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Mexico

Solid Wood Products

Final Mexican Regulation on Imported Christmas 2004

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Report Highlights:

On October 27, 2004, the Mexican Secretariat of the Environment and Natural Resources (SEMARNAT) published in the *Diario Oficial* (Mexico's "Federal Register") the final rule of NOM-013-SEMARNAT-2004. This NOM regulates natural and potted Christmas of all of the species of the genera *Pinus* and *Abies* as well as the species *Pseudotsuga menziesii*, outlines new sampling and implementation procedures, and broadens the list of quarantined counties. SEMARNAT had published the draft NOM on June 21, 2004 (see MX4086). NOM-013-SEMARNAT-2004 supersedes NOM-013-SEMARNAT-1997.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Mexico [MX1]
[MX]

Introduction: This report summarizes an official announcement published in Mexico's "*Diario Oficial*" (Federal Register) on October 27, 2004.

Disclaimer: This summary is based on a *cursory* review of the subject announcement and therefore should not, under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural export trade interests. In the event of a discrepancy or discrepancies between this summary and the complete regulation or announcement as published in Spanish, the latter shall prevail.

Executive Summary: On October 27, 2004, the Mexican Secretariat of the Environment and Natural Resources (SEMARNAT) published in the *Diario Oficial* (Mexico's "Federal Register") the final rule of NOM-013-SEMARNAT-2004. This NOM regulates natural and potted Christmas trees of all of the species of the genera *Pinus* and *Abies* as well as the species *Pseudotsuga menziesii*, outlines new sampling and implementation procedures, and broadens the list of quarantined counties. SEMARNAT had published the draft NOM on June 21, 2004 (see MX4086). NOM-013-SEMARNAT-2004 supersedes NOM-013-SEMARNAT-1997. This regulation applies to all parties who import this product for commercial or non-commercial purposes.

FAS Comment: According to industry sources, it is unlikely that the new standard will adversely affect the trade of Christmas trees between the United States and Mexico. Furthermore, it appears that U.S. industry concerns were addressed during the rulemaking comments. In particular, the following points were addressed:

Among its main changes the new rule will broaden its scope to include all species of the genus *Pinus* as well as potted natural Christmas trees. The previous rule applied just to Christmas trees of the *Pinus sylvestris* but not to potted natural Christmas trees nor to all species of the genus *Pinus*. Similarly, the new rule incorporates the pathogen *Phytophthora ramorum*. Based on Mexico's published responses, which were published in Mexico's Federal Register on September 27, 2004, USDA/APHIS did not submit comments on these changes.

According to SEMARNAT officials, the list of U.S. states and counties infested with different pests, such as Pine Shoot Beetle (*Tomicus piniperda*) and Gypsy Moth (*Lymantria dispar*), was updated based on information submitted by USDA/APHIS.

Also, SEMARNAT officials stated that for the 2004 Christmas tree import season, the majority of Mexican importers had already requested their phytosanitary authorization of SEMARNAT, before the new rule was published. Consequently, these imports were regulated by the previous standard with which importers have traditionally complied. The new rule is not retroactive.

Lastly, SEMARNAT officials indicated that the main objective of the new rule was to update the previous regulation and facilitate its implementation.

Title: NOM-013-SEMARNAT-2004, which will regulate the importation of natural and potted Christmas trees of all of the species of the genera *Pinus* and *Abies* as well as the species *Pseudotsuga menziesii*.

Type of Rule: Final

Products Affected: Natural cut and potted Christmas trees of all the species of the genera *Pinus* and *Abies* and the species *Pseudotsuga menziesii*.

Important Dates:

1. Publication Date: October 27, 2004

2. Effective Date: October 28, 2004

Important features of the regulation:

Among the most important changes SEMARNAT incorporated into the final rule of NOM-013-SEMARNAT-2004 are new sampling procedures for the pest *Cylindrocopturus furnissi* and new sampling and implementation procedures for the pathogen *Phytophthora ramorum*. These changes were not included in either the draft rule or the pre-existing NOM-013-SEMARNAT-1997.

The rule lists the following restrictions:

A) The importation of the following species from the genera *Pinus* is prohibited due to White Pine Blister Rust, *Cronartium ribicola*:

- Pinus albicaulis*.
- P. aristata*.
- P. armandii*.
- P. ayacahuite*.
- P. balfouriana*.
- P. cembra*.
- P. dalantensis*.
- P. fenzeliana*.
- P. flexilis*.
- P. griffithi*.
- P. himekomatsu*.
- P. koraiensis*.
- P. lambertiana*.
- P. monticola*.
- P. morrisonicola*.
- P. parvifolia*.
- P. peuce*.
- P. pentaphylla*.
- P. pumila*.
- P. reflexa*.
- P. sibirica*.
- P. strobiformis*.
- P. strobus*.
- P. wallichiana*.
- Plambertiana*.
- P. monticola*.

