

MINNESOTA
SUMMARY OF PLANT PROTECTION REGULATIONS
Updated May 2016

Plant Protection Division
Minnesota Department of Agriculture
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Potato Inspection Program
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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 the originating state and the destination state plant regulatory agency listed above may be necessary to stay current on revised requirements.

Administrative

PRE-NOTIFICATION OF SHIPMENTS TO MINNESOTA

Notification of nursery stock shipment to Minnesota can be sent via E-mail to Steven.Shimek@state.mn.us or faxed to 651-215-9687. Mailing address: Steven Shimek, Minnesota Department of Agriculture, Plant Protection Division, 625 Robert Street North, St. Paul, MN 55155.

Fruit, Vegetable & Grain Unit

FOOD SAFETY AUDIT PROGRAM

Licensed by the USDA to provide Good Agricultural Practices/Good Handling Practices audits for any growers, shippers, receivers, wholesalers, retailers, and re-packers in Minnesota. These audits consist of asking questions, reviewing documentation, and onsite viewing of warehouse, storage, packing, and transportation facilities. The audits verify that the practices and procedures of growers or sellers meet USDA Food Safety Standards and reduce or eliminate food safety hazards.

FRUIT AND VEGETABLE INSPECTION PROGRAM

The Fruit and Vegetable Inspection Program operates under a cooperative agreement between the State of Minnesota and the USDA. The program inspects fruits, vegetables, raw 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 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. Providing unbiased third party inspections ensures that the proper quality of produce is being delivered, and receiver and grower contracts are being met. This results in protection for both grower and receiver, and lower costs to the public. This Program's staff is federally licensed by the USDA and have the authority to inspect all commodities from around the world.

Inspection Requests: 651-201-6067

GRAIN LICENSING PROGRAM

The Grain Licensing Program licenses grain buyers, grain warehouses, and general merchandise warehouses to protect sellers and depositors of grain and those who deposit goods in a general merchandise warehouses. These three different license types have different requirements to obtain each license.

License to Buy Grain: Required by anyone to buy grain. A license is required for each buying location; additionally must obtain a bond ranging from \$10,000 to \$150,000 dollars, based on the dollar amount of annual grain purchases.

License to Store Grain: Required by persons operating grain warehouse (elevators) to store grain for the public. All grain storage licensed elevators must also obtain a grain buyers license. Grain storage elevators must provide a storage bond which provides reimbursement to depositors experiencing damage or other grain loss. This bond which ranges from \$20,000 to \$500,000 is based on average annual liability for stored grain.

General Merchandise Storage License: Issued to persons not storing grain but who operates a warehouse to store other property such as household goods, for the public. A \$10,000 general warehouse bond for each warehouse operated is required (companies that do not store household goods may substitute \$50,000 of warehouse liability insurance instead of a bond).

To buy and store, grain warehouses are required to have two examinations each year.

Licensing Requests and Information: 651-201-6011

WHOLESALE PRODUCE DEALERS LICENSING PROGRAM

The Wholesale Produce Dealers Licensing Program licenses the buyers of fresh fruits & vegetables, milk, poultry, and eggs. This provides protection to the sellers (farmers as well as wholesalers) by requiring a surety bond. Other provisions of the law include the trust and contract language requirements.

Christine Mader, State Program Administrator
Phone: 651-201-6620

Nicholas Milanowski, Unit Supervisor
Phone: 651-201-6076

Pest Detection and Management Unit

The Pest Detection and Management Unit works to prevent and mitigate problems caused by invasive insects and pathogens by:

- Identifying threats to Minnesota's agricultural and natural systems as well as export markets
- Working to intercept new threats early in the invasion process
- Certifying production areas as free from pests of export concern
- Tracking the distribution and abundance of non-regulated invasive insects and pathogens present in Minnesota
- Limiting impacts within infested areas and slowing natural spread through biological control and facilitation of local management

<http://www.mda.state.mn.us/invasives>

Jean Ciborowski, State Survey Coordinator
Phone: 651-201-6217

Mark Abrahamson, Unit Supervisor
Phone: 651-201-6505

Pest Mitigation and Regulatory Response Unit

The Pest Mitigation and Regulatory Response Unit works to track the distribution and abundance of regulated pest present in Minnesota and limit impacts within infested areas or slow the natural spread through treatments and other direct actions.

