

MICHIGAN

SUMMARY OF PLANT PROTECTION REGULATIONS

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Michigan Department of Agriculture
Pesticide & Plant Pest Management Division

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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 up-to-date on revised requirements.

NURSERY STOCK DEFINITION

Nursery stock means all botanically classified hardy perennial or biennial trees, shrubs, vines, and plants, either domesticated or wild, cuttings, grafts, scions, buds, bulbs, rhizomes, or roots thereof, fruit pits; also such plants and plant parts for, or capable of, propagation, except field, vegetable and flower seeds, corms and tubers.

GENERAL SHIPPING REQUIREMENTS

Any nursery stock shipped into Michigan must bear a statement or a tag or other device showing the names and addresses of the consignor or shipper, and the consignee or person to whom shipped, the general nature of the contents, as well as labels upon each variety as to the name and grade as approved by the American Nursery and Landscape Association and such stock shall be in live and vigorous condition and of the grade specified, together with a certificate of inspection

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of the proper official of the state, territory, or country from which it was brought or shipped. Any nursery stock sold or given away in this state shall bear an exact copy of the person's valid certificate of inspection.

Any non-resident nurseryman, grower or dealer, who solicits or takes orders for or sells nursery stock in this state through resident or non-resident agents, shall obtain a license.

Licensing requirements may be waived if the non-resident nurseryman, grower or dealer is licensed in his or her state and the resident state of the nurseryman or dealer has entered into a reciprocal agreement with this state to exempt Michigan nurserymen, growers or dealers from licensing requirements in their state.

PROHIBITED & RESTRICTED PLANTS/NOXIOUS WEEDS

A. Prohibited Plant Species (Natural Resources and Environmental Protection Act (Act 451 of 1994, as amended)

Any of the following plants, fragments, seeds or a hybrid or genetically engineered variant thereof:

- Cabomba caroliniana* fanwort
- Cylindrospermopsis raciborskii*..... cylindro
- Egeria densa* Brazilian elodea
- Fallopia japonica*..... Japanese knotweed
- Heracleum mantegazzianum*..... giant hogweed
- Hydrilla verticillata* Hydrilla
- Hydrocharis morsus-ranae* European frogbit
- Lagarosiphon major*..... African oxygen weed
- Myriophyllum aquaticum*.....parrot's feather
- Nitellopsis obtusa*.....starry stonewort
- Nymphoides peltata*..... yellow floating heart
- Salvinia molesta, auriculata, biloba, or herzogii*..... giant salvinia
- Trapa natans* water chestnut

B. Restricted Plant Species (Natural Resources and Environmental Protection Act (Act 451 of 1994, as amended)

Any of the following plants, fragments, seeds or a hybrid or genetically engineered variant thereof:

- Butomus umbellatus* flowering rush
- Lythrum salicaria*..... purple loosestrife
- Myriophyllum spicatum* Eurasian watermilfoil
- Phragmites australis*..... Phragmites or common reed
- Potamogeton crispus*..... curly leaf pondweed

C. Noxious Weeds (Michigan Seed Law (Act 329 of 1965) and Regulation 715 (Under Act 329) Seed Law Implementation

1. **Prohibited noxious weeds** - seeds of these species are prohibited as contaminants in seed offered for sale

<i>Agropyron repens = Elytrigia repens</i>	quackgrass
<i>Ambrosia elatior</i>	ragweed
<i>Berteora incana</i>	hoary alyssum
<i>Brassica spp.</i>	mustards
<i>Cardaria draba</i>	whitetop = hoary cress = perennial peppergrass
<i>Carduus acanthoides</i>	plumeless thistle
<i>Carduus nutans</i>	musk thistle
<i>Centaurea maculosa</i>	spotted knapweed
<i>Centaurea picris</i>	Russian knapweed
<i>Cirsium arvense</i>	Canada thistle
<i>Cirsium vulgare</i>	bull thistle
<i>Convolvulus arvensis</i>	field bindweed
<i>Convolvulus sepium</i>	hedge bindweed
<i>Cuscuta spp.</i>	dodder
<i>Cyperus esculentus</i> , both seed and tubers.....	yellow nutsedge, chufa
<i>Daucus carota</i>	wild carrot
<i>Euphorbia esula</i>	leafy spurge
<i>Ipomea species</i>	morning glory
<i>Nasella trichoma</i>	serrated tussock
<i>Rhus toxicodendron</i>	poison ivy
<i>Solanum carolinense</i>	horsenettle
<i>Sonchus arvensis</i>	perennial sowthistle
<i>Sorghum halapense</i> , including <i>Sorghum almum</i> and seed which cannot be distinguished from johnsongrass.....	johnsongrass
<i>Toxicodendron vernix</i>	poison sumac
<i>Tribulus terrestris</i>	puncturevine

