

# MONTANA

## SUMMARIES OF EXTERIOR QUARANTINES

Updated May 2016

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### **Pre-Notification of Shipments to Montana:**

Notification of nursery stock shipment to Montana can be sent via E-mail to [eeiring@mt.gov](mailto:eeiring@mt.gov) or faxed to: (406)444-9493.

Mailing address:

Montana Department of Agriculture  
Agricultural Sciences Division  
PO Box 200201  
Helena, MT 59620

**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.**

#### **DEFINITION OF NURSERY STOCK:**

"Nursery stock" means botanically classified plants or parts of plants, including but not limited to tropical potted plants, aquatic plants, cut trees and their products, and turf or sod grass. The following plants and plant materials **may** not be considered nursery stock:

- (a) field crop plants and seeds;
- (b) pasture grasses;
- (c) cut plants not for propagation;
- (d) fruits or vegetables for human or animal production;
- (e) cut trees and products that are going to be processed to a point that they no longer represent a pest risk; and
- (f) plant debris for disposal or processing.

#### **GENERAL SHIPPING REQUIREMENTS:**

Montana requires incoming nursery stock to be from a licensed nursery in the state of origin and to meet state and federal quarantine requirements. All plant material subject to Montana plant quarantine regulations must meet inspection and documentation conditions required within each specific quarantine.

#### **STATE NOXIOUS WEEDS:**

##### **Website Link:**

<http://agr.mt.gov/agr/Programs/Weeds/MTNWEC/NoxiousWeeds.html>

#### **Montana State Noxious Weed List**

*Effective: December 2013*

PRIORITY 1A These weeds are not present or have a very limited presence in Montana. Management criteria will require eradication if detected, education, and prevention:

- (a) Yellow starthistle (*Centaurea solstitialis*)
- (b) Dyer's woad (*Isatis tinctoria*)

PRIORITY 1B These weeds have limited presence in Montana.

Management criteria will require eradication or containment and education:

- (a) Knotweed complex (*Polygonum cuspidatum*, *P. sachalinense*, *P. x bohemicum*, *Fallopia japonica*, *F. sachalinensis*, *F. x bohémica*, *Reynoutria japonica*, *R. sachalinensis*, and *R.x bohémica*)
- (b) Purple loosestrife (*Lythrum salicaria*)
- (c) Rush skeletonweed (*Chondrilla juncea*)
- (d) Scotch broom (*Cytisus scoparius*)

**PRIORITY 2A** These weeds are common in isolated areas of Montana. Management criteria will require eradication or containment where less abundant. Management shall be prioritized by local weed districts:

- (a) Tansy ragwort (*Senecio jacobaea*, *Jacobaea vulgaris*)
- (b) Meadow hawkweed complex (*Hieracium caespitosum*, *H. praealtum*, *H. floridundum*, and *Pilosella caespitosa*)
- (c) Orange hawkweed (*Hieracium aurantiacum*, *Pilosella aurantiaca*)
- (d) Tall buttercup (*Ranunculus acris*)
- (e) Perennial pepperweed (*Lepidium latifolium*)
- (f) Yellowflag iris (*Iris pseudacorus*)
- (g) Blueweed (*Echium vulgare*)
- (h) Hoary alyssum (*Berteroa incana*)

**PRIORITY 2B** These weeds are abundant in Montana and widespread in many counties. Management criteria will require eradication or containment where less abundant. Management shall be prioritized by local weed districts:

- (a) Canada thistle (*Cirsium arvense*)
- (b) Field bindweed (*Convolvulus arvensis*)
- (c) Leafy spurge (*Euphorbia esula*)
- (d) Whitetop (*Cardaria draba*, *Lepidium draba*)
- (e) Russian knapweed (*Acroptilon repens*, *Rhaponticum repens*)
- (f) Spotted knapweed (*Centaurea stoebe*, *C. maculosa*)
- (g) Diffuse knapweed (*Centaurea diffusa*)
- (h) Dalmatian toadflax (*Linaria dalmatica*)
- (i) St. Johnswort (*Hypericum perforatum*)
- (j) Sulfur cinquefoil (*Potentilla recta*)
- (k) Common tansy (*Tanacetum vulgare*)
- (l) Oxeye daisy (*Leucanthemum vulgare*)
- (m) Houndstongue (*Cynoglossum officinale*)
- (n) Yellow toadflax (*Linaria vulgaris*)
- (o) Saltcedar (*Tamarix spp.*)
- (p) Flowering rush (*Butomus umbellatus*)
- (q) Eurasian watermilfoil (*Myriophyllum spicatum*)
- (r) Curlyleaf pondweed (*Potamogeton crispus*)

**Priority 3 Regulated Plants: (NOT MONTANA LISTED NOXIOUS WEEDS)**

These regulated plants have the potential to have significant negative impacts. The plant may not be intentionally spread or sold other than as a contaminant in agricultural products. The state recommends research, education and prevention to minimize the spread of the regulated plant.