GYPSY MOTH PROGRAM

Since 1973, Minnesota has conducted annual surveys for early detection of gypsy moth. In 2004, MN became a member of the Slow the Spread (STS) Foundation. Annual survey program places approximately 19,000 detection traps annually and since 1980, the MDA has eliminated more than 100 gypsy moth infestations on over 820,000 of acres. Moth numbers have increased sharply in northeastern counties prompting quarantines to be implemented in 2014 for Lake and Cook Counties. Populations are relatively low elsewhere in the state. 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.

TREE CARE COMPANY REGISTRY

MDA shall maintain a list of all persons, businesses, and companies that employ persons who provide tree care or tree trimming services in Minnesota. All commercial tree care providers, tree trimmers, and employers that direct employees to remove trees, limbs, branches, brush, or shrubs for hire must be registered annually with the Commissioner of Agriculture. Annual registration fee is \$25 for initial application or renewing the registration. *Modified August 1, 2012*

REGULATORY PEST PROGRAMS

MDA is active in the implementation and enforcement of two exterior quarantines pest quarantines and two interior pest quarantines. See QUARANTINES OR ADDITIONAL REQUIREMENTS.

FIREWOOD HEAT TREATMENT CERTIFICATION

MDA offers a fee-based heat treatment certification program for firewood producers/dealers that operate a kiln that has passed a rigorous inspection and testing process and has successfully demonstrated the ability to heat their firewood to a minimum core temperature of 140 F° for 60 minutes.

Kimberly Thielen Cremers, Unit Supervisor

Phone: 651-201-6329

Nursery Inspection and Export Certification Unit

ANIMAL DAMAGE COMPENSATION PROGRAM

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 \$300,000 is currently available on an annual basis to fund the program.

Blane White, Animal Damage Compensation Program Coordinator

Phone: 651-201-6578

APIARY PROGRAM

This program provides inspection services for apiary industry needing certification to ship bees to other states.

Blane White, Phone: 651-201-6578

EXPORT CERTIFICATION PROGRAM

The goal of this program is to facilitate and expedite the movement of Minnesota's agricultural 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.

Stephanie Visker, Export Certification Program Coordinator
Phone: 651-201-6558; Fax 651-215-9687
mda.exports@state.mn.us

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.

Steven Shimek, Nursery Inspection Program Coordinator
Phone: 651-201-6619 or 651-201-6507

Nursery Stock Definition: Trees, shrubs, and other plants having a persistent woody stem; all Minnesota-hardy herbaceous perennials; and parts of either of those which are capable of propagation. Sod and seeds are not nursery stock under statute.

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. 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.

Minnesota statutes require that all information accompanying nursery stock be accurate, including hardiness data, at Minnesota sales sites. To assist out of state suppliers, a list of plants and hardiness ratings is available at www.mda.state.mn.us/licensing/licensetypes/nurseryprogram/hardinesslist.aspx

Pre-Notification of Shipments to Minnesota: Notification of nursery stock shipment to Minnesota can be sent via E-mail to Steven.Shimek@state.mn.us or faxed to 651-215-9687. Mailing address: Steven Shimek, Minnesota Department of Agriculture, Plant Protection Division, 625 Robert Street North, St. Paul, MN 55155.

Mark Schreiber, Unit Supervisor
Phone: 651-201-6388 or 651-201-6507

Potato Inspection Program

POTATO SHIPPING POINT INSPECTIONS

Shipping Point Inspection enables the industry to ship seed potatoes as “certified” and provides grades for fresh, processing and seed potatoes. The program provides voluntary and mandatory shipping point inspection to the industry, which certifies the shipments as within grade. This is the last control measure to prevent diseased potatoes from being shipped and the first look by government at our food supply.