2. **Restricted noxious weed seeds** - generally the limit is one seed per 2000 of agricultural seed offered for sale

<i>Abutilon theophrasti</i>	velvetleaf
<i>Allium canadense</i>	wild onion
<i>Allium vineale</i>	wild garlic
<i>Avena fatua</i>	wild oat
<i>Barbarea vulgaris</i>	yellow rocket
<i>Berteroa incana</i>	hoary alyssum
<i>Brassica juncea</i>	Indian mustard
<i>Brassica nigra</i>	black mustard
<i>Datura stramonium</i>	jimsonweed
<i>Daucus carota</i>	wild carrot

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<i>Plantago lanceolata</i>	buckhorn plantain
<i>Raphanus raphanistrum</i>	wild radish
<i>Rumex crispus</i>	curled dock
<i>Setaria faberii</i>	giant foxtail
<i>Sinapis arvensis</i>	charlock
<i>Solanum</i> species: including all of the following species and any other species with indistinguishable seed:	nightshade complex
<i>Solanum dulcamara</i>	bitter nightshade
<i>Solanum eleagnifolium</i>	silver leaf nightshade
<i>Solanum nigrum</i>	black nightshade
<i>Solanum ptycanthum</i>	eastern black nightshade
<i>Solanum sarrachoides</i>	hairy nightshade
<i>Thalspi arvense</i>	fanweed
<i>Xanthium strumarium</i>	cocklebur

PROHIBITED & RESTRICTED MOLLUSKS

A. Prohibited Mollusk Species (Natural Resources and Environmental Protection Act (Act 451 of 1994, as amended))

Any of the following mollusk species or a hybrid or genetically engineered variant thereof:

<i>Achatina fulica</i>	Giant African snail
<i>Candidula intersecta</i>	wrinkled dune snail
<i>Hygromia cinctella</i>	girdled snail
<i>Helix aspersa</i>	brown garden snail
<i>Monacha cartusiana</i>	Carthusian snail
<i>Xerolenta obvia</i>	heath snail

B. Restricted Mollusk Species (Natural Resources and Environmental Protection Act (Act 451 of 1994, as amended))

Any of the following mollusks or a hybrid or genetically engineered variant thereof:

<i>Dreissena bugensis</i>	quagga mussel
<i>Dreissena polymorpha</i>	zebra mussel

QUARANTINES OR ADDITIONAL REQUIREMENTS

BLACK STEM RUST REG 617

PESTS: Black stem rust, *Puccinia graminis*

STATES REGULATED: All

REGULATED: Berberis, Mahonia and Mahoberberis.

RESTRICTIONS: All rust-susceptible species and varieties are prohibited. USDA as well as Michigan Department of Agriculture must officially approve resistant varieties, prior to sale or transport.

BLUEBERRY SCORCH, SHOCK AND SHEEP PEN HILL VIRUS QUARANTINE

PESTS: Blueberry Scorch Virus (BBScV) Carlavirus, Blueberry Shock Virus (BBSV) Ilarvirus and Sheep Pen Hill Disease (BBScV-NJ) Carlavirus

STATES REGULATED: The States of New Jersey, Oregon, and Washington and the province of British Columbia, Canada or any other area where these viruses or plant material infected with these diseases are know to exist.

MATERIALS REGULATED: Plants, buds, vegetative cuttings or any other propagative forms of *Vaccinium corymbosum*

RESTRICTIONS:

All regulated articles shipped into Michigan from regulated areas must be certified virus free by a virus-free certification program recognized by the Director. All regulated articles shipped into Michigan must be accompanied by a State Phytosanitary Certificate or Certificate of Quarantine Compliance indicating its point of original propagation or production and labeled or stamped to show compliance with terms of this quarantine.

