

DELAWARE

SUMMARY OF PLANT PROTECTION REGULATIONS

Updated February 1, 2024

Delaware Department of Agriculture Plant Industries Section

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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.

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NURSERY STOCK DEFINITION

Any plant for planting, propagation, or ornamentation, including, but not limited to:

- 1) all plants, trees, shrubs, vines, perennials, grafts, cuttings, and buds that may be sold for propagation, whether cultivated or wild, and all viable parts of these plants;
- 2) any other plant or plant part, including cut Christmas trees or any non-hardy plant or plant part, including but not limited to: annuals, bedding plants, vegetable plants, aquatic plants, horticultural products, and plants produced by tissue culture, cloning or from stem cell cultures or other prepared media culture.

GENERAL SHIPPING REQUIREMENTS FOR NURSERY STOCK

Shipments of nursery stock into Delaware must be accompanied by a State-of-Origin inspection certificate bearing the name and address of the shipper and the recipient, stating that the contents were inspected by a qualified state or federal agricultural official. [Title 3 Chapter 13 Nurseries and Nursery Stock Law](#)

NOXIOUS WEEDS

| | |
|---------------------------------|-----------------|
| <i>Ambrosia trifida</i> | Giant Ragweed |
| <i>Cirsium arvense</i> | Canada Thistle |
| <i>Sicyos angulatus</i> | Burcucumber |
| <i>Sorghum halepense</i> | Johnsongrass |
| <i>Amaranthus palmeri</i> | Palmer Amaranth |
| <i>Uruchloa texana</i> | Texas Panicum |

The noxious weeds listed above are prohibited in the State of Delaware and may not be transported into or through the state and may not be allowed to reach a height in excess of 24 inches or set seed.

QUARANTINES OR ADDITIONAL REQUIREMENTS

QUARANTINE INFORMATION

Spotted Lanternfly Quarantine has expanded to include the entire state of Delaware.

For full quarantine information and Spotted Lanternfly Permit, go to: [DE.gov/Hitchhikerbug](https://de.gov/hitchhikerbug)

INVASIVE PLANTS LAW

The Delaware Invasive Plants Law went into effect on July 1, 2022, and prohibit the sale, purchase, import, export, transport, and distribution any viable portion, including seeds of an invasive plant in Delaware. For full legislation and additional information, go to: [DE.gov/Nursery](https://de.gov/nursery)

STATES REGULATED: All

MATERIALS REGULATED: Plants of *Ribes spp.*

RESTRICTIONS: Shipment of regulated materials into and cultivation within Delaware will be allowed, provided a permit authorizing shipment into this area and planting and propagation within the area is obtained from the Plant Industries Section. No permits shall be issued for the plants *Ribes aurium* or *Ribes nigrum*. Delaware Ribes Permit Application: [Delaware Ribes License Application](#)

SUMMARY OF HONEYBEE REGULATIONS

All persons keeping bees in the State shall annually register any and all of their colonies and apiary locations with the Department of Agriculture. The colonies are subject to annual inspection to see if any are found to be infested by a disease, mite, or Africanized honeybee.

Anyone wishing to ship or transport any colony of bees or used beekeeping equipment into the State is required to secure an entry permit from the Department. To obtain a permit from the Department,

the person moving the colonies of bees or used beekeeping equipment must submit an inspection certificate from an authorized inspector of the State-of-Origin issued within the preceding sixty days.

No person shall ship or transport into the State, any queen bee, combless package of bees, or nucleus colonies of bees unless accompanied by a valid inspection certificate issued by an authorized inspector of the State-of-Origin. If the State-of-Origin does not have any apiary inspection agency, no person may ship or transport a queen bee, combless package of bees, or nucleus colony of bees from that State to Delaware without first contacting the Delaware Department of Agriculture's State Apiarist. Full legislation: [Title 3 Chapter 75 Beekeeping Law](#)

SHIPMENT OF PLANT PESTS AND BIOLOGICAL CONTROL AGENTS

No person may sell, offer for sale, move, convey, transport, deliver, ship, or offer for shipment, any plant pest or biological control agent, without an Application and Permit to Move Live Plant Pests and Noxious Weeds, PPQ Form 526, from US Department of Agriculture/Animal and Plant Health Inspection Service/Plant Protection and Quarantine or its State equivalent. Permits may be issued only after the Department determines that the proposed shipment or use will not create a hazard to the agricultural, forest or horticultural interest of this State or the State's general environmental quality. The permit shall be affixed conspicuously and on the exterior of each shipping container, box, package, etc. or accompany each shipping container, box, package, etc. as the Department directs.

The Department shall regulate and control the sale and use of biological control agents, as defined in the Plant Pest Law, to assure their safety and effectiveness in the control of injurious plant pests and to prevent the introduction or use of biological control agents which may be injurious to persons, property, useful plant or animal life, non-target species, agriculture, forest lands, horticultural interests or the State's general environmental quality.

Any person(s) who ships plant pests or biological control agents without the knowledge of the Department performs an illegal act and shall be liable for the imposition of civil penalty as prescribed in State Code. [Title 3 Chapter 11 Plant Pests Law](#)

HOUSE PLANT INSPECTIONS

House plants kept indoors in a home or office environment and not for sale, may be moved into Delaware. House plants from States quarantined for the Imported Fire Ant must be accompanied by a Certificate of Inspection if containing soil from the quarantine area or stored outdoors for any portion of time. (AL, AR, CA, FL, GA, LA, MS, NC, NM, OK, PR, SC, TN, TX, VA).