

# SOUTH DAKOTA

## SUMMARY OF PLANT PROTECTION REGULATIONS

Updated December 2020

Division of Agricultural Services  
South Dakota Department of Agriculture  
Foss Building; 523 E. Capitol  
Pierre, South Dakota 57501

Hunter Roberts ..... Interim Secretary, South Dakota Department of Agriculture  
Telephone: 605-773-5559

Jeanne Goodman ..... Deputy Secretary, South Dakota Department of Agriculture  
Telephone: 605-773-5559

William Smith ..... Director, Division of Conservation and Forestry  
Telephone: 605-773-3623; Fax: 605-773-3481

Brenda Sievers ..... State Plant Regulatory Officer  
Plant Industry Program Manager  
(Quarantine, Export, Weed Regulations, Nursery, Seed, Apiary Regulations)  
Telephone: 605-773-3796; Fax: 605-773-3481

Bob Reiners ..... Program Specialist (Apiary Regulations)  
Telephone: 605-773-3796

Jeremiah Phelps ..... Program Specialist (Weed Regulations, Bio Control)  
Telephone: 605-773-3796

Dale Anderson ..... Program Specialist (Plant Pest Survey, Quarantine Regulations, Exports)  
Telephone: 605-773-3796

Jeff Lounsbery ..... Program Specialist (Seed and Nursery Regulations)  
Telephone: 605-362-3504

Chad Kiel ..... Program Specialist (Biocontrol, Weed Regulations, Exports)  
Telephone: 605-773-3796; Fax: 605-773-3481

Note: In August 2020, Governor Kristi Noem announced her plan to merge the South Dakota Department of Agriculture with the Department of Environment and Natural Resources into one department – the South Dakota Department of Agriculture and Natural Resources. We anticipate the merger will take effect in April 2020. Further updates pending.

**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

Nursery Stock: Trees, shrubs or other plants having a persistent woody stem; all herbaceous perennials; and parts of either of those which are capable of propagation, except for seeds, true bulbs, rhizomes, corms and tubers while in a dormant condition.

## GENERAL SHIPPING REQUIREMENTS

Nursery Stock: Any nursery stock shipped into or out of South Dakota shall have attached to the bill of lading or the outside of each package, box, bale or carload lot so shipped or delivered, a tag or poster on which appears an exact copy of a valid certificate of inspection. Nursery stock and related plant products must be free of plant pests.

## SOUTH DAKOTA REGULATED WEED SPECIES

**A. South Dakota Nonnative Plant Quarantine:** (SDCL 38-24A, Plant Quarantine and Treatment; Article 12:51 Non-Native Plant Quarantine)

### Regulated plant species:

Common name:	Scientific name:
Canada thistle.....	<i>Cirsium arvensis</i>
Common crupina.....	<i>Crupina vulgaris</i>
Dalmation toadflax.....	<i>Linaria dalmatica</i>
Diffuse knapweed .....	<i>Centaurea diffusa</i>
Dodder.....	<i>Cuscuta</i> spp.
Eurasian water milfoil.....	<i>Myriophyllum spicatum</i>
Field bindweed.....	<i>Convolvulus arvensis</i>
Hoary cress.....	<i>Cardaria draba</i>
Johnsongrass .....	<i>Sorghum halepense</i>
Leafy spurge.....	<i>Euphorbia esula</i> & <i>E. pseudovirgata</i>
Multiflora rose .....	<i>Rosa multiflora</i>
Musk thistle.....	<i>Carduus nutans</i>
Perennial pepperweed .....	<i>Lepidium latifolium</i>
Perennial sowthistle .....	<i>Sonchus arvensis</i>
Plumeless thistle.....	<i>Carduus acanthoides</i>
Purple loosestrife .....	<i>Lythrum salicaria</i> & <i>L. virgatum</i> (& all hybrid crosses thereof)
Rush skeletonweed.....	<i>Chondrilla juncea</i>
Russian knapweed.....	<i>Centaurea repens</i>
Spotted knapweed .....	<i>Centaurea maculosa</i>
St. Johnswort.....	<i>Hypericum perforatum</i>
Yellow starthistle .....	<i>Centaurea solstitialis</i>
Yellow toadflax.....	<i>Linaria vulgaris</i>

Regulated Articles include any untreated soil, quarry products, equipment, forage products, compost, manure, humus and plant media that have been exposed to these species.

Karnal bunt .....*Tilletia indica*  
All or portions of the state may be quarantined to prevent the spread of Karnal bunt. Quarantine areas may be infested areas and uninfested areas in the proximity of an infestation.

**Emerald Ash Borer Interior Quarantine**

Pest: Emerald ash borer (*Agilus planipennis* Fairmaire)

Regulated Articles:

- 1) The emerald ash borer, in any living stage of development.
- 2) Entire ash trees (*Fraxinus* spp.), including, but not limited to, nursery stock.
- 3) Ash logs or untreated ash lumber with bark or the outer one half inch of wood attached.
- 4) Non-coniferous, or hardwood, wood chips and non-coniferous, or hardwood, bark chips larger than one inch diameter in two dimensions.
- 5) Other ash material (*Fraxinus* spp.), living or dead, cut or fallen, including logs, limbs, branches, stumps, or roots.
- 6) Firewood of any non-coniferous, or hardwood, species.
- 7) Any other article, product, or means of conveyance, when it is determined by the Secretary to present a risk of spreading the emerald ash borer. Other items identified as regulated articles in this manner will be communicated as such through publication of a notice in public newspapers.

