturation of stub, soca, or volunteer cotton. A grower shall submit a written request for approval of a small-grain crop, other than wheat, barley, or oats, at least 30 days before the planting date. The written request shall include the scientific and common name of the proposed small-grain crop and the estimated date of harvest.

d. If a grower elects to plant a crop other than an approved small-grain crop following a BT or non-BT cotton harvest, the requirements specified in subsection (E)(3) apply.

e. The provisions do not apply to lands above twenty-seven hundred feet in elevation.

5. Planting dates.

a. A grower who meets the tillage deadline specified in subsection (E)(3) for the preceding cotton crop year shall not plant cotton before the following dates: Zone "A", February 1; Zone "B", March 15; Zone "C", March 1; Zone "D", March 15; Zone "E", March 1; Zone "F", March 1.

b. A grower who does not meet the tillage deadline specified in subsection (E)(3) for the preceding cotton crop year shall not plant cotton before the following dates: Zone "A", February 15; Zone "B", March 15; Zone "C", March 15; Zone "D", March 15; Zone "E", March 1; Zone "F", March 1.

6. Dry planting. Any grower who uses the practice of dry planting may plant cotton 10 days before the planting date for that zone, but shall not water until the planting date.

7. An inspector shall give written notice to any landowner found in violation of subsection (E). The processes established in subsections (E)(3) and (E)(4) shall be repeated, as necessary, to destroy the pests.

F. Advisory Committee. The Director shall appoint an advisory committee consisting of one representative from each of the following organizations, and the committee shall make recommendations to the Department on amendments to this Section:

The Arizona Cotton Growers Association,

The Arizona Farm Bureau Federation,

The Arizona Crop Protection Association,

The Southwest Indian Agricultural Association,

The University of Arizona Experiment Station,

The University of Arizona Extension Service,

USDA-Research,

USDA-APHIS,

The Department of Agriculture, and

A grower from each of the six zones.