

# INDIANA

## SUMMARY OF PLANT PROTECTION REGULATIONS

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Indiana Department of Natural Resources  
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### **NURSERY STOCK DEFINITION**

Nursery stock means botanically classified hardy perennial or biennial trees, shrubs, vines and plants, fruit pits, and other plants or plant parts capable of propagation. The term does not include corms, tubers, field vegetables or flower seeds (IC14-8-2-184).

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### **GENERAL SHIPPING REQUIREMENTS**

A copy of the certificate must be attached to each package of nursery stock before shipment of the stock by a nurseryman. [IC14-24-5-3] (No language regarding reciprocity is currently in statute or rule.)

Every package of nursery stock shipped into Indiana from another state must be labeled on the outside with the name of the consignor, the name of the consignee, and a certificate from the other state showing that the contents have been examined and found free from pests and pathogens. [IC 14-24-5-4] All nursery stock imported into Indiana for resale shall be labeled individually with the common name, botanical name, and hardiness zone of the stock with the exception of bulbs and other plant parts used for propagation. Nursery stock imported into Indiana by a nursery grower does not have to be labeled if the nursery grower holds, grows or transplants the nursery stock for a period of 5 years after import [312 IAC 18-4-5]

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**NOXIOUS WEEDS** – Controlled by County Weed Boards and Township Trustees and regulated by Office of the Indiana State Chemist and State Seed Commissioner. Contact

information for the Office of the Indiana State Chemist, and the State Seed Commissioner can be found here: <http://www.isco.purdue.edu>

**Sale of seeds of these plants is prohibited.**

<i>Cirsium arvense</i> .....	Canada thistle
<i>Sorghum halepense</i> .....	Johnson grass
<i>Sorghum almum</i> .....	Columbus grass
<i>Sicyos angulatus</i> .....	Bur cucumber
<i>Sorghum bicolor</i> .....	Shattercane

**REGULATED PLANTS** – Regulated by Indiana Department of Natural Resources or Law Enforcement Agencies. Plants are under control programs, and/or are prohibited or restricted from sale or distribution in Indiana.

<i>Cannabis sativa</i> .....	Marijuana
<i>Lythrum</i> (all species, varieties, and cultivars).....	Purple loosestrife
<i>Pueraria lobata</i> .....	Kudzu
<i>Rosa Multiflora</i> .....	Multiflora rose

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**ADDITIONAL REQUIREMENTS AND QUARANTINES**

**PROHIBITED INVASIVE AQUATIC PLANTS [312 IAC 18-3-23]**

- PEST: (1) *Azolla pinnata* (mosquito fern)  
(2) *Butomus umbellatus* (flowering rush)  
(3) *Caulerpa taxifolia* (Caulerpa or Mediterranean killer algae)  
(4) *Egeria densa* (Brazilian elodea, Brazilian waterweed, Anacharis, or Egeria)  
(5) *Eichhornia azurea* (anchored water hyacinth)  
(6) *Hydrilla verticillata* (Hydrilla or water thyme)  
(7) *Hydrocharis morsus-ranae* (European frogbit or common frogbit)  
(8) *Hygrophilia polysperma* (Miramar weed, Indiana swampweed, or hygro)  
(9) *Ipomoea aquatica* (Chinese waterspinach or swamp morning-glory)  
(10) *Iris pseudacorus* (yellow flag iris or tall yellow iris)  
(11) *Lagarosiphon major* (oxygen weed or African elodea)  
(12) *Limnophila sessiliflora* (Asian marshweed or ambulia)  
(13) *Monochoria hastata* (Monochoria, arrowleaf, or false pickerelweed)  
(14) *Monochoria vaginalis* (heartshape or false pickerelweed)  
(15) *Myriophyllum aquaticum* (parrot feather or parrot feather watermilfoil)  
(16) *Myriophyllum spicatum* (Eurasian watermilfoil)  
(17) *Najas minor* (brittle naiad or brittle water nymph)  
(18) *Nymphoides peltata* (yellow floating heart)  
(19) *Ottelia alismoides* (duck lettuce)  
(20) *Potamogeton crispus* (curlyleaf pondweed)  
(21) *Sagittaria sagittifolia* (arrowhead)  
(22) *Salvinia auriculata* (giant salvinia)  
(23) *Salvinia biloba* (giant salvinia)

- (24) *Salvinia herzogii* (giant salvinia)
- (25) *Salvinia molesta* (giant salvinia)
- (26) *Sparganium erectum* (exotic bur-reed)
- (27) *Trapa natans* (water chestnut)
- (28) *Typha angustifolia* (narrow-leaf cattail)

STATES REGULATED: All

MATERIALS REGULATED: Any part or life stage of the species identified above.