Restrictions:

Regulated articles must not move out of the regulated area unless a permit is issued by either the South Dakota Department of Agriculture or the USDAAPHIS-PPQ. The treatment guidelines are determined by SDDA or USDAAPHIS-PPQ.

Regulated articles must not move through the regulated area unless the passage is made a) without stopping except for refueling, and b) the articles are completely enclosed with a covering to prevent escape on the emerald ash borer.

Regulated Area. Refer to the SDDA web site for additional details about the regulations and the current regulated area:

<http://emeraldashborerinsouthdakota.sd.gov/index.aspx>

**Other Quarantines:**

All nursery stock and other regulated articles, brought into South Dakota must adhere to the requirements of all applicable state and federal quarantines that apply to that article at its state of origin. This includes, but is not limited to, the following pests:

- Asian Longhorn Beetle
- Barberry/Black Stem Rust
- Emerald ash borer
- Golden & Potato Cyst Nematodes
- Gypsy Moth
- Karnal bunt
- Sudden Oak Death

**B. South Dakota Noxious Weed Seeds:** (SDCL 38-12A, South Dakota Seed Statutes; Article 12:36, South Dakota Seed Inspection Standards)

**1. Prohibited noxious weed seeds:** (Prohibited in any amount)

<b>Common Name</b>	<b>Scientific Name</b>
Field bindweed.....	<i>Convolvulus arvensis</i>
Leafy spurge.....	<i>Euphorbia esula</i>
Hoary cress.....	<i>Lepidium draba</i>
Russian knapweed.....	<i>Rhaponticum repens</i>
Perennial sowthistle .....	<i>Sonchus arvensis</i>
Canada thistle.....	<i>Cirsium arvense</i>
Palmer amaranth .....	<i>Amaranthus palmeri</i>
Horse nettle .....	<i>Solanum carolinense</i>

**2. Restricted noxious weed seeds:** (shall not exceed a cumulative total of 20 per pound)

<b>Common name</b>	<b>Scientific name</b>
Wild oats .....	<i>Avena fatva</i>
Dodder.....	<i>Cuscuta</i> spp.
Wild mustard.....	<i>Sinapis arvensis</i> L. subsp. <i>arvensis</i> [syn. <i>Brassica kaber</i> ], <i>B. nigra</i> , <i>B. juncea</i>
Hedge bindweed.....	<i>Calystegia sepium</i>
Wild carrot .....	<i>Daucus carota</i> L. subsp. <i>carota</i>
Field pennycress.....	<i>Thiaspi arvense</i>
Annual bluegrass.....	<i>Poa annua</i>
Spotted knapweed .....	<i>Centaurea stoebe</i> L. subsp. <i>australis</i>
Giant foxtail .....	<i>Setaria faberi</i>
Musk thistle.....	<i>Carduus nutans</i>
Plumeless thistle.....	<i>Carduus acanthoides</i>
Quackgrass .....	<i>Elymus repens</i>

**C. South Dakota Noxious Weeds:** (SDCL 38-22, South Dakota Weed and Pest Control Statutes; Article 12:62, Weed and Pest Control)

**NOXIOUS WEED DESIGNATIONS**

**State Noxious Weeds:**

Absinth wormwood.....	<i>Artemisia absinthium</i>
Canada thistle.....	<i>Cirsium arvense</i>
Hoary cress .....	<i>Lepidium draba</i>
Leafy spurge.....	<i>Euphorbia esula</i>
Perennial sowthistle .....	<i>Sonchus arvensis</i>
Purple loosestrife .....	<i>Lythrum salicaria</i>
Salt cedar.....	<i>Tamarix ramosissima</i>

**Local Noxious Weeds:** (may be regulated by individual counties)

Black Henbane .....	<i>Hyoscyamus niger L.</i>
Bull thistle .....	<i>Cirsium vulgare</i>
Chicory .....	<i>Cichorium intybus</i>
Common burdock .....	<i>Arctium minus</i>
Common mullein .....	<i>Verbascum thapsus</i>
Common tansy .....	<i>Tanacetum vulgare</i>
Dalmatian toadflax .....	<i>Linaria dalmatica</i>
Diffuse knapweed .....	<i>Centaurea diffusa</i>
Field bindweed .....	<i>Convolvulus arvensis</i>
Flowering Rush.....	<i>Butomus umbellatus L.</i>
Giant knotweed .....	<i>Polygonum sachalinense</i>
Houndstongue .....	<i>Cynoglossum officinale</i>
Musk & plumeless thistles.....	<i>Carduus nutans</i> and <i>Carduus acanthoides</i>
Oxeye Daisy .....	<i>Chrysanthemum leucanthemu</i>
Palmer Amaranth.....	<i>Amaranthus palmeri</i>
Phragmites .....	<i>Phragmites australis</i> subsp. <i>Australis</i> ; <i>Haplotyme M</i>
Poison hemlock.....	<i>Conium maculatum</i>
Puncturevine.....	<i>Tribulus terrestris</i>
Scotch thistle .....	<i>Onopordum acanthium</i>
St. Johnswort .....	<i>Hypericum perforatum</i>
Sulfur Cinquefoil.....	<i>Linaria vulgaris</i>
White Horehound.....	<i>Marrubium vulgare</i>
Spotted knapweed .....	<i>Centaurea maculosa</i>
Yellow toadflax .....	<i>Linaria vulgaris</i>

**QUARANTINES OR ADDITIONAL REQUIREMENTS****State Declared Pests:**Gypsy moth *Lymantra dispar***Other Local Declared Pests:**Mountain pine beetle *Dendroctonus ponderosae*Japanese beetle *Popillia japonica*