- Cheatgrass (*Bromus tectorum*)
- Hydrilla (*Hydrilla verticillata*)
- Russian olive (*Elaeagnus angustifolia*)

## **QUARANTINES OR ADDITIONAL REQUIREMENTS:**

**Website link:** <http://agr.mt.gov/agr/Programs/PestMgt/quarantines/>

### **I. EUROPEAN PINE SHOOT MOTH QUARANTINE**

**Pest:** European Pine Shoot (*Rhyacionia bouliana*)

**Regulated Area:** The entire states of CT, DE, ID, IL, IN, IA, ME, MD, MA, MI,

MO, NH, NJ, NY, OH, OR, PA, RI, WV, WI, and WA.

**Materials Regulated:**

1. All species of pine trees, *Pinus spp.*, with or without roots, and the branches or twigs of pine-bearing terminal buds, needles, or shoots.
2. The European pine shoot moth, Lepidoptera: Tortricidae: *Rhyacionia bouliana*, in any living stage of development.
3. Entire pine (*Pinus spp.*) trees.
4. Pine limbs and branches.
5. Any article, product or means of conveyance when it is determined by the Director to present the risk of spread of the European pine shoot moth (Lepidoptera: Tortricidae, *Rhyacionia bouliana*).

**Restrictions:** Regulated articles shall not be moved by any person from any regulated areas into or within the State of Montana unless each shipment is accompanied by either:

1. Documentation of origin for each shipment in the form of a bill of lading or invoice if coming from an area known not to be infested, or;
2. A phytosanitary certificate for each shipment attesting to pest freedom for each growing site that has been trapped and found free of the insect, or;
3. A phytosanitary certificate for each shipment attesting to pest freedom based on shipping on point inspection of each article.
4. *Pinus* articles may be inspected, at the importer's cost, by a Montana Department of Agriculture inspector to ascertain freedom from European pine shoot moth.
5. *Pinus* articles that are wild-collected, or made from wild-collected materials, must have a phytosanitary certificate attesting to pest freedom based on a shipping point inspection or be inspected immediately upon arrival into the State of Montana, by a Montana Department of Agriculture inspector to ascertain freedom from European pine shoot moth.

This is a zero tolerance quarantine. At present, Montana has no known infestations of this insect, as supported by yearly survey using EPSM male sex attractant pheromone in Pherocon II traps.

**II. SEED POTATO DISEASE CONTROL**

**Website link:** <http://agr.mt.gov/agr/Programs/PestMgt/quarantines/>

**Pest:** Contagious diseases of seed potatoes

**Regulated Area:** All states

**Materials Regulated Articles:** Certified seed potatoes for commercial purposes

**Restrictions:** Regulated articles may not be imported into Montana for any commercial purpose unless the seed potatoes meet all of the following conditions:

1. From seed stock produced as a part of a certified seed potato crop in the state or country of origin and certified as being from that stock;
2. subject to inspection at the Montana receiving point by a federal or state-federal standard grade inspector;
3. shipped in a clean, disinfected container or transportation carrier; and
4. accompanied by a USDA or state or origin certification of inspection describing the seed variety, seed class, standard grade, quality or condition, and seed source and have affixed to each inspection certificate an official state of origin seed potato certification tag or label.

### III. JAPANESE BEETLE: EXTERIOR

**Website link:** <http://agr.mt.gov/agr/Programs/PestMgt/quarantines/>

**Pest:** Japanese Beetle (*Popillia japonica* Newmann)

**Reason for Quarantine.** To minimize the potential for introduction of Japanese beetle in areas of Montana not known to be infested. Japanese beetle is a destructive pest known to feed on more than 500 species of plant, including a wide variety of trees, shrubs, grasses, nursery plants, and field and vegetable crops.