RESTRICTIONS: A person must not do the following with respect to any species identified above; (1) sell, offer for sale, gift, barter, exchange, or distribute a species, (2) transport a species on or within any; boat, trailer, motor vehicle, bait bucket, fishing gear, creel, tackle, tackle box, or other means. Exempted from this section are the following: (1) a person who possesses a species identified above, under which a permit has issued by the Indiana State Entomologist, (2) a person engaged in a project approved by the Indiana State Entomologist for the destruction of a species.

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#### **SUDDEN OAK DEATH (*Phytophthora ramorum*) PRE-SHIPMENT NOTIFICATION**

PEST: Sudden Oak Death, *Ramorum* disease, *Phytophthora ramorum*.

STATES REGULATED: California, Washington, & Oregon.

MATERIALS REGULATED: Federally recognized hosts and associated hosts of *Phytophthora ramorum*.

[http://www.aphis.usda.gov/plant\\_health/plant\\_pest\\_info/pram/downloads/pdf\\_files/usdaprlist.pdf](http://www.aphis.usda.gov/plant_health/plant_pest_info/pram/downloads/pdf_files/usdaprlist.pdf)

REQUIREMENTS: When required, notification of nursery stock shipments to Indiana can be sent via E-mail to [DEPP@dnr.IN.gov](mailto:DEPP@dnr.IN.gov) or [PMarshall@dnr.IN.gov](mailto:PMarshall@dnr.IN.gov); faxed to (317) 232-2649; or mailed to the above address.

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#### **RELEASE OF A BENEFICIAL ORGANISM OR PEST OR PATHOGEN [312 IAC 18-3-15]**

ORGANISM – Any organism except those listed as exempt cited in the Natural Resources Commission Informational Bulletin #44 “List of Beneficial Organisms Exempted from Licensure” posted on the IDNR, Division of Entomology and Plant Pathology website. <http://www.in.gov/dnr/entomolo>

STATES REGULATED: All

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**MATERIALS REGULATED:** [312 IAC 18-3-15] All proposed beneficial organisms, pests, or pathogens to be released except those exempted by the Natural Resources Commission Informational Bulletin #44.

**RESTRICTIONS:** Persons who release organisms without state review and permitting according to 312 IAC 18-3-15 may be held liable for damages.

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### **THOUSAND CANKERS DISEASE [312 IAC 18-3]**

**PEST:** Walnut twig beetle, *Pityophthorus juglandis*; & *Geosmithia morbida* sp. nov

**STATES REGULATED:** Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Tennessee, Utah, Washington, and any area of the United States determined by the State Entomologist to have Thousand Cankers Disease

**MATERIALS REGULATED:** The walnut twig beetle, and/or *Geosmithia morbida* sp. nov in any living stage of development. In addition, any of the following originating from or transiting through a regulated area; firewood of any non-coniferous species, plants and plant parts of walnut, including the following: nursery stock, budwood, scion wood and green lumber; other material whether living or dead, such as logs, stumps, roots, branches, and chips. Exempted plant parts of walnut are nuts, nut meats, hulls, processed lumber that is one hundred percent (100%) bark free, kiln dried with square edges and finished wood products without bark (ex. furniture, instruments, and gun stocks).

**RESTRICTIONS:** A person must not move any regulated articles into or through Indiana unless the person: (1) obtains a Compliance Agreement from the Division and ensures a copy of the Compliance Agreement remains with the regulated article during transit to & within Indiana; and (2) has the regulated article inspected at the point of origin by a State Department of Agriculture or State regulatory official to determine the presence or absence of thousand cankers disease; or (3) obtains a Phytosanitary Certificate, issued by the State of origin plant regulatory official, that indicates the origin of the regulated material to the County level, and the Phytosanitary Certificate is to remain with the regulated article during transit to/through Indiana, and (4) notifies the State Entomologist, or his representatives, at least twenty-four (24) hours before the regulated article arrives at the destination in Indiana, and (5) the regulated material is quarantined at the destination in Indiana and must be inspected by Division of Entomology & Plant Pathology inspectors before the regulated article is released to the Indiana business.

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### **BLACK VINE WEEVIL QUARANTINE [312 IAC 18-3-10]**

**PEST:** Black Vine Weevil, *Otiorhynchus sulcatus*

**STATES REGULATED:** All

**MATERIALS REGULATED:** All nursery stock

RESTRICTIONS: Stock must be free from black vine weevil or evidence of damage. Site shipping the stock shall be certified free from black vine weevil for two consecutive seasons prior to shipment.

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#### **EMERALD ASH BORER QUARANTINE [312 IAC 18-3-18]**

PEST: Emerald ash borer, *Agrilus planipennis*

STATES REGULATED: All currently under federal program regulation for this pest. Note: The Indiana quarantine includes comprehensive certification requirements for states shipping 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 must be accompanied by a certificate of inspection and certification that the ash is free of emerald ash borer and that the firewood is free from ash.

MATERIALS REGULATED: All regulated items listed under the Federal emerald ash borer quarantine (7 CFR 301.53-1 through 301.53-9).