SEED POTATO CERTIFICATION

The main objectives of the seed potato certification are to ensure that there are available to the public: dependable sources of quality, disease-tested seed potatoes of recognized cultivars, and to encourage better methods of production. 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 as they meet the minimum disease standards. Planting certified seed potatoes in Minnesota 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: 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.

Phone: 218-773-4956

Seed, Weed and Biotechnology Unit

SEED REGULATORY PROGRAM

The seed regulatory program inspects seed marketing facilities, samples seed, reviews advertisements, and takes appropriate enforcement action in order to provide effective and uniform administration of the Minnesota Seed Law and Rules. This results in protection for consumers within the state, and a fair and competitive marketplace for seed labelers.

Prohibited Noxious Weed Seeds

None allowed in seeds intended for planting:

Cirsium vulgare bull thistle

Cirsium arvense Canada thistle

Convolvulus arvensis field bindweed

Cannabis sativa hemp

Carduus nutans musk thistle
Lepidium draba perennial peppergrass
Carduus acanthoides plumeless thistle

Euphorbia esula leafy spurge
Sonchus arvensis perennial sowthistle
Centaurea repens Russian knapweed

Restricted Noxious Weed Seeds

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

Plantago lanceolata buckhorn plantain
Cuscuta spp dodder
Thlaspi arvense Frenchweed
Raphanus raphanistrum wild radish
Setaria faberi giant foxtail

Solanum ptycanthum Eastern black nightshade
Solanum carolinense horse nettle
Brassica arvensis wild mustard
Agropyron repens quack grass

NOXIOUS AND INVASIVE WEED PROGRAM

www.mda.state.mn.us/en/plants/pestmanagement/weedcontrol.aspx

The Noxious and Invasive Weed Program works with local governments and landowners to protect the environment, public health, public roads, crops, livestock, or other property in Minnesota from the injurious impacts of noxious and invasive weeds. The Noxious Weed Advisory Committee represents a wide range of agencies and organizations. This committee advises the Commissioner of Agriculture about plant species regulation, weed management and implementation of Minnesota's Noxious Weed Law. Enforcement of the Noxious Weed Law is a shared responsibility with local governments.

2015-2017 Minnesota Noxious Weed List

1. Eradicate List: Prohibited noxious weeds that are listed to be eradicated are plants that are not currently known to be present in Minnesota or are not widely established. These species must be eradicated, meaning all of the above and below ground parts of the plant must be destroyed, as required by Minnesota Statutes, Section 18.78. Additionally, transportation, propagation, or sale of these is prohibited except as allowed by Minnesota Statutes, Section 18.82. Measures must also be taken to prevent and exclude these species from being introduced into Minnesota.

1. Palmer Amaranth, *Amaranthus palmeri* S. Watson
2. Oriental Bittersweet, *Celastrus orbiculatus* Thunb.
3. Brown Knapweed, *Centaurea jacea* L.
4. Yellow Star Thistle, *Centaurea solstitialis* L.
5. Meadow Knapweed, *Centaurea x moncktonii* C.E. Britton
6. Black Swallow-wort, *Cynanchum louiseae* Kartesz & Gandhi
7. Grecian Foxglove, *Digitalis lanata* Ehrh.
8. Common Teasel, *Dipsacus fullonum* L.
9. Cut-leaved Teasel, *Dipsacus laciniatus* L.
10. Giant Hogweed, *Heracleum mantegazzianum* Sommier & Levier
11. Japanese Hops, *Humulus japonicas* Siebold & Zucc.
12. Dalmatian Toadflax, *Linaria dalmatica* (L.) Mill.

