

WEST VIRGINIA

SUMMARY OF PLANT PROTECTION REGULATIONS

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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.

NURSERY STOCK DEFINITION

All hardy, woody-stemmed perennial plants (trees, shrubs, and woody vines) including buds, grafts, scions and cuttings from such plants, and sod or sod-producing plants.

GENERAL SHIPPING REQUIREMENTS

All shipments of nursery stock into the state must be accompanied by a valid certificate of inspection from the place of origin stating that the nursery stock was free from plant pests.

NOXIOUS WEEDS

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| <i>Ailanthus altissima</i> | Tree of Heaven |
| <i>Berberis thunbergii</i> DC (effective 7/1/2020)..... | Japanese Barberry |
| <i>Cannibus sativa</i> | Marijuana |
| <i>Carduus acanthoides</i> | Plumeless thistle |
| <i>Carduus crispus</i> | Curled thistle |
| <i>Carduus nutans</i> | Musk thistle |

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|------------------------------------|-----------------------|
| <i>Conium maculatum</i> | Poison hemlock |
| <i>Elaeagnus umbellate</i> | Autumn olive |
| <i>Lonicera tartarica</i> | Tartarian honeysuckle |
| <i>Lonicera morrow</i> | Morrow's honeysuckle |
| <i>Lythrum salicaria</i> | Purple loosestrife |
| <i>Microstegium vimineum</i> | Japanese stiltgrass |
| <i>Papaver somniferum</i> | Opium poppy |
| <i>Peuraria thunbergiana</i> | Kudzu |
| <i>Polygonum perfoliatum</i> | Mile-a-minute |
| <i>Polygonum cuspidatum</i> | Japanese knotweed |
| <i>Rosa multiflora</i> | Multiflora rose |
| <i>Sorghum halepense</i> | Johnsongrass |

West Virginia has adopted the Federal Noxious Weed List of the Federal Noxious Weed Act {Public Law 93-629 (7 U.S.C. 2801 et seq.; 88 Stat.2148)} as an extension of the West Virginia Noxious Weed List.

EXTERIOR QUARANTINES OR ADDITIONAL REQUIREMENTS

WHITE PINE BLISTER RUST QUARANTINE

PEST: The fungus *Cronartium ribicola* which causes white pine blister rust.

STATES REGULATED: All

MATERIALS REGULATED: Plants of *Ribes spp.*

RESTRICTIONS: The introduction and dissemination of *Ribes spp.* is prohibited in the following 23 counties: Barbour, Fayette, Grant, Greenbrier, Hampshire, Hardy, Harrison, Marion, Mercer, Mineral, Monongalia, Monroe, Nicholas, Pendleton, Pocahontas, Preston, Raleigh, Randolph, Summers, Taylor, Tucker, Upshur and Webster. *Ribes nigrum* is prohibited in all counties of the state.

BLACK STEM RUST QUARANTINE

PEST: The fungus *Puccinia graminis*, which causes the disease Black Stem Rust of wheat, oats, rye, barley, and many wild and cultivated grasses.

STATES REGULATED: All

MATERIALS REGULATED: All species and varieties of plants belonging to the genera *Berberis* (barberry), *Mahonia* (mahonia, Oregon grape, hollygrape), and *Mahoberberis* (mahoberberis), including any parts of these plants capable of propagation.

RESTRICTIONS: Regulated materials are prohibited in WV unless they have been designated as **rust-resistant** or **immune** by the United States Department of Agriculture. All shipments and/or individual packages of rust-resistant *Berberis*, *Mahonia*, or *Mahoberberis* plants, or parts capable of propagation, must be plainly labeled or stamped

as to the botanical species or variety and must be plainly marked with the name and address of the consignee and consignor.

GYPSY MOTH QUARANTINE

PEST: Gypsy Moth (*Lymantria dispar*)

STATES REGULATED: Any area in which gypsy moth is known to occur and is regulated by the United States Department of Agriculture Gypsy Moth Quarantine (7CFR 301.45), the West Virginia Department of Agriculture Gypsy Moth Quarantine, or a gypsy moth quarantine or legislation enacted by another state.

MATERIALS REGULATED: (1) Gypsy moth, *Lymantria dispar* (L.), in any life stage. (2) Trees without roots (e.g. cut Christmas trees) and both trees and shrubs with roots and persistent woody stems, except if greenhouse grown throughout the year. (3) Logs, pulpwood and wood chips (whole tree chips), except if moved to a mill or log concentration yard operating under a compliance agreement.¹ (4) Mobile homes and associated equipment. (5) Outdoor household articles. (6) Recreational vehicles when part of a residential move. (7) Any other products, articles or means of conveyance of any character whatsoever, when it is determined by an inspector that a life stage of gypsy moth is in proximity to such articles and the articles present a threat of artificial spread of gypsy moth infestations and the person in possession thereof has been so notified.

RESTRICTIONS: Regulated articles may not be moved from a regulated area to an unregulated area of the state unless a certificate, limited permit, or outdoor household article gypsy moth inspection report has been issued and attached to the regulated article. The unregulated counties of the state include the counties of Boone, Cabell, Clay, Kanawha, Lincoln, Logan, Mason, Mingo, Putnam, Roane and Wayne.

NON-NATIVE PLANT-FEEDING SNAIL QUARANTINE

PEST: Any snail that feeds on plants and does not occur naturally in West Virginia.

STATES REGULATED: Infested areas in AR, CA, FL, HI, NM, OR, TX, UT, WA and any other state that is infested.

MATERIALS REGULATED: Live, non-native plant-feeding snails in all stages. Plant material. Any other articles determined by the Commissioner to be capable of transporting live snails.

RESTRICTIONS: Regulated materials are prohibited in WV unless they accompanied by a certificate from the state of origin, issued by an authorized state official stating that the material is free of non-native plant-feeding snails.

¹ Names of mills or log concentration yards under compliance agreement are available upon request from Plant Industries Division, West Virginia Department of Agriculture or from an inspector.

THOUSAND CANKERS DISEASE QUARANTINE

PESTS: The fungus, *Geosmithia morbida*, and the walnut twig beetle, *Pityophthorus juglandis*, which causes thousand cankers disease (TCD) of walnut.

STATES REGULATED: The entire states of AZ, CA, CO, ID, NV, NM, OR, UT, and WA and any portions or areas of states where TCD has been found.

MATERIALS REGULATED: *Geosmithia morbida*; *Pityophthorus juglandis* in any life stage; any plants and plant parts of walnut (*Juglans* sp.), including nursery stock, budwood, scionwood, green lumber, and any other material whether living or dead, such as logs, stumps, roots, branches, mulch and chips or any other articles determined by an inspector to be capable of being infected with TCD; and, ***non-coniferous firewood***.

EXCEPTIONS: Nuts, nut meats, hulls, processed lumber (one hundred percent [100%] bark-free, kiln-dried with squared edges), and finished wood products without bark (such as furniture, instruments and gun stocks) are exempt from the quarantine.

RESTRICTIONS: Regulated materials are prohibited in or through WV unless they are accompanied by a certificate or phytosanitary certificate issued by a duly authorized agriculture official of the state of origin stating the articles are free of *Geosmithia morbida* and *Pityophthorus juglandis*.