



Frequently Asked Questions

Two Spot Cotton Leafhopper (TSCL) - Compliance Agreement Template

From: Alternative Regulation Committee (ARC)

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Purpose: To provide clarity to both Industry stakeholders and state regulatory authority on the implementation of the Two Spot Cotton Leafhopper Compliance Agreement Template.

For Industry Stakeholders

How long is the Compliance Agreement good for?

A signed compliance agreement is valid for one year.

The availability of pesticides may be limited or different in my state, compared to what is listed in the compliance agreement. What alternatives can I use?

The compliance agreement states that different pesticides can be used, so long as they are labeled for leafhoppers and treatments are proving to be effective. Contact your local extension professional for treatment recommendations.

What do I need to send with the plants to prove I have what I need to ship to other states?

The plants must be accompanied by a shipping certificate or a copy of the signed compliance agreement that is issued by your state. The certificate must be valid, have a statement indicating that your business has a compliance agreement, indicates state of origin, and must be issued by your state plant regulatory authority.

I have a nursery certification through SANC, USNCP, or GCP. What do I need to do?

Businesses that have a certification through SANC, USNCP, or GCP need to sign page 2 of the TSCL Compliance Agreement. You must ensure that you have a documented IPM program that specifically addresses TSCL scouting, trapping, and treatment. Contact your state regulatory authority to provide that information to them. If your certification lapses, your exemption expires and you will need to establish a new compliance agreement specifically for TSCL. You may want to check with the importing state if this protocol is accepted.

I hold a valid compliance agreement and have treated nursery stock prior to its shipment. However my staff found TSCL on them. What do I do?

Plants must be treated and found free of TSCL. If live TSCL are present on the plants, those plants cannot be shipped. They must be retreated and reinspected with no signs of live TSCL, prior to being shipped.

What happens if we ship plants that have live TSCL insects?

If your business ships plants found to be infested with live TSCL, the receiving state will determine the final action. This may include returning plants to your state, destroying plants, holding in quarantine and allowing the entity to treat them prior to distribution, or other actions. Shipping plants with live TSCL may

be cause for your compliance agreement to be suspended or revoked by your state regulatory authority until the issues can be resolved.

For State Regulatory Authority

When should a nursery be placed under a compliance agreement for TSCL?

A compliance agreement should be established with a nursery if the receiving state has placed an external quarantine for TSCL and/or is requiring additional actions to take place before receiving nursery stock from a state that has TSCL.

What parts of the compliance agreement template can we change?

Each state will be able to modify the following items:

- *State law/regulation section,*
- *Language related to pesticides to meet your state's required pesticide regulations,*
- *The shipping certificate. The certificate is not a part of this template. States will need to modify or create an appropriate shipping certificate to include the specific language of the compliance agreement and other business information.*
- *Signatories may be swapped out; however, a state regulatory authority must have signature on the compliance agreement.*

What happens when one of my nurseries violates the compliance agreement?

Within your state authority, the compliance agreement may be suspended or revoked. Work with the nursery to re-enter compliance, prior to issuing a compliance agreement to them again.

Will this compliance agreement be accepted by all states?

After review, an overwhelming majority of National Plant Board members support this compliance agreement, as long as businesses are performing the required actions as outlined in the compliance agreement. Please note that states have the authority to not accept provisions of the compliance agreement, or to not recognize certification programs, such as SANC. In general, there is support for this regulatory approach.

If significant changes are made due to your authority/abilities within your state, you may want to reach out to the receiving state to ensure that the changes made are acceptable to the state.