2. Control List: Prohibited noxious weeds listed to be controlled are plants established throughout Minnesota or regions of the state. Species on this list must be controlled, meaning efforts must be made to prevent the spread, maturation and dispersal of any propagating

parts, thereby reducing established populations and preventing reproduction and spread as required by Minnesota Statutes, Section 18.78. Additionally, propagation, sale, or transportation of these plants is prohibited except as allowed by Minnesota Statutes, Section 18.82.

1. Narrowleaf Bittercress, *Cardamine impatiens* L.
2. Plumeless Thistle, *Carduus acanthoides* (L.)
3. Spotted Knapweed, *Centaurea stoebe* spp. *micranthos*
4. Canada Thistle, *Cirsium arvense* (L.) Scop.
5. Leafy Spurge, *Euphorbia esula* (L.)
6. Purple Loosestrife, *Lythrum salicaria, virgatum* (L.)
7. Wild Parsnip, *Pastinaca sativa* L. (Except for non-wild cultivated varieties)
8. Common Tansy, *Tanacetum vulgare* (L.)

Restricted noxious weeds are plants that are widely distributed in Minnesota and are detrimental to human or animal health, the environment, public roads, crops, livestock or other property, but whose only feasible means of control is to prevent their spread by prohibiting the importation, sale, and transportation of their propagating parts in the state except as allowed by Minnesota Statutes, Section 18.82. Plants designated as Restricted Noxious Weeds may be reclassified if effective means of control are developed.

1. Garlic Mustard, *Alliaria petiolata* (Bieb.)
2. Glossy Buckthorn (and all cultivars), *Frangula alnus* Mill. (*columnaris, tallcole, asplenifolia* and all other cultivars)
3. Common Reed - non-native subspecies, *Phragmites australis* subspecies *australis* (Cav.) Trin. ex Steud.
4. Common or European Buckthorn, *Rhamnus cathartica* (L.)
5. Multiflora Rose, *Rosa multiflora* Thunb.

Specially regulated plants are plants that may be native species or have demonstrated economic value, but also have the potential to cause harm in non-controlled environments. Plants designated as specially regulated have been determined to pose ecological, economical, or human or animal health concerns. Plant specific management plans and or rules that define the use and management requirements for these plants will be developed by the Minnesota Department of Agriculture for each plant designated as specially regulated. Measures must also be taken to minimize the potential for harm caused by these plants.

1. Poison Ivy, *Toxicodendron radicans* (L.) Kuntze & T. *radicans* (Small) Green
Must be eradicated or controlled for public safety along rights-of-ways, trails, public accesses, business properties open to the public or on parts of lands where public access for business or commerce is granted. Must also be eradicated or controlled along property borders when requested by adjoining landowners.
2. Japanese Knotweed, *Polygonum cuspidatum* Seib. & Zucc. Synonym as *Fallopia japonica* (Houttuyn) Ronse-Decraene
3. Giant Knotweed, *Polygonum sachalinense* F. Schmidt ex Maxim. Synonym: *Fallopia sachalinensis* (F. Schmidt) Ronse-Decraene
Any person, corporation, business or other retail entity distributing Japanese and/or giant

knotweeds for sale within the state, must have information directly affixed to the plant or container packaging that it is being sold with, indicating that it is inadvisable to plant this species within 100 feet of a water body or its designated flood plain as defined by Minnesota Statute 103F.111, Subdivision 4.

4. Japanese Barberry, *Berberis thunbergii* DC. Phase-out of seediest varieties listed below: **These cultivars average greater than 600 seeds per plant and will begin a three-year phase-out period in Minnesota beginning January 1, 2015.**

