

TENNESSEE

SUMMARY OF PLANT PROTECTION REGULATIONS Updated February, 2011

Tennessee Department of Agriculture
Division of Regulatory Services, Plant Certification Section
Ellington Agricultural Center
Box 40627, Melrose Station
Nashville, TN 37204

Gray Haun.....Administrator, Plant Certification Section
Phone: (615) 837-5338; Fax: (615) 837-5246
Email: Walker.Haun@ tn.gov

E-mail for *Phytophthora ramorum* pre-notification: Plant.Certification@tn.gov

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

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-01.pdf>

Nursery stock shall include all plants, trees, shrubs, perennials, sod, vegetable plants, vines, cuttings, grafts, scions, and buds grown or kept for distribution or sale on a commercial basis.

GENERAL SHIPPING REQUIREMENTS

Each bundle package or container of nursery stock shipped or transported into Tennessee must be accompanied by a certificate tag, label, or stamp issued by the appropriate regulatory agency of the state of origin, certifying that the nursery stock to which it is attached has been appropriately inspected and found to be apparently free of insects and plant diseases.

QUARANTINES OR ADDITIONAL REQUIREMENTS

STRAWBERRY PLANTS

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-02.pdf>

No strawberry plants shall be sold, offered, stored, or held for sale, or transported within or into the State of Tennessee unless they shall have been certified as being essentially free of insect pests and plant diseases by a legally constituted agency designated for such purpose in the state, other states, territories, or counties. Strawberry plants sold, offered for sale or stored for subsequent sale, traded, delivered, distributed, shipped, or offered

for shipment, shall bear on each bundle of plants a tag showing the certificate number and or the grower name and address and the variety of such plants.

TURFGRASS

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-04.pdf>

No turfgrass sod shall be sold, offered, stored or held for sale, or transported within or into the State of Tennessee unless such stock shall have been certified as being essentially free of injurious plant pests, diseases, weeds, and mixtures of other grasses by a legally constituted agency designated for such purposes in the state, other states, territories or countries. Uncertified turfgrass sod may be allowed to be moved within the state under a permit issued by the legally constituted agency designated for such purposes.

VEGETABLE PLANT CERTIFICATION

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-18.pdf>

No vegetable plants shall be sold, (tomato, pepper, cabbage, broccoli, and cauliflower) offered for sale, held for sale, or transported into or within the State of Tennessee unless they have been certified as being essentially free of insect pests and plant diseases and true to name by the state authority or certified by a legally constituted agency designated for such purpose in other states, territories or countries. All vegetable plants (tomato, pepper, cabbage, broccoli and cauliflower) shipped, sold, delivered or transported for sale or delivery in this state shall have affixed to each container a tag which shall bear a copy of the valid certificate covering such plants.

IRISH POTATOES AND SWEET POTATO CERTIFICATION

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-05.pdf>

Irish potato and sweet potato certification is by request, although potatoes offered, stored or held for sale, or transported within the state shall not bear an invalid certification.

BROWN GARDEN SNAIL QUARANTINE

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-12.pdf>

PEST: Brown Garden Snail, *Helix aspersa* Muller

STATES REGULATED: AZ, CA, any other state with a known infestation of brown garden snail or other injurious phytophagous snails.

MATERIALS REGULATED: The brown garden snail in any stage of development, nursery stock, other plants, plant material and articles or things capable of transporting the brown garden snail.

RESTRICTIONS: (1) Regulated materials must be accompanied by a certificate of quarantine compliance issued by and bearing the signature of an authorized inspector of the state of origin. The certificate will verify freedom from or that the commodities have been properly treated as recommended in the USDA, APHIS, PPQ Treatment Manual. (2) Nurseries shipping regulated material into Tennessee, which are rejected, will be required to ship regulated materials from Tennessee or

be destroyed. Multiple violations would prevent a nursery from moving plants and materials into Tennessee until such time as they can meet requirements.

BOLL WEEVIL ERADICATION RULE

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-22.pdf>

PEST: Boll Weevil, *Anthonomus grandis*

STATE REGULATED: All states or portions thereof infested with boll weevil.

MATERIALS REGULATED: The boll weevil, *Anthonomus grandis* Boheman, in any living stage of development; Gin Trash; Seed Cotton; Cotton Plants, bolls; Used cotton equipment; any other products, articles, means of conveyance, or any item whatsoever which is determined by the Commissioner to present a hazard in the spread of the boll weevil, and the person in possession of such item has been so notified.

RESTRICTIONS: a) Regulated items moving from a regulated area into or through the elimination area of the State of Tennessee shall be accompanied by a certificate or permit issued by an authorized regulatory official in the state where such article originated.

b) Regulated articles originating outside a regulated area may be moved into or through the elimination area of the State of Tennessee without a permit, if accompanied by documentation of their point of origin and if, to the satisfaction of the Commissioner, such articles have been adequately protected from boll weevil infestation during movement through all regulated areas.

