

**MINNESOTA**  
**SUMMARY OF PLANT PROTECTION REGULATIONS**  
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**The information, as provided, is for informational purposes only and should not be interpreted as complete, nor should it be considered legally binding. Coordination with both your state and the destination state plant regulatory agency listed above may be necessary to stay current on revised requirements.**

**NURSERY INSPECTION PROGRAM**

The mission of this program is to prevent the introduction into and dissemination and spread within Minnesota of serious plant pests. This is accomplished through the annual inspection of all nursery stock growing acreage and certification audits of nursery stock dealers, paying particular attention to stock originating from states with federally and/or state regulated plant pests. Nursery staff participates in various plant pest surveys and cooperate with the USDA in plant pest enforcement actions.

**EXPORT CERTIFICATION PROGRAM**

The goal of this program is to facilitate and expedite the movement of Minnesota's agri-products into and through the international marketplace. This is accomplished by staff trained by the USDA as Authorized Certification Officials responsible for interpreting the foreign import regulations governing the entry of raw or processed plant products. The program staff conducts field inspections, examines the actual shipment or official samples, certifies the product and issues the appropriate export document.

**Nursery Stock Definition**

Nursery Stock: Trees, shrubs, and other plants having a persistent woody stem; all hardy herbaceous perennials; and parts of either of those which are capable of propagation.

**General Shipping Requirements**

Any person from another state shipping nursery stock into Minnesota shall be accorded treatment similar to that which is required of Minnesota nursery operators, dealers, or agents who ship or sell nursery stock in each state. Each out-of-state nursery operator or dealer shall file a certified current copy of an out-of-state nursery certificate/license in the Office of the Commissioner. The Commissioner may accept, in lieu of such individual certificates/licenses, a certified list of current certified nursery operators or dealers from the regulatory agency having jurisdiction in the state or origin. Each shipment must be accompanied by documentation as to shipper (or origin if different from the shipper) along with proof of compliance with applicable state and/or federal plant pest quarantines. A tag bearing a reasonable facsimile of the certificate of inspection (approved by the Commissioner) shall be attached to every package or bundle of nursery stock sold or transported by any person.

**SEED AND NOXIOUS WEED PROGRAM**

The seed regulatory function of this program inspects seed marketing facilities, samples seed, reviews advertisements, and takes appropriate enforcement action in order to provide effective and uniform administration of the seed law and its rules. This results in protection for consumers within the state and a fair and competitive marketplace for seed labelers to operate in.

**Prohibited Noxious Weed Seeds**

When found in seeds intended for planting:

<i>Cirsium vulgare</i> bull thistle	<i>Convolvulus arvensis</i> field bindweed
<i>Cirsium arvense</i> Canada thistle	<i>Cannabis sativa</i> hemp
<i>Carduus nutans</i> musk thistle	<i>Euphorbia esula</i> leafy spurge
<i>Sonchus arvensis</i> perennial sowthistle	<i>Lepidium draba</i> perennial peppergrass
<i>Carduus acanthoides</i> plumeless thistle	<i>Centaurea repens</i> Russian knapweed

**Restricted Noxious Weed Seeds**

Maximum allowed is 25 per pound when found in seeds intended for planting:

<i>Plantago lanceolata</i> buckhorn plantain	<i>Solanum carolinense</i> horse nettle
<i>Cuscuta spp</i> dodder	<i>Brassica arvensis</i> wild mustard
<i>Thlaspi arvense</i> Frenchweed	<i>Agropyron repens</i> quack grass
<i>Raphanus raphanistrum</i> wild radish	
<i>Setaria faberi</i> giant foxtail	
<i>Solanum ptycanthum</i> Eastern black nightshade	

The noxious weed regulatory function of this program provides administrative assistance to counties and local governments in the enforcement of the state's noxious weed law. Local government officials provide the inspection and primary enforcement responsibilities, county governments provide technical assistance to local governments and a prosecutorial function for enforcement, and state government promotes uniformity by providing standardized enforcement methods and materials and educational services to counties and local governments.