‘Anderson’ (Lustre Green™); ‘Angel Wings’; ‘Antares’; ‘Bailgreen’ (Jade Carousel®); ‘Bailone’ (Ruby Carousel®); ‘Bailsel’ (Golden Carousel® - *B. koreana* × *B. thunbergii* hybrid); ‘Bailtwo’ (Burgundy Carousel®); *B. thunbergii* var. *atropurpurea*; ‘Crimson Velvet’; ‘Erecta’; ‘Gold Ring’; ‘Inermis’; ‘JN Redleaf’ (Ruby Jewel™); ‘JN Variegated’ (Stardust™); ‘Kelleris’; ‘Kobold’; ‘Marshall Upright’; ‘Monomb’ (Cherry Bomb™); ‘Painter’s Palette’; ‘Pow Wow’; ‘Red Rocket’; ‘Rose Glow’; ‘Silver Mile’; ‘Sparkle’; ‘Tara’ (Emerald Carousel® - *B. koreana* × *B. thunbergii* hybrid); Wild Type (parent species – green barberry)

*At the end of the phase-out period (December 31, 2017), these species will become Restricted Noxious Weeds in Minnesota and will be illegal to sell and propagate.

County Noxious Weeds

County noxious weeds are plants that are designated by individual county boards to be prohibited within the county’s jurisdiction and must be approved by the Commissioner of Agriculture, in consultation with the Noxious Weed Advisory Committee. Each county board must submit newly proposed County Noxious Weeds to the Minnesota Department of Agriculture for review. Approved County Noxious Weeds shall also be posted with the county’s general weed notice prior to May 15th each year. Counties are solely responsible for developing County Noxious Weed lists and their enforcement. Contact your County Agricultural Inspector or County Designated Employee for more information or see a current listing of County Noxious Weeds.

Minnesota Department of Agriculture’s Weed Team Contact Information

Anthony Cortilet (Noxious Weed Law) Anthony.Cortilet@state.mn.us, 651-201-6538

Monika Chandler (Early Detection & Biocontrol) Monika.Chandler@state.mn.us 651-201-6537

Emilie Justen (Early Detection and Rapid Response) Emilie.Justen@state.mn.us, 651-201-6360

Industrial Hemp

The Minnesota Industrial Hemp Act (IHA) became law at the conclusion of the 2015 legislative session. The law provides a framework for the development of commercial industrial hemp production in Minnesota following approval by the federal government. The federal Controlled Substances Act (CSA) currently prohibits the MDA from enacting the activities of Minnesota Statutes 18K.01 - 18K.08 under the IHA. Provisions added to the 2014 Farm Bill (Public Law 113 -79) defined industrial hemp for the first time under federal law and granted state agricultural departments the authority to develop research pilot programs to study the growth, cultivation, or marketing of industrial hemp. The Minnesota IHA also provides for the development of a pilot program administered by the MDA under Minnesota Statute 18K.09.

For the most current information on Industrial Hemp in Minnesota, please visit our webpage at www.mda.state.mn.us/industrialhemp
Contact: MDA.Hemp@state.mn.us

QUARANTINES OR ADDITIONAL REQUIREMENTS

EXTERIOR QUARANTINE: MOUNTAIN PINE BEETLE (*Dendroctonus ponderosae* Hopkins) Signed January 1, 2015

PESTS: Mountain Pine Beetle (*Dendroctonus ponderosae* Hopkins)

An AREA FROM WHICH mountain pine beetle is established including: Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, South Dakota, Utah, Washington, Wyoming and any other area of the U.S. as determined by SPRO to have established mountain pine beetle populations.

MATERIALS REGULATED: Any living stage of the mountain pine beetle (*Dendroctonus ponderosae* Hopkins); pine wood with bark and any article, product or means of conveyance when it is determined by the State Plant Regulatory Official to present the risk of spread of the mountain pine beetle (*Dendroctonus ponderosae* Hopkins) Exceptions are: Pine wood without bark (100% debarked), Pine mulch or chips, Pine Christmas trees, and Pine nursery stock

RESTRICTIONS: The sale and/or movement of all regulated articles originating in areas other than those listed above but transiting through those areas into Minnesota are prohibited pursuant to Minnesota Statute 18G.06, subd. 4 (2010).