CAMELLIA FLOWER BLIGHT QUARANTINE

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-09.pdf>

PEST: Camellia Flower Blight, *Sclerotinia camelliae*

STATE REGULATED: CA, GA, LA, NC, OR, VA and all other states that do not maintain restriction against the movement of restricted material from designated infested states or areas into their respective states.

MATERIALS REGULATED: Balled and potted camellia plants and cut camellia flowers may not be moved into Tennessee from the infested areas. Plants free from soil showing no trace of color, when accompanied by certificate issued by a duly authorized official of the state of origin may be moved into the state.

EMERALD ASH BORER QUARANTINE

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-10.20100806.pdf>

PEST: Emerald Ash Borer (*Agrilus planipennis*)

STATES REGULATED: IL, IN, IA, KY, MD, MI, MN, MO, NY, OH, PA, TN, VA, WI, WV, and Canada

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COUNTIES REGULATED IN TN: KNOX, LOUDON

MATERIALS REGULATED: Emerald Ash Borer; firewood of all hardwood (non-coniferous) species; nursery stock, green lumber, and other material living, dead, cut, or fallen, including logs, stumps, roots, branches, mulch and composted and un-composted chips of the genus *Fraxinus*.

RESTRICTIONS: Regulated articles originating outside the quarantined area may be moved through the quarantined area under the following conditions.

1. The points of origin and destination are indicated on a document accompanying the regulated article; and
2. the regulated article, if moved through the quarantined area during the period of April 1 through September 30 or when the ambient air temperature is 40 degrees F or higher, is moved in an enclosed vehicle or is completely covered to prevent access by Emerald Ash Borer; and
3. The regulated area is moved directly through the quarantined area without stopping (except for refueling or for traffic conditions, such as traffic lights or stop signs), or has been stored, packed, or handled at locations approved by the commissioner as not posing a risk of infestation by Emerald Ash Borer; and
4. The article had not been combined or commingled with other articles so as to lose its individual identity.

Regulated articles **originating from a quarantined** area may be moved from a quarantined area only if moved with a limited permit issued and attached in accordance with 7 C.F.R. 301.53-5 and C.F.R. 301.53-8.

IMPORTED FIRE ANT QUARANTINE

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-19.pdf>

PEST: Imported Fire Ant, *Solenopsis richteri* Forel, and *S. invicta* Boren

STATES REGULATED: AR, CA, FL, GA, LA, NM, MS, NC, OK, PR, SC, TN, TX, VA

MATERIALS REGULATED: Imported fire ant in any life stage, soil, compost, decomposed manure, humus, peat, plants with roots with soil attached, hay, straw, used mechanized soil moving equipment and any other means of conveyance.

RESTRICTIONS: Certification guidelines are those listed in the USDA, APHIS, PPQ Imported Fire Ant Program manual.

NOTE: See Also Federal Imported Fire Ant Quarantine

http://www.aphis.usda.gov/plant_health/plant_pest_info/fireants/downloads/7cfr30181-09.pdf .

PEST PLANT RULE

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-24.20090413.pdf>

The following plants shall be considered pest plants, and shall not be propagated, sold, offered for sale, or released within the state, except as provided by Rule 0080-06-24-.03:

- Commelina benghalensis*, Tropical Spiderwort
Elaeagnus umbellata, Autumn olive
 Retail: January 2010; Wholesale: January 2012
Elaeagnus pungens, Thorny olive
 Retail: January 2012; Wholesale: January 2014
Imperata cylindrica, Cogongrass
Ligustrum sinense, Chinese privet
 Retail: January 2010; Wholesale: January 2012
Ligustrum vulgare, Common privet, European Privet
 Retail: January 2010; Wholesale: January 2012
Lonicera maackii, Shrub honeysuckle, Amur honeysuckle
 Retail: January 2010; Wholesale: January 2012
Lonicera morrowii, Morrows bush honeysuckle, Morrow's honeysuckle
 Retail: January 2010; Wholesale: January 2012
Lonicera x bella, Bell's honeysuckle
 Retail: January 2010; Wholesale: January 2012
Lythrum salicaria, Lythrum virgatum and related cultivars, Purple Loosestrife
Rosa multiflora, Multiflora rose
 Retail: January 2010; Wholesale: January 2012
Salvinia molesta, Giant Salvinia
Solanum viarum, Tropical Soda Apple

Permits for propagating, collecting and selling designated pest plants may be granted by the commissioner under a compliance agreement for research and propagative purposes, as long as the plants are safeguarded from being sold, offered for sale, or released within Tennessee. Pest plants shall not be sold, offered for sale, or released within the state.