### **Prohibited Noxious Weeds**

When found growing on lands in the state:

<i>Cirsium vulgare</i> bull thistle	<i>Euphorbia esula</i> leafy spurge
<i>Cirsium arvense</i> Canada thistle	<i>Lythrum salicaria, virgatum</i> purple loosestrife
<i>Carduus nutans</i> musk thistle	(L.), or any combination
<i>Sonchus arvensis</i> perennial sowthistle	<i>Alliaria petiolata</i> garlic mustard
<i>Carduus acanthoides</i> plumeless thistle	<i>Toxicodendron radicans</i> poison ivy
<i>Convolvulus arvensis</i> field bindweed	
<i>Cannabis sativa</i> hemp	

### **Restricted Noxious Weeds**

Plants or other propagating parts may not be sold or transported in the state:

<i>Rhamnus cathartica</i>	common or European buckthorn
<i>Rhamnus frangula</i> (L.), ( <i>columnaris</i> , <i>tallcole</i> , <i>asplenifolia</i> and all other cultivars)	glossy buckthorn, including all cultivars

### **County-prohibited Noxious Weeds**

When found growing on property in the county where they have been designated. This list can be viewed and printed at: [www.mda.state.mn.us/news/publications/](http://www.mda.state.mn.us/news/publications/) and following the links through 'bad plants articles' to the pdf called *Noxious Plants of Minnesota*.

### **POTATO PROGRAM**

The potato program combines a potato regulatory program, including plant disease and pest control; quality characteristics, grower education and the enhancement of potato marketability. The inspection and certification program ensures that certified seed potatoes are within tolerance levels for diseases and grades. Planting certified seed potatoes is required in most of the U.S. and in any importing country. Crop insurance also requires the planting of certified seed potatoes. Planting certified seed potatoes in Minnesota meets the minimum disease standards and prevents the spread of plant diseases and pests.

- Minimum standards for planting: Seed potatoes may not be planted in the state in lots of ten or more acres unless the seed meets minimum disease standards.

- Restricted seed potato growing area means that qualifying potatoes, grown in the counties that are designated as restricted seed potato growing areas, must be certified as seed potatoes.
- Seed Potato Certification: Potatoes for certification shall be inspected while growing in the field and again after harvest at the time of shipment. Certification shall be based upon visual inspection by the Commissioner of sample plants and tubers from each field and lot, or, for varieties that do not express visible symptoms of a specific pathogen, seed potatoes must be subjected to laboratory tests to determine the level of the pathogen in a seed lot. This testing may occur during the growing season, storage season, or winter testing. Certificates shall be issued to show the varietal purity, relative freedom from disease, and physical defects of the potatoes at the time of inspection.

**Quarantine:** No potatoes used for seed or reproduction may be brought into the counties which are quarantine areas.

### **FRUIT AND VEGETABLE MARKET INSPECTION PROGRAM**

The Fruit and Vegetable Market Inspection Program operates under a cooperative agreement between the State of Minnesota and the USDA. The program inspects fruits, vegetables, nuts, and ornamental crops based on USDA established U.S. standards for commodities and certifies the various grades for each commodity. Inspections are performed for any financially interested party in the world including growers, packers, shippers, brokers, transporters, and receivers. Inspections ensure that the commodities meet the specifications and/or grades that have been agreed on and U.S. standard requirements. The Market Inspection Program staff is federally licensed by the USDA and has the authority to inspect all commodities from around the world.

### **INVASIVE SPECIES and PLANT PEST SURVEY PROGRAM**

MDA staff monitors for and conducts initial response to invasive species that are new to Minnesota. MDA's early detection and rapid response is our first line of defense against invasive species and destructive plant and agricultural pests, and has proven to be the most effective and cost efficient strategy we can adopt. Pest risk assessments are completed to determine the risk to our state for selected pests. MDA has outreach programs targeted for plant health professionals and the general public, and responds to calls and reports from both on possible sightings of new invasive species.