No person shall move or cause to be moved a regulated article which originates in, or has transited through, a regulated area into or through the state of Minnesota unless:

- a. The person first enters into a compliance agreement with the Minnesota Department of Agriculture, and;
- b. The regulated article is accompanied by a phytosanitary certificate from the originating state verifying that the material complies with the conditions of the associated Minnesota Department of Agriculture compliance agreement.

Any regulated articles moved in violation of this quarantine shall be subject to destruction under the direction of the commissioner and at the expense of the owner or owners.

EXTERIOR QUARANTINE: THOUSAND CANKERS DISEASE OF WALNUT (*JUGLANS SP.*) Signed April 2, 2012

PESTS: Walnut twig beetle (*Pityophthorus juglandis*) and *Geosmithia morbida*

An AREA FROM WHICH WALNUT IS REGULATED: States in which or near where Thousand Cankers Disease (TCD) occurs, including: Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Tennessee, Utah, Virginia and Washington. And any other areas of the United States as determined by the State Plant Regulatory Official to have TCD.

MATERIALS REGULATED: Living and non-living articles of walnut (*Juglans species*) trees are regulated: logs, lumber, wood chips, mulch, packaging materials, and live trees. All hardwood firewood is regulated. Exceptions: Nuts, nutmeat, and hulls; processed

lumber = 100% bark free and kiln dried, with squared edges; finished wood products without bark, including walnut furniture, musical instruments and gun stocks.

RESTRICTIONS: No person shall move or cause to be moved a regulated article which originates in, or has transited through, a regulated area into or through the state of Minnesota unless:

- a. The person first enters in a compliance agreement with the Minnesota Department of Agriculture, and;
- b. The regulated article is accompanied by a phytosanitary certificate from the originating state verifying that the material complies with the conditions of the associated Minnesota Department of Agriculture compliance agreement.

The sale and/or movement of all regulated articles originating in areas other than those listed above must provide proof of harvest location of the wood by state.

<http://www.mda.state.mn.us/en/plants/plantdiseases/1000cankers/tcdquarantine.aspx>

INTERIOR QUARANTINE: EMERALD ASH BORER (*Agrilus Planipennis*)

PEST: Emerald ash borer, *Agrilus planipennis*

STATES REGULATED: All currently under federal program regulation for this pest.

Note: Within the state, the Minnesota interior quarantine includes a requirement for a compliance agreement to ship regulated ash commodities and non-coniferous firewood from Counties where a known infestation of emerald ash borer is known to exist. All regulated ash commodities and non-coniferous firewood may not be moved out of the infested and quarantined counties without a valid compliance agreement in place.

MATERIALS REGULATED: The emerald ash borer, *Agrilus planipennis* Fairmaire, in any stage of development, Entire ash trees, Ash limbs and branches, Ash stumps and roots, Ash logs, Ash lumber, Ash chips and ash bark chips, Firewood of any non-coniferous (hardwood) species and any article, product, or means of conveyance which the Commissioner determines to present a risk of spread of EAB and the Commissioner has notified the person in possession of that article, product, or means of conveyance, is subject to this quarantine.

RESTRICTIONS: Regulated items must be in compliance with federal quarantine and with Indiana regulations for counties/states containing a regulated site. Within the state, an interior quarantine has been placed on several counties. Refer to the Minnesota Department of Agriculture website for a current list of quarantined areas, listed in the current quarantine language:

<http://www.mda.state.mn.us/en/plants/pestmanagement/eab/eabquarantine.aspx>

INTERIOR QUARANTINE: GYPSY MOTH (*Lymantria dispar* (Linnaeus)) Signed July 1, 2014, modified on July 1, 2015.

PEST: Gypsy Moth, *Lamantria dispar* (Linnaeus)

STATES REGULATED: All currently under federal program regulation for this pest. Within the state, an interior quarantine has been placed on Cook and Lake Counties.