#### **Regulated Area**

(1) Areas subject to quarantine requirements:

- (a) The entire states of Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania,

- Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin;
- (b) The entire Canadian provinces of Ontario, Quebec, New Brunswick, Nova Scotia, and Prince Edward Island;
  - (c) Any infested area regulated by another state or province;
  - (d) The Colorado Counties of El Paso, Douglas, Jefferson, Arapahoe, Adams, Boulder, Larimer, Weld, Broomfield, and Denver; and
  - (e) Any areas not mentioned above and subsequently found to be infested and areas not demonstrated free of infestation.
  - (f) Any area designated by the Director.

(2) Areas not subject to quarantine requirements:

- (a) The entire states of Alaska, Arizona, California, Hawaii, Oregon, Washington, Idaho, Utah, Nevada, North Dakota, and Wyoming and
- (b) Colorado, all counties not listed in (d) above.

### **Regulated Articles**

1. Japanese beetle in any living stage of development.
2. Soil, humus, compost, and manure except that which is:
  - a. Commercially packaged in a manner as to render it free of Japanese beetle and
  - b. Under a federal compliance agreement;
3. All non-gramineous plants with roots, except bare root plants free of soil or plant media larger than ½ inch in diameter;
4. Grass and grass sod;
5. Plant crowns or roots for propagation except those free of soil or plant media greater than ½ inch in diameter;
6. Bulbs, corms, tubers, and rhizomes or ornamental plants except those free of soil or plant media greater than ½ inch in diameter; and
7. Any other plant, plant part, article, or means of conveyance when determined to be a risk of spreading live Japanese beetle by the Director.

### **Restrictions**

All regulated articles and commodities are prohibited entry into Montana from an area under quarantine except as listed in this Quarantine. A phytosanitary certificate or other document attesting to quarantine compliance must accompany all regulated articles.

### **Pre-Notification to State Plant Regulatory Official**

Advance pre-notification of regulated articles is required. Advance notification must occur 48 hours prior to entry into Montana. Advance pre-notification must include:

1. Name, contact information, and address of shipping nursery;
2. Date of notification;

3. Copy of Bill of Lading or Invoice;
4. Description of regulated articles – scientific name of plant(s), quantity, size description;
5. Means of conveyance;
6. Shipping date;
7. Arrival date(s);
8. Name and address of receiving individuals, business(es), or nursery(ies)
  - a. If multiple drops are planned, order of delivery and above information for each delivery point is required; and
9. Statement “***This notification is given in accordance with Montana Quarantine MTQ-2013-01.***”

Notifications must be e-mailed to [agrpmb@mt.gov](mailto:agrpmb@mt.gov), mailed to the Department to the attention of the Pest Management Bureau or faxed to 406-444-9466. Office hours are Monday through Friday, 8 am to 5 pm, MST, excluding state recognized holidays. All regulated articles allowed under the exceptions listed below may be subject to inspection upon entry into Montana or at first point of delivery prior to or during unloading, at the discretion of the department.

**Regulated articles may be imported into Montana under the following conditions:**

**A. Production during a Pest Free Window.**

The entire rooted plant production cycle will be completed within a pest free window, in Japanese beetle-free commercial growing medium or sterilized field soil, i.e., planting, growth, harvest, and shipment will occur outside the adult Japanese beetle flight period, June through September. The accompanying phytosanitary certificate shall bear the following Additional Declaration: ***"These plants were produced outside the Japanese beetle flight season in Japanese beetle-free growing medium or sterilized field soil"***.

**B. Bareroot Plants.**

1. Plants with roots are acceptable if they are free from soil and growing media greater than ½ inch in diameter.

A state Phytosanitary Certificate must accompany plants and must have the following additional declaration ***"The plants are bareroot, attached clumps of soil or growing media are less than ½ inch in diameter."***

**C. Production in an Approved Japanese Beetle Free Greenhouse/Screenhouse.**

All the following criteria apply:

1. All media must be sterilized, except for commercially processed or prepared (soilless) growing material.
2. All stock must be free of soil (bareroot) before planting into the approved medium.
3. The potted plants must be maintained within the greenhouse/screenhouse

- during the entire adult flight period.
4. During the adult flight period the greenhouse/screenhouse must be made secure so that adult Japanese beetle cannot gain entry. Security will be documented by the appropriate phytosanitary official.
  5. No Japanese beetle contaminated material shall be allowed into the secured area at any time.
  6. The greenhouse/screenhouse will be officially inspected by phytosanitary officials and must be specifically approved as a secure area. They shall be inspected by the same officials for the presence of all life stages of the Japanese beetle.
  7. The plants and their growing medium must be appropriately protected from subsequent infestation while being stored, packed and shipped.
  8. Certified greenhouse/screenhouse nursery stock may not be transported into or through any infested areas unless identity is preserved and adequate safeguards are applied to prevent possible infestation.