CHESTNUT GALL WASP QUARANTINE

PESTS: Chestnut gall wasp, *Dryocosmus kuriphilus*

STATES REGULATED: AL, GA, KY, MD, NC, OH, PA, TN, VA and any other state where chestnut gall wasp may become established.

MATERIALS REGULATED: Living plants and scionwood of all *Castanea* species including hybrids.

RESTRICTIONS:

All regulated articles originating from regulated areas are prohibited entry into the State of Michigan, unless all of the following requirements are met:

- 1) The regulated articles originate from a pest free place of production where chestnut gall wasp is not known to occur; as determined by:
 - a) Inspection of all *Castanea* spp. plants at the place of production annually by an agricultural official during the period of time when chestnut gall wasp symptoms would be readily seen (i.e. when leaves are fully developed); and,
 - b) Inspection of all *Castanea* spp. plants in a buffer zone extending at least 1,000 meters from the place of production in all directions.

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- c) All *Castanea* spp. plants in the place of production and the buffer zone must have undergone an annual inspection during the previous two growing seasons at time of full leaf development; and, must have been found free of symptoms of chestnut gall wasp infestation during the inspections.
- 2) Regulated articles originating from the regulated area must be accompanied by a state phytosanitary certificate or certificate of quarantine compliance or equivalent official certification indicating the number and type of regulated articles, and containing the declaration that the regulated articles originate from a pest free place of production where chestnut gall wasp is not known to occur.

A copy of the certificate must be faxed to the Michigan Department of Agriculture, Pesticide and Plant Pest Management Division, Attention: Nursery Program Manager at (517) 335-4540. As an alternative, scanned copies may be sent via email to bryanm@michigan.gov. A copy shall accompany the regulated articles to their final destination. Persons in Michigan receiving regulated articles from the regulated area may not sell or further distribute the regulated articles unless a written release is issued to the consignee by the Michigan Department of Agriculture.

- 3) Regulated articles originating from states outside a regulated area must be accompanied by a standard nursery inspection certificate, state phytosanitary certificate or certificate of quarantine compliance indicating the state and county of origin and quantity of regulated articles.

EMERALD ASH BORER QUARANTINE

PEST: Emerald Ash Borer, *Agrilus planipennis*

STATES REGULATED: KY, MD, MI, MN, MO, IL, IN, NY, OH, PA, VA, WI and WV. Michigan's EAB Interior Quarantine consists of all counties in the Lower Peninsula plus all of Delta, Houghton, Keweenaw, Mackinac and Schoolcraft Counties and portions of Chippewa, in the Upper Peninsula. See www.michigan.gov/eab for up-to-date EAB quarantine information.

REGULATED ARTICLES:

The emerald ash borer in any living stage of development. Entire ash (*Fraxinus* spp.) trees; ash limbs and branches; ash stumps; ash logs with bark; ash lumber with bark. Non-coniferous (hardwood) wood chips and non-coniferous (hardwood) bark chips larger than 1 inch in two dimensions; any article, product, or means of conveyance when it is determined by the Michigan Department of Agriculture to present the risk of spread of the emerald ash borer; and, firewood of any non-coniferous (hardwood) species with bark.

RESTRICTIONS: Regulated articles are prohibited from moving outside a quarantined area unless treated under approved method. Movement of ash nursery stock within or into the entire State of Michigan is prohibited.

GERANIUM PLUME MOTH QUARANTINE

PEST: Geranium plume moth, *Platyptilia pica*

STATES REGULATED: CA

MATERIALS REGULATED: Geranium plants or cuttings

RESTRICTIONS: Regulated materials are prohibited

HEMLOCK WOOLLY ADELGID QUARANTINE

PESTS: Hemlock woolly adelgid, *Adelges tsugae*

STATES REGULATED: AK, CA, CT, DE, GA, KY, MA, MD, ME, NC, NH, NJ, NY, OR, PA, RI, SC, TN, VA, WA & WV

MATERIALS REGULATED: Hemlock nursery stock and hemlock logs with bark

RESTRICTIONS: Official surveys are now a condition of entry for hemlock originating from non-infested counties in regulated states. Surrounding counties as well as the county of origin must have been found free of hemlock woolly adelgid based on an official survey conducted within the past three years. Hemlock from infested counties is prohibited entry into Michigan.