MATERIALS REGULATED: the gypsy moth, *Lymantria dispar* L., in any stage of development (egg, larva, pupa, adult), trees without roots (e.g., Christmas trees), trees with roots, and shrubs with roots and persistent woody stems, unless they are greenhouse grown throughout the year, logs, pulpwood, and bark and bark products, mobile homes and associated equipment or any other products, articles, or means of conveyance, of any character whatsoever, when it is determined by an inspector that any life stage of gypsy

moth is in proximity to such articles and the articles present a high risk of artificial spread of gypsy moth infestation and the person in possession thereof has been so notified.

RESTRICTIONS: Regulated articles and outdoor household articles from generally infested areas shall not be moved intrastate or interstate from any regulated area into or through any area that is not generally infested unless a certificate or permit has been issued and attached to such regulated article. Requirements under all other applicable State and Federal domestic plant quarantines must also be met.

- A) Movement of regulated articles from a quarantined area to a non-quarantined area is prohibited, except under conditions a. or b. below.
 - a. The regulated article shall have been inspected, treated, or subjected to special handling under a Compliance Agreement, held by an establishment within the quarantine area and a Certificate must be issued. The point of origin shall be indicated on the bill of lading or other shipping documents. The Certificate shall be attached to or associated with the regulated articles and shall remain on/with the regulated articles until such articles reach their final destination. The Certificate shall be given to the recipient at the destination of the shipment and shall be retained with the shipping documents.
 - i. Logs, or bark for mulch and bark products may be moved intrastate from a regulated area without a certificate if the person moving the article has attached a signed accurate statement to the shipping documents accompanying the article stating that he or she has inspected the article in accordance with the Gypsy Moth Program Manual no more than 5 days prior to the date of movement and has found no life stages of gypsy moth on the article.
 - ii. Pulpwood may be moved intrastate from a regulated area without a certificate if the person moving the article has attached a signed limited permit or other approved documentation to the shipping documents accompanying the article.
 - iii. Bark for use as fuel may be moved intrastate from a regulated area without a certificate if the person moving the article has attached a signed limited permit or other approved documentation, safeguards the product in storage and transit.
 - b. An outdoor household article shall not be moved intrastate from any generally infested area into or through any area that is not generally infested unless a certificate or OHA document has been issued and attached to such outdoor household article.

- B) Movement of regulated articles from a non-quarantined area transiting or traveling through a quarantined area into a non-quarantined area is allowed without a permit or certificate if conditions a, b, and c are met.
 - a. The point of origin of the article is clearly indicated by the shipping documents
 - b. Its identity has been maintained
 - c. It has been safeguarded against infestation while in any generally infested area during the months of May through September.

- c) Movement of Regulated Articles from a Non-Quarantined Area into a Quarantined Area
 - a. Regulated articles may move from a non-quarantined area into a quarantined area. Once an article has entered a quarantined area it is subject to the same restrictions as an article that originated from the quarantined area.
 - b. Removal of Regulated Articles from Unauthorized Areas.
 - i. Any regulated articles moved in violation of this quarantine shall be removed to a permitted area within 24 hours of discovery or shall be subject to destruction under the direction of the Commissioner and at the expense of the owner or owners.
 - c. Documentation.
 - i. All regulated articles originating from the quarantined area that are moved within Minnesota or that have been moved within Minnesota must be accompanied by certifications and/or shipping documents showing the movement was in accordance with this quarantine. Such documents must be shown to the Commissioner or any APHIS employee when requested.

EXTERIOR QUARANTINE: IMPORTATION OR TRANSPORTATION OF IRISH OR COMMON POTATOES

PESTS: All injurious bacteria, insects and nematodes associated with Irish or common potatoes.

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

MATERIALS REGULATED: Irish or common potatoes (*Solanum tuberosum*) and other materials capable of carrying plant pests.

RESTRICTIONS: The regulated products may not be moved into all of Lake of the Woods County, the townships of Laona and Oaks in Roseau County, and the township of Williams in Koochiching County, Minnesota from the regulated area.

EXTERIOR QUARANTINE: POTATO CONTAINER REGULATIONS

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

STATES REGULATED: All states except Minnesota and North Dakota.

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.