A state Phytosanitary Certificate must accompany each shipment and must have the following additional declaration: ***“The rooted plants (or crowns) were produced in an approved Japanese beetle free greenhouse or screenhouse.”***

#### **D. Japanese Beetle Nursery Trapping Program**

All the following criteria apply:

1. The shipment must meet all requirements outlined in the National Plant Board U.S. Domestic Japanese Beetle Harmonization Plan.
2. The purpose of the trapping program or delimitation survey is to determine the Japanese beetle status of nursery sites within the Japanese beetle generally infested area. Regulated nursery stock produced in nurseries found to be free from Japanese beetle based on the nursery trapping program can be certified for shipment when accompanied by a certificate with the following Additional Declaration: ***“The plants were produced in a nursery which was found to be free from Japanese beetle based on a nursery trapping program.”***

#### **E. Application of Approved Regulatory Treatments**

All the following criteria apply:

3. The shipment must arrive in Montana outside the Japanese beetle flight season October 1<sup>st</sup> through May 31<sup>st</sup>.
4. Shipments of field grown Nursery Sock and Sod are prohibited entry into Montana during the period of June 1st through September 30th annually unless shipped under a Bonded Compliance Agreement.
5. The shipment must meet all requirements outlined in the National Plant Board U.S. Domestic Japanese Beetle Harmonization Plan.
6. All treatments will be performed under regulatory supervision or under compliance agreement. Treatments will be monitored closely throughout



the season. A state phytosanitary certificate which lists and verifies the treatment used must accompany the shipment with the following Additional Declaration ***"The plants (or sod) were treated to control Japanese beetle according to the criteria for shipment to category 2 states as provided in the U.S. Domestic Japanese Beetle Harmonization Plan."***

**F. Shipments of field grown Nursery Stock are prohibited entry into Montana during the period of June 1st through September 30<sup>th</sup> annually unless shipped under a Bonded Compliance Agreement.  
Bonded Compliance Agreement**

The Department will consider, on a case by case basis, the use of a bonded compliance agreement if such compliance agreement can demonstrate, to the satisfaction of the Department, that plants can be protected against infestation by all stages of Japanese beetle through all phases of growth, management, storage, packaging, and shipment. Nurseries may send bonded compliance agreement proposals to the Montana Department of Agriculture at 302 N. Roberts, Helena, MT 59620-0201, [agrpm@mt.gov](mailto:agrpm@mt.gov), or fax to 406-444-9466.

1. Requirements and expected conditions, processes, and practices under a compliance agreement will be monitored closely throughout the season by the Montana Department of Agriculture or by an authorized agricultural official in the originating state. All costs associated with monitoring are the responsibility of the nursery.
2. The bond amount will be commensurate with the risk of Japanese beetle introduction, size and type of operation, number and type of plants, and operational practices.
3. Bond values will be determined by the Department but will be no less than one million dollars. Bonds will be based on nursery stock shipped into Montana.
  - a. The bond will run continuously with the compliance agreement until the compliance agreement is terminated by either party or the department revokes the compliance agreement.
  - b. The department may demand an increase in the bond or an additional bond if the conditions, practices, or other factors increase the risk associated with regulated articles intended for transport or shipment into Montana.
  - c. A 60-day written notice sent by certified mail must be given to the department by the bonding company before any bond is canceled, however, cancellation of the bond does not terminate any liability of the surety incurred prior to the date of cancellation.
4. Bonds will be used by the Department, in the event of an introduction of Japanese beetle in Montana from the nursery, to conduct activities necessary to assess and respond to the introduction. Activities may include, but are not limited to, survey, trapping, identification and confirmation, eradication and

management.