#### **PLANT PEST SURVEY PROGRAM**

This program, provides current information on the abundance and distribution of insect, disease and weed pests of Minnesota field crops. Regional trends are estimated from local data with the goal of reporting current pest conditions. During the growing season, surveys are conducted in five agronomic crops: corn, soybeans, small grains, alfalfa and sunflowers. Survey personnel select fields of each crop and in-field counts are taken using standard sampling procedures for each pest. All counties with significant acres of the target crops are surveyed every week.

### **GYPSY MOTH PROGRAM**

Since 1973, the Gypsy Moth Slow the Spread has been a model program in Minnesota. And since 1980, the MDA has eliminated more than 65 gypsy moth infestations on thousands of acres, most recently in northeastern Minnesota and the Twin Cities metro area, in 2006; another

has been proposed for 2008. Although moth numbers are low in most parts of the state, MDA staff continues to monitor nurseries and mills, mapping, trapping and creating compliance agreements when necessary. The natural rate of spread has been reduced to approximately six miles per year in the state from 15 on a national average. Through these efforts, the Gypsy Moth Program protects forest health, local property values and the state's vital tourism industry.

### **APIARY PROGRAM**

Provides inspection services for apiary industry needing certification to ship bees to other states.

### **WOLF AND ELK DAMAGE**

Livestock or crop losses resulting from wolf or elk may be compensated through a fund provided by the state of Minnesota. Verification of the damage and loss assessment by appropriate officials is required. Individual claims are limited to \$20,000. Up to \$100,000 is available on an annual basis to fund the program.

### **QUARANTINES OR ADDITIONAL REQUIREMENTS**

#### **GRECIAN FOXGLOVE QUARANTINE**

PEST: Grecian foxglove (*Digitalis lanata*)

STATES REGULATED: All states, districts and territories of the United States

MATERIALS REGULATED: All Grecian foxglove plants or parts capable of growing.

RESTRICTIONS: The regulated products may not be moved into the State of Minnesota from the regulated area.

#### **JAPANESE BEETLE QUARANTINE**

PEST: Japanese beetle (*Popillia japonica*)

STATES REGULATED: All states east of the Mississippi River and Kansas. Alabama, Kansas, and Missouri are only partially infested and county of origin must be documented.

MATERIALS REGULATED: Soil alone or associated with nursery stock and sod.

RESTRICTIONS: The regulated products may not be moved into the State of Minnesota from the regulated area unless accompanied by contemporary documentation from the regulatory agency in the state of origin which either certifies the stock apparently free of Japanese beetle or was produced under the applicable conditions stated in the USDA Domestic Japanese Beetle Harmonization Plan.

#### **POTATO CONTAINER REGULATIONS**

PESTS: All injurious bacteria, insects and nematodes associated with used containers.

STATES REGULATED: All states except MN and ND.

MATERIALS REGULATED: Bags, boxes and other containers which have been used for potatoes.

RESTRICTIONS: The regulated products may not be moved into the State of Minnesota from the regulated area unless cleaned and disinfected in an authorized and approved manner so as to kill all bacteria, insects and nematodes.

**VERTICILLIUM QUARANTINE**

PEST: *Verticillium* spp.

STATES REGULATED: All

MATERIALS REGULATED: Mint (*Mentha piperita* and *M. spicata*).

RESTRICTIONS: Movement of regulated articles into MN is prohibited unless certified free of *Verticillium* spp. fungi.

**WHITTET KIKUYU GRASS QUARANTINE**

PEST: *Pennisetum clandestinum*

STATES REGULATED: All

MATERIALS REGULATED: Whittet Kikuyu Grass plants or parts of plants capable of growing, including parts of stems and rhizomes.

RESTRICTIONS: Movement of regulated articles into Minnesota is prohibited.