Hemlock shipped from non-infested counties in both regulated and non-regulated states is only allowed under the following conditions: (1) A state agriculture inspector must have inspected the hemlock and found it free of pests; (2) The shipment must have been protected during any transiting of infested areas; (3) The trees must not have been co-mingled with hemlock from an infested area; (4) A state phytosanitary certificate or certificate of quarantine compliance must accompany the shipment.

Additional declarations are required on the certificate as described in the HWA Quarantine posted on the Michigan Department of Agriculture web site at http://www.michigan.gov/mda/0,1607,7-125-1568_2390_46323---,00.html. A copy of the certificate must be faxed to the Michigan Department of Agriculture, Pesticide and Plant Pest Management Division, Attention: Nursery Program Manager at (517) 335-4540. As an alternative, scanned copies may be sent via email to bryanm@michigan.gov

All hemlock trees received from out-of-state are required to be held by the receiving firm until released by the Michigan Department of Agriculture. Imported hemlock from other states will be released only after it is determined that they meet quarantine requirements.

SCLERODERRIS CANKER QUARANTINE

PEST: Scleroderris canker, caused by *Scleroderris lagerbergii*

STATES REGULATED: NY, VT

MATERIALS REGULATED: Pine, Spruce, and Douglas Fir.

RESTRICTIONS: Regulated articles are prohibited.

THOUSAND CANKERS DISEASE OF WALNUT QUARANTINE

PESTS: The walnut twig beetle, *Pityophthorus juglandis* and the fungal pathogen *Geosmithia morbida sp. nov.*

STATES REGULATED: AZ, CA, CO, ID, NV, NM, OR, WA, UT and any other areas where Thousand Cankers Disease of Walnut may become established.

MATERIALS REGULATED: The walnut twig beetle *Pityophthorus juglandis*, in any living stage of development; the fungal pathogen *Geosmithia morbida sp. nov.*; firewood of any non-coniferous (hardwood) species; and, all plants and plant parts of the genus *Juglans* including but not limited to nursery stock, budwood, scionwood, green lumber, logs, stumps, roots, branches, and chips. Specific exceptions are: nuts, nut meats, hulls, processed lumber (100% bark-free, kiln-dried with squared edges), and finished wood products without bark, including walnut furniture, instruments and gun stocks.

RESTRICTIONS: All regulated articles originating from regulated states are prohibited entry into the State of Michigan. Regulated articles originating from a state outside a regulated area but transiting through a regulated area will be considered to be regulated articles. Regulated articles to be used for research purposes, at the discretion of the Director, may move under a compliance agreement.

Regulated articles originating from states outside a regulated area must be accompanied by documents indicating the state of origin.

VEGETABLE PLANTS QUARANTINE

STATES REGULATED: All

MATERIALS REGULATED: Tomato, pepper, onion, cabbage, broccoli, cauliflower, sweet potato, and celery plants.

RESTRICTIONS: Any of the quarantined articles enumerated, free from soil, or in soil freed from plant pests by methods acceptable to the certifying agency, may be moved into Michigan when accompanied by a certificate issued by the proper authority of the state of origin establishing that the plants were grown and approved under an official

plant pest control certification program of the state of origin or were inspected and certified to be free of plant pests on the basis of an inspection made not more than three days prior to shipment or transportation. Any of the quarantined articles entering Michigan, regardless of the means of transportation, are subject to inspection and, if found to be infested with plant pests or not accompanied by a valid certificate, may be immediately destroyed or ordered removed from the State. All shipments must be plainly marked with the name and address of the grower and shipper.

WHITE PINE BLISTER RUST ACT 313

PESTS: White pine blister rust fungus, *Cronartium ribicola*

STATES REGULATED: All

MATERIALS REGULATED: Roots, cuttings or plants of black currant, *Ribes nigrum*.

RESTRICTIONS: Sale of black currant roots, cuttings, or plants is prohibited. Rust-resistant currant varieties may be obtained under special permit if approved by Michigan Department of Agriculture.

"X" DISEASE OF PEACH REGULATION 612

PESTS: "X" Disease of Peach (Yellow Red Virosis)

STATES REGULATED: All

MATERIALS REGULATED: Chokecherry (*Prunus virginiana*), including ornamental cultivars, such as "Schubert" and "Canada Red"

RESTRICTIONS: Regulated materials are prohibited from being grown or sold within 1000 feet of peach or cherry nursery stock; or within 500 feet of peach or cherry orchards