

GOVERNMENT OF GUAM
OFFICE OF THE GOVERNOR
AGANA, GUAM

EXECUTIVE ORDER NO. 77-15

REGULATIONS TO CONTROL THE "BUNCHY TOP"
VIRUS DISEASE OF BANANAS

WHEREAS, Section 12007, Government Code of Guam, in conjunction with Section 12101, authorizes the Department of Agriculture, to promulgate quarantine regulations to protect the agricultural interests in Guam from new plant pests and diseases; and

WHEREAS, the aforesaid Section 12007, Government Code of Guam, provides that such regulations shall be issued upon approval of the Governor and promulgation by Executive Order; and

WHEREAS, Section 3 of Public Law 13-136 directed the Director of Agriculture to promulgate rules and regulations to minimize the spread of Bunchy Top Disease of Bananas; and

WHEREAS, the disease known as "bunchy top" is caused by a virus and is transmitted by the aphid, Pentalonia nigroneryosa and has drastically affected bananas grown on Guam; and

WHEREAS, the Department of Agriculture and the Cooperative Extension Service of the University of Guam survey revealed that the "bunchy top" virus disease of bananas is apparently spreading rapidly throughout the island; and

WHEREAS, it is necessary to take all necessary steps to avoid the spread of the disease to other municipalities; and

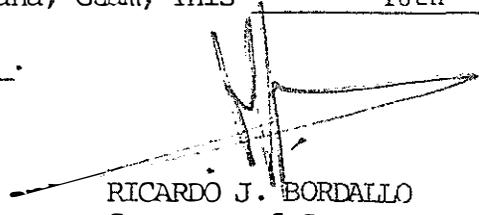
WHEREAS, in accordance with the Administrative Adjudication Act, public hearings were held on March 8, 9 & 10, 1977; and

WHEREAS, the Department of Agriculture had adopted said rules and regulations pertaining to the Control and Eradication of said Banana disease;

NOW, THEREFORE, I, RICARDO J. BORDALLO, Governor of Guam, by virtue of the authority vested in me by the Organic Act of Guam, as amended, do hereby approve and promulgate, as attached hereto, "The Rules and Regulations Relative to the Control and Eradication of the Bunchy Top Disease of Bananas".

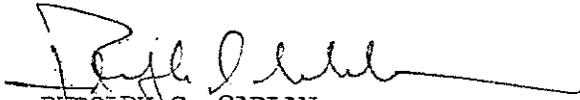
This Order, shall be effective upon approval of the Governor and upon filing of said Order with the Legislative Secretary of Guam Legislature.

Signed and promulgated at Agana, Guam, This 16th day
of JULY 19 77 .



RICARDO J. BORDALLO
Governor of Guam

COUNTERSIGNED:



RUDOLPH G. SABLAN
Lieutenant Governor

DEPARTMENT OF AGRICULTURE
GOVERNMENT OF GUAM
AGANA, GUAM

RULES AND REGULATIONS
PERTAINING TO THE
BUNCHY TOP DISEASE
OF
BANANAS

AGRICULTURE REGULATION NO. _____

RULES & REGULATIONS PERTAINING TO THE
CONTROL & ERADICATION
OF THE
BUNCHY TOP DISEASE OF BANANAS
REGULATION NO. _____

Adopted by the Director of Agriculture pursuant to the Authority of Section 12101 in Accordance with Section 12007 under Chapter II of Title XIII of the Government Code of Guam and promulgated by the Governor of Guam.

Section 1. Definitions

For the purpose of these regulations the following terms are defined:

- 1.1 Department means the Department of Agriculture of the Government of Guam.
- 1.2 Director means the Director of the Department of Agriculture.
- 1.3 Inspector or Agent means any employee of the Department of Agriculture deputized or authorized by the Director to carry out any and all programs granted by this regulation.
- 1.4 Bananas means any species of the Musaceae family.
- 1.5 Plant - All parts of a plant including corm, stalk, fruits, and leaves.
- 1.6 Bunchy Top - A virus disease affecting plants listed under
- 1.7.
- 1.7 Host means plants or plant material known or suspected to

be infested with Bunchy Top disease including but not limited to bananas, plantain, alpina, heliconia, colocasia spp., costus, zingiber and palisota.

- 1.8 Quarantine - Isolation and restriction of movement from one area to another of host plants.

Section 2. Authority & Compliance

- 2.1 Authority of the Director. The Director shall have the power to quarantine any area found infested with Bunchy Top disease which shall remain in effect until otherwise lifted by the Director.
- 2.2 Authority to Inspect. Any inspector is hereby authorized and empowered to enter any and all field(s) or area(s) where any host of Bunchy Top Disease exist.
- 2.3 Movement of Plant. Movement of host plants or materials from infected area to non-infected area is hereby prohibited. A permit issued by the Director of Agriculture is hereby required for movement of banana seedlings or stocks from one municipality to another municipality. (Attached form)
- 2.4 Authority to Destroy. All host plants of the Bunchy Top Disease found infected by the disease shall be destroyed.
- 2.5 Eradication & Control Measures. The following control and eradication procedures shall be adhered to:
 - a) Establish local Quarantine Regulation on infested areas.
 - b) Survey and tag all disease plants from village to village starting from the north proceeding to the south.

- c) Secure permission thru signature of owner to destroy infected plants.
- d) Quarantine regulation will be imposed on owners refusing to cooperate.
- e) Spray infected plants and surrounding areas including banana trees close by.
- f) Secure burning permit from both EPA and Fire Department.
- g) On heavily infested area a large burning pit shall be dug for all infested plants to be burned.
- h) Dig infested plants including corns.
- i) Burn entire plant parts using oil and/or kerosene in a pit either at site or g) above under strict supervision.
- j) Treat or disinfect contaminated or infested area.
- k) Spray for control of vectors in surrounding areas especially on related species. Repeat once a week for at least one month if necessary.
- l) Continuous surveillance of affected area for a period of not less than one year.

2.6 Liabilities. The cost of plant(s) shall be borne by the owner. All other expenses incidental to Section 2.3 shall be borne by the Government of Guam.

Section 3. Unlawful Acts & Penalties

- 3.1 Unlawful Acts. It is unlawful for any person to (a) conceal or transport any pest or host which is regulated or (b) failed to inform the inspector of suspected infected plants within a persons property.
- 3.2 Penalties. Pursuant to Section 12130 and 12131 of the Government Code of Guam, any person violating any of the provisions of the foregoing regulations, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed five hundred dollars (\$500.00), or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment.
- 3.3 Effective date. This regulation shall be effective immediately.
- Dated this _____ day of _____, 1977.

FRANK B. AGUON
Director of Agriculture