PINE SHOOT BEETLE QUARANTINE

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-20.pdf>

PEST: Pine shoot beetle, *Tomicus piniperda* (L.)

STATES REGULATED: **See Federal Pine Shoot Beetle Quarantine.**

MATERIALS REGULATED: The Pine Shoot Beetle in any living stage. Plants of the genus *Pinus* spp. whether balled and burlapped or cut live for use as Christmas trees. Timber with bark intact from *Pinus* spp. Spruce, *Picea* spp. Fir and *Abies* spp.

RESTRICTIONS: Regulated articles originating outside a regulated area may be moved without a certificate or permit provided the point of origin is clearly indicated on the shipping document accompanying the regulated articles provided; and regulated articles moving through the infested area are protected from the beetle. Unless exempted a certificate or permit must accompany the movement of regulated articles from regulated area by an authorized person (1) When in the judgment of the inspector, they have not been exposed to infestation. (2) When they have been examined by the inspector and found to be free of infestation. (3) When they have been treated to destroy infestations under the supervision of the inspector and in accordance with methods selected by him from procedures authorized by the Director of the Division of Plant Industries and known to be effective under conditions in which applied. (4) When grown, produced, manufactured or handled in such manner that in the judgment of the inspector, no infestation would be transmitted thereby.

NOTE: This quarantine is superseded by the Federal Pine Shoot Beetle Quarantine

SWEET POTATO WEEVIL QUARANTINE

<http://state.tn.us/sos/rules/0080/0080-06/0080-06-06.pdf>

PEST: Sweet potato weevil, *Cylas formicaris elegantulus* Summers

STATES REGULATED: AL, FL, GA, LA, MS, SC, TX

MATERIALS REGULATED: Sweet potato weevil in any living stage, sweet potato, *Ipomoea batatas* (L) Lam., and the genera *Ipomoea* and *Convolvulus*, any roots, plants, vines, cuttings, slips, draws and other vegetatively propagated parts, or other plants which may be hosts of the sweet potato weevil.

RESTRICTIONS: Sweet potatoes from regulated areas must be accompanied by a certificate issued by authorized inspector indicating sweet potatoes have not been exposed to sweet potato weevil, have been treated by known methods to destroy the sweet potato weevil or grown, produced, stored or handled in such manner no infestation would be transmitted.

THOUSAND CANKERS DISEASE

PEST: Thousand Cankers Disease *Pityophthorus juglandis* (Bark Beetle) and *Geosmithia morbida* (*Fungus*)

STATES REGULATED: AZ, CA, CO, ID, NV, NM, OR, UT, WA

COUNTIES QUARANTINED IN TN: Anderson, Blount, Knox, Union,

COUNTIES IN REGULATED BUFFER IN TN Campbell, Claiborne, Grainger, Jefferson, Loudon, Morgan, Monroe, Roane, Scott, Sevier

MATERIALS REGULATED: (1) The following are regulated articles:

(a) The Walnut Twig Beetle, *Pityophthorus juglandis*, in any living stage of development; (b) The fungal pathogen *Geosmithia morbida*. (c) Firewood of any non-coniferous (hardwood) species. (d) All plants and plant parts of the genus *Juglans* including but not limited to nursery stock, budwood, scionwood, green lumber, and other material living, dead, cut, or fallen, including logs, stumps, roots, branches, mulch and composted and uncomposted chips. (e) Any article, product, or means of conveyance when it is determined by the Commissioner to present the risk of spread of the Walnut Twig Beetle, *Pityophthorus juglandis*, or the fungal pathogen, *Geosmithia morbida* sp. nov. and the commissioner notifies the person in possession of the article, product, or means of conveyance that it is subject to these regulations.

Specific exceptions are nuts, nut meats, hulls, processed lumber (one hundred percent (100%) bark-free, kiln-dried with squared edges), and finished wood products without bark, including walnut furniture, instruments, and gun stocks derived from the genus *Juglans*.

RESTRICTIONS: Regulated articles may be moved from and through a quarantined area only if moved with a certificate or limited permit issued and attached in accordance with this chapter.

If regulated articles originate outside the quarantined area or **regulated buffer area** they may be moved without a certificate or limited permit under the following conditions:

1. (a) The points of origin and destination are indicated on a document accompanying the regulated article; and

(b) The regulated article is moved directly through the quarantined or **regulated buffer area** without stopping (except for refueling or for traffic conditions, such as traffic lights or stop signs), or has been stored, packed, or handled at locations approved by the commissioner as not posing a risk of infestation by Thousand Cankers Disease; and

(c) The article has not been combined or commingled with other articles so as to lose its individual identity.

2. The regulated article is moved from a **regulated buffer area** directly to a quarantined area or directly to another regulated buffer area.