All shipments of regulated articles under a bonded compliance agreement must be accompanied by a state Phytosanitary Certificate and bear the following additional declaration ***“The plants were grown, produced, and shipped to meet conditions specified in the bonded compliance agreement CG-20xx-xx and meet the Montana Japanese Beetle Quarantine requirements.”***

#### **Disposition of Regulated Articles under Quarantine**

Disposition of regulated articles arriving in Montana in violation of the quarantine shall be immediately sent out of state, destroyed, or treated by a method and in a manner directed by the Montana State Plant Regulatory Official. Cost of removal, destruction, and treatment are at the expense of the owner, owners, or their duly authorized agents. Violations are subject to civil penalties as listed in Administrative Rules of Montana 4.12.1307 and may be subject to other enforcement actions.

#### **IV. POTATO LATE BLIGHT**

##### **Website:**

**<http://agr.mt.gov/agr/Programs/PestMgt/quarantines/PDFs/quarantineLateBlight.pdf>**

**Pest:** Late blight (*Phytophthora infestans*)

**Regulated Area:** Any area outside of or within Montana that may be infested with Late Blight.

##### **Regulated Articles:**

1. Seed potatoes.
2. Potato plants.
3. Tomato plants including all varieties of *Lycopersicon lycopersicum* and *L. pimpinellifolium*. Tomato seeds are not regulated articles.
4. Any article, product or means of conveyance when it is determined by the Director to present the risk of the spread of Late Blight, *Phytophthora infestans*.

##### **Restrictions:**

1. No individual, firm, or nursery shall import regulated articles into Montana except under the following conditions:

- a. Seed potatoes or potato plants are produced as certified seed potatoes in the state or country of origin and are certified, are inspected in the storage warehouse and no late blight is found in the lot, and are inspected at the shipping point and no late blight is found.
  - b. Tomato plants are produced in greenhouses not containing other unprotected, susceptible plant materials; are treated with a registered fungicide from the time the tomato seedlings produce their first pair of true leaves following a schedule recommended by the state's cooperative extension service, satisfactory to state plant regulatory officials, for late blight disease control; are inspected prior to shipment and found free from late blight disease; and are packed at the point of origin.
  - c. These restrictions do not apply to any unit of the Montana university system when importing into Montana potato seeds or plants or tomato plants for research, propagation, or education. Such plant materials must be certified free of late blight disease prior to import into Montana or must be placed in a Montana university system quarantine facility and properly disposed of when research is concluded.
  - d. States may apply to the department for an exemption from the requirements for tomato plants based on climatic conditions, seasonal occurrence of late blight, and shipping dates that preclude late blight infection.
  - e. Each shipment of regulated articles into Montana must be accompanied by an official certificate issued by the government regulatory agency responsible for phytosanitary certification stating that the shipment meets the requirements of this order. The regulatory agency will follow accepted phytosanitary procedures in assuring that the conditions of this rule are met.
2. No individual, firm, or nursery shall sell or plant in any location in Montana or move within Montana any regulated articles that were imported into Montana in violation of this rule.
  3. The provisions of this rule do not apply to regulated articles being transported in enclosed containers through Montana in interstate or international commerce.
  4. Commercial or table stock potatoes imported into Montana shall not be planted or used as seed potatoes in any location in Montana.
  5. The provisions of (1), (2), and (4) do not apply to any unit of the Montana university system when importing into Montana potato seeds or plants or tomato plants for research, propagation, or education. Such plant materials must be certified free of late blight disease prior to import into Montana or must be placed

in a Montana university system quarantine facility and properly disposed of when research is concluded.

6. All cull tubers must be disposed of properly and rendered nonviable by June 1 of each year.

**Other Considerations:**

1. This order may prohibit movement and require the removal and destruction of regulated articles. Firms may be permitted to return unsold tomato plants and potato seeds to out-of-state dealers under conditions approved by the department.

2. Orders are subject to appeal pursuant to the provisions of the Montana Administrative Procedure Act (Title 2, chapter 4, MCA) and the procedural rules of the department.

3. Any individual, firm, or nursery shall notify the department within 48 hours of discovery of any infestation of late blight, and shall then comply with the instructions of the department for control of the infestation and disposition of infested materials.

4. Any individual, firm, or nursery that violates or aids in the violation of this rule or a quarantine order shall be in violation and subject to penalties provided by 80-7-135, MCA.