

DAVID Y. IGE
Governor

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Chairperson, Board of Agriculture

MORRIS M. ATTA
Deputy to the Chairperson

February 3, 2021

TO: The Honorable David Y. Ige
Governor of Hawaii

FROM: Phyllis Shimabukuro-Geiser, Chairperson *Phyllis Shimabukuro-Geiser*
Board of Agriculture

SUBJECT: Emergency Declaration Due to Coffee Leaf Rust

The Hawaii Department of Agriculture (HDOA) requests the Governor of the State of Hawaii, declare an emergency exists for the coffee industry due to the effects of Coffee Leaf Rust (CLR).

Coffee Leaf Rust, *Hemileia vastatrix*, was detected in Hawaii in October 2020. CLR is one of two pests specifically noted as justifying restriction on the introduction of coffee into the State, as mandated in Hawaii Administrative Rules (HAR) Section 4-72 Subchapter 4.

CLR is a devastating coffee pathogen and was first discovered in Sri Lanka in 1869. It had subsequently spread to all major coffee producing areas worldwide, with the exception of Hawaii until its detection in Hawaii in October 2020. CLR can cause severe defoliation of coffee plants resulting in greatly reduced photosynthetic capacity. Depending on CLR prevalence in a given year, both vegetative and berry growth can be greatly reduced. There are multiple long-term impacts of CLR, including dieback, resulting in an impact to the following year's crop, with estimated losses ranging from 30 percent to 80 percent.

CLR spreads readily through physical contact, is an airborne and waterborne pathogen, and can have deleterious, effects, possibly even death, to coffee plants.

CLR was detected on Maui in October 2020, on west Hawaii Island in November 2020, and on Lanai in December 2020. Most recently on the island of Oahu a presumptive positive case located at the Hawaii Agricultural Research Center Maunawili Research Farm was found. All samples except for Oahu, have been confirmed by the USDA National Identification Services.



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On November 17, 2020, pursuant to Hawaii Revised Statutes Chapter 150A-9.5, the HDOA adopted Interim Rule 20-1, that established a quarantine to restrict the movement of coffee plants (*Coffea arabica*, *C. canephora* and other *Coffea* spp., including hybrids and varieties), plant parts such as unroasted beans, fruits, leaves, stems, twigs, cuttings, wood, logs, and any equipment previously used to harvest, transport, or process coffee plants or plant parts from the islands of Maui and Hawaii to other non-infested islands. The interim rule went into effect on November 20, 2020. The quarantine is designed to prevent the spread of CLR from infested areas to non-infested areas within the state. Roasted coffee beans are not subject to these restrictions. Due to detections of CLR on Lanai and most recently Oahu, the HDOA is working to expand the quarantine to include both of those islands, pursuant to HAR 4-72-4.5. HDOA is also concurrently working to establish permanent rules to address CLR spread throughout the state as an interim rule can not be effective for more than one year.

The HDOA has been working collaboratively with the USDA-APHIS-PPQ for guidance and technical advice for the CLR response, USDA-ARS-PBARC for scientific expertise, UH-CTAHR and the coffee industry to develop and disseminate outreach and management strategies, and various coffee industry associations and members of the coffee industry to act as conduits for dissemination of information from HDOA, USDA, and CTAHR to their members.

The coffee industry leadership requested the HDOA apply to the EPA for a Section 18, Emergency Exemption to be able to apply a systemic fungicide to coffee plants. There are currently no systemic fungicides approved for use on coffee, only contact fungicides. Having the combination of both systemic and contact modes of action would provide a higher rate of success to control the CLR fungus.

A draft of the Section 18 submittal was received by HDOA on January 28, 2021. We are committed to working with the industry and other stakeholders to ensure a timely submission of a finalized emergency exemption as soon as possible. Access to the exempted product along with other best management practices will assist the entire coffee industry in protecting their crops from the deleterious effects of CLR.

The organic coffee farmers in Hawaii are limited in the pesticides they are permitted to use due to their national organic status. The organic coffee farmers face the loss of their farms' organic status if the proposed non-organic products are used on their farms. There is a three-year waiting period to regain organic status if non-organic pesticides are used on the crops.

There is, however, an allowance within the organic certification system which would allow the use of a non-organic products on the crops without losing organic status. An emergency must be declared for this allowance to take place.

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If an emergency is declared the organic coffee farmers would be allowed to use the exempted product (Section 18 Emergency Exemption) on their crop and they would not lose their organic status.

Department Review of request:

a. Reviewed and approved by division or attached agency administrator:

Becky Azama
Name

973-9538
Telephone

2/3/2021
Date



Signature

b. Reviewed and approved by department head:

Phyllis Shimabukuro-Geiser
Name

973-9550
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Date


Signature

APPROVAL

DISAPPROVAL

DEFER


DAVID Y. IGE
Governor, State of Hawaii

Feb 5, 2021
DATE