RESTRICTIONS: Regulated items must be in compliance with federal quarantine and with Indiana regulations [312 IAC 18-3-18] for counties/states containing a regulated site. The entire state is under the federal quarantine. Refer to the IDNR, Division of Entomology and Plant Pathology website for a current list of quarantined areas: <http://www.in.gov/dnr/entomolo/3443.htm>

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#### **GYPSY MOTH QUARANTINE [312 IAC 18-3-14]**

PEST: Gypsy moth, *Lymantria dispar* L.

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

MATERIALS REGULATED: All regulated items listed under the Federal gypsy moth quarantine (7 CFR 301.45-1 through 301.45-12)

RESTRICTIONS: Regulated items must be in compliance with federal quarantine. Indiana currently has ten northern counties under a parallel federal-state internal quarantine; refer to the IDNR, Division of Entomology and Plant Pathology website for a current list of quarantined counties. <http://www.in.gov/dnr/entomolo>

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#### **LARGER PINE SHOOT BEETLE QUARANTINE [312 IAC 18-3-12]**

PEST: Larger Pine Shoot Beetle, *Tomicus piniperda*

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STATES REGULATED: All currently under Federal regulation for this pest (7 CFR 301.50-1 through 301.50-9).

MATERIALS REGULATED: *Pinus* species as regulated in the federal quarantine.

RESTRICTIONS: Stock must be in compliance with federal quarantine. The Indiana quarantine is in the process of being repealed. Upon repeal, the entire State of Indiana will be under the Federal quarantine.

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### **AFRICANIZED BEES [312 IAC 18-3-7]**

PEST: Africanized bee, *Apis mellifera scutellata*

STATES REGULATED: All

MATERIALS REGULATED: Feral and managed colony bees.

RESTRICTIONS: Should Africanized bees be located in the State of Indiana, the Division Director shall institute a quarantine and eradication program to destroy the invasive population per Indiana code. Eradication activity shall continue for the minimum of one year and the maximum at the discretion of the Division Director.

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### **GIANT AFRICAN LAND SNAIL QUARANTINE [312 IAC 18-3-19]**

PEST: Giant African Land Snail, *Achatina achatina* (L.), *Achatina fulica* Bowdich, *Achatina marginata*, and other species of the family Achatinidae.

STATES REGULATED: All.

MATERIALS REGULATED: African land snails.

RESTRICTIONS: A person must not possess, offer for sale, sell, give away, barter, exchange or otherwise distribute or release a giant African land snail in any stage of life in Indiana without a permit provided by the Division Director attesting to containment for scientific research.

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### **VIRUSES OF ROSE QUARANTINE [312 IAC 18-3-9]**

PESTS: Includes apple mosaic virus and *Prunus* ringspot virus.

STATES REGULATED: All

MATERIALS REGULATED: Rose plants with roots to be sold as out-plants.

RESTRICTIONS: Plants must be inspected during the season in which symptoms are expressed and certified as free from any sign of viral infection.

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#### **CROWN GALL QUARANTINE [312 IAC 18-3-11]**

PEST: Crown Gall, caused by *Agrobacterium tumefaciens*

STATES REGULATED: All

MATERIALS REGULATED: All life stages of *Agrobacterium tumefaciens*, and all perennial hosts of *Agrobacterium tumefaciens*

RESTRICTIONS: Material shipped into Indiana must be free from crown gall. Site shipping the stock shall be certified free from crown gall for two consecutive seasons prior to shipment or the stock may be from tissue-cultured stock certified free from crown gall and grown in sterile soil.

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#### **BLACK STEM RUST QUARANTINE [312 IAC 18-3-8]**

PEST: Basidiospores of Wheat Stem Rust Fungus, *Puccinia graminis*

STATES REGULATED: All.

MATERIALS REGULATED: Seedlings and plants that exhibit growth for less than two years of the genus *Berberis*; all plants, seeds, fruits, and other plant parts capable of propagation from *Berberis*, *Mahoberberis*, and *Mahonia* species as listed in Indiana Code.

RESTRICTIONS: All *Berberis* seedlings that exhibit growth for less than two years or rust-susceptible *Berberis*, *Mahoberberis*, and *Mahonia* are prohibited from moving interstate or through Indiana. Any rust-susceptible stock of the genera *Berberis*, *Mahoberberis*, and *Mahonia* found in nurseries in Indiana shall be destroyed.

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#### **PESTS AND PATHOGENS OF STRAWBERRY PLANT QUARANTINE [312 IAC 18-4-4]**

PEST: Pests of Strawberry including Red stele disease, Crimp (foliar nematode disease), Crown borer, Root weevil, Root aphid, and Strawberry root worm.

STATES REGULATED: All.

MATERIALS REGULATED: Strawberry plants shipped into Indiana to be offered for resale.

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RESTRICTIONS: Upon entry to Indiana, plants must be inspected during the season in which symptoms are expressed and certified as free from any sign of the above pests or pathogens prior to resale.