- P. morrisonicola*.
- P. parvifolia*.
- P. peuce*.
- P. pentaphylla*.
- P. pumila*.
- P. reflexa*.
- P. sibirica*.
- P. strobiformis*.
- P. strobilus*.
- P. wallichiana*.
- P. wangi*

B) Pests & pathogens of total quarantine. Imports are prohibited:

- Rhyacionia bouliana*
- Tomicus piniperda*
- Lymantria dispar*
- Cronartium ribicola*
- Phytophthora ramorum*

C) Pests & pathogens of partial quarantine. Imports are allowed provided there is compliance with established phytosanitary requirements:

- Cronartium quercum var fusiforme*
- Cyclaneusma minus*
- Sphaeropsis sapinea*
- Lophodermium seditiosum*
- Contarinia pseudotsugatae*
- Phaeocryptopus gaeumannii*
- Contarinia constricta*
- Mindarus abietinus*
- Nuculaspis californica*
- Cinara spp*
- Contarinia cuniculator*
- Cylindrocopturus furnissi*
- Pissodes strobi*
- Adelges piceae*
- Phenacaspis pinifoliae*
- Rhabdocline pseudotsugae*

D) U.S. States totally infested by Gypsy Moth, *Lymantria dispar*. Imports are prohibited:

Connecticut	Maryland	New Hampshire	Pennsylvania
Delaware	Massachusetts	New Jersey	Rhode Island
The District of Columbia	Michigan	New York	Vermont

F) Counties of selected U.S. States partially infested by Gypsy Moth *Lymantria dispar*. Imports are prohibited.

INDIANA

Counties	LaGrange
Allen	Noble
Elkart	Porter
DeKalb	Steuben

MAINE

Counties	Lincoln	Southern
Androscoggin	Sagadahoc	portions/counties of
Cumberland	Waldo	Aroostook
Hancock	Washington	Franklin
Kennebec	York	Oxford
Knox		Penobscot
		Piscataquis
		Somerset

NORTH CAROLINA

The entire Currituck County and the East part of Dare County (barrier island). Imports are prohibited.

OHIO

Counties	Fulton	Lorain	Richland
Ashland	Geauga	Lucas	Sandusky
Ashtabula	Guernsey	Mahoning	Stark
Belmont	Harrison	Medina	Summit
Carroll	Henry	Morgan	Trumbull
Columbiana	Hocking	Monroe	Tuscarawas
Coshocton	Holmes	Muskingum	Washington
Cuyahoga	Huron	Noble	Wayne
Defiance	Jefferson	Ottawa	Williams
Erie	Knox	Perry	Wood
Fairfield	Lake	Portage	
	Licking		

VIRGINIA

Counties	Clarke	King and Queen	Powhatan
Accomack	Culpeper	King George	Prince Edward
Albemarle	Cumberland	King William	Prince George
Alleghany	Dinwiddie	Lancaster	Prince William
Amelia	Essex	Loudoun	Rappahannock
Amherst	Fairfax	Louisa	Richmond
Appomattox	Fauquier	Lunenburg	Rockbridge
Arlington	Fluvanna	Madison	Rockingham
Augusta	Frederick	Mathews	Shenandoah
Bath	Gloucester	Mecklenburg	Southampton
Bedford	Goochland	Middlesex	Spotsylvania
Botetourt	Greene	Nelson	Stafford
Brunswick	Greensville	New Kent	Surry
Buckingham	Halifax	Northampton	Sussex
Campbell	Hanover	Northumberland	Warren
Caroline	Henrico	Nottoway	Westmoreland
Charles City	Highland	Orange	York
Charlotte	Isle of Wight	Page	
Chesterfield	James City	Pittsylvania	
Cities	Falls Church	Newport News	Waynesboro
Alexandria	Franklin	Norfolk	Williamsburg
Buena Vista	Fredricksburg	Petersburg	Winchester
Bedford	Hampton	Poquoson	
Charlottesville	Harrisonburg	Portsmouth	
Chesapeake	Hopewell	Richmond	
Columial	Lexington	Saunton	
Heights	Lynchburg	South Boston	
Danville	Manassas	Suffolk	
Emporia	Manassas	Virginia Beach	
Fairfax	Park		

WEST VIRGINIA

Counties	Harrison	Preston
Barbour	Jefferson	Randolph
Berkeley	Lewis	Richie
Braxton	Marion	Taylor
Brooke	Marshall	Tyler
Calhoun	Mineral	Tucker
Doddridge	Monongalia	Upshur
Grant	Morgan	Webster
Gilmer	Nicholas	Wetzel
Greenbrief	Ohio	Wirt
Hampshire	Pendleton	Wood
Hancock	Pleasants	
Hardy	Pocahontas	

WISCONSIN

Counties	Milwaukee
Adams	Oconto
Brown	Oneida
Calumet	Outagamie
Columbia	Ozaukee
Dane	Portage
Door	Racine
Dodge	Rock
Florence	Shawano
Fond du Lac	Sheboygan
Forest	Vilas>
Green Lake	Walworth
Jefferson	Washington
Kenosha	Waukesha
Kewaunee	Waupaca
Langlade	Waushara
Lincoln Marathon	Winnebago
Manitowoc	Wood
Marinette	
Marquette	
Menominee	

G) List of infested areas by Pine Shoot Beetle (*Tomicus piniperda*). Imports are prohibited.

ILLINOIS

Boone	Dewitt	Kendall	McLean	Tazewell
Bureau	Du Page	Lake	Moultrie	Vermillion
Carroll	Ford	Lasalle	Ogle	Will
Champaign	Grundy	Lee	Peoria	Winnebago
Clark	Henry	Livingston	Piatt	Whiteside
Coles	Iroquois	Mason	Putnam	Woodford
Cook	Kane	Marshall	Shelby	
DeKalb	Kankakee	McHenry	Stephenson	

INDIANA

Adams	Grant	Miami	Tippecanoe
Allen	Hamilton	Montgomery	Tipton
Bartholomew	Hancock	Monroe	Union
Benton	Henry	Morgan	Vermillion
Blackford	Hendricks	Newton	Wabash
Boone	Howard	Noble	Warren
Brown	Huntington	Owen	Wayne
Carroll	Jasper	Parke	Wells
Cass	Jay	Porter	White
Clinton	Jennings	Pulaski	Whitley

Decatur	Johnson	Putnam	
De Kalb	Kosciusko	Randolph	
Delaware	Lagrange	Ripley	
Elkhart	Lake	Rush	
Fayette	La Porte	Shelby	
Fountain	Madison	St. Joseph	
Franklin*	Marion	Starke	
Fulton	Marshall	Steuben	

MAINE

Franklin*	Oxford
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MARYLAND

Allegany	Frederick	Garrett	Montgomery	Washington
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MICHIGAN

Alcona	Emmet	Luce	Otsego
Allegan	Gladwin	Mackinac	Ottawa
Alpena	Genesee	Macomb	Presque Isle
Antrim	Grand Traverse	Manistee	St. Clair
Barry	Gratiot	Marquette	St. Joseph
Bay	Hillsdale	Mason	Saginaw
Benzie	Huron	Mecosta	Sanilac
Berrien	Ingham	Midland	Schoolcraft
Branch	Ionia	Missaukee	Shiawasee
Calhoun	Isabella	Monroe	Tuscola
Cass	Jackson	Montcalm	Van Buren
Charlevoix	Kalamazoo	Montmorency	Washtenaw
Chippewa	Kalkaska	Muskegon	Wayne
Clare	Kent	Newaygo	Wexford
Clinton	Lapeer	Oakland	
Crawford	Lake	Oceana	
Delta	Leelanau	Ogemaw	
Dickinson	Lenawee	Osceola	
Eaton	Livingston	Oscoda	

NEW HAMPSHIRE

Coos

NEW YORK

Albany	Franklin	Oneida	St. Lawrence
Allegany	Fulton	Onondoga	Sullivan

Broome	Genesee	Ontario	Tioga
Cattaraugus	Greene	Orleans	Tompkins
Cayuga	Hamilton	Oswego	Warren
Chautauqua	Herkimer	Otsego	Washington
Chemung	Jefferson	Rensselaer	Wayne
Chenango	Lewis	Saratoga	Wyoming
Clinton	Livingston	Schenectady	Yates
Cortland	Madison	Seneca	
Delaware	Monroe	Steuben	
Erie	Montgomery	Schoharie	
Essex	Niagara	Schuyler	

OHIO

Allen	Fulton	Madison	Richland
Ashland	Gallia	Mahoning	Sandusky
Ashtabula	Geauga	Marion	Seneca
Athens	Greene	Medina	Shelby
Auglaize	Guernsey	Mercer	Stark
Belmont	Hamilton	Miami	Summit
Butler	Hancock	Morgan	Trumbull
Carroll	Hardin	Monroe	Tuscarawas
Champaign	Harrison	Montgomery	Union
Clark	Henry	Morrow	Vanwert
Columbiana	Hocking	Muskingum	Vinton
Coshocton	Holmes	Noble	Warren
Crawford	Huron	Ottawa	Washington
Cuyahoga	Jefferson	Paulding	Wayne
Darke	Knox	Perry	Williams
Defiance	Lake	Pickaway	Wood
Delaware	Licking	Pike	Wyandot
Erie	Logan	Portage	
Fairfield	Lorain	Preble	
Franklin	Lucas	Putnam	

PENNSYLVANIA

Allegheny	Clarion	Indiana	Susquehanna
Armstrong	Clearfield	Jefferson	Tioga
Beaver	Crawford	Lawrence	Union
Bedford	Elk	Lycoming	Venango
Blair	Erie	McKean	Warren
Bradford	Fayette	Mercer	Washington
Butler	Forest	Potter	Westmoreland

Cambria	Fulton	Somerset	Wyoming
Cameron	Greene	Snyder	
Centre	Huntington	Sullivan	

VIRGINIA

Clarke

VERMONT

Caledonia	Essex	Orleans	Washington
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WEST VIRGINIA

All counties

WISCONSIN

Grant	Green	Kenosha	Rock
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For More Information:

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FAS Mexico Web Site: We are available at <http://www.fas-la.com/mexico> or visit our headquarter's home page at <http://www.fas.usda.gov> for a complete selection of FAS' worldwide agricultural reporting.

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