

INDIANA

SUMMARY OF PLANT PROTECTION REGULATIONS

Updated January 2020

Indiana Department of Natural Resources
Division of Entomology and Plant Pathology
402 West Washington Street, Room W-290
Indianapolis, IN. 46204-2739
<http://www.in.gov/dnr/entomolo>
DEPP@dnr.in.gov

Megan Abraham..... Entomology and Plant Pathology Director (Nursery Stock, Quarantine)
Telephone: (317) 232-4189
Fax: (317) 232-2649

Don RobisonOffice of Indiana Seed Commissioner, West Lafayette
Telephone: (765) 494-1557
Fax: (765) 494-4331

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 means botanically classified hardy perennial or biennial trees, shrubs, vines and plants, evergreens, 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 & IC 14-24-6-3).

GENERAL SHIPPING REQUIREMENTS

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]

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>

**Prohibited Noxious Weeds: Sale of seeds of these plants is prohibited. (IC 15-15-1-27)
Considered Detrimental Plants in Indiana per IC 15-16-8.**

<i>Allium spp.</i>	Wild garlic and Wild onion
<i>Agropyron repens</i>	Quackgrass
<i>Cirsium arvense</i>	Canada thistle
<i>Convolvulus arvensis</i>	Field bindweed
<i>Conium maculatum</i>	Poison hemlock
<i>Conyza canadensis</i>	Marestail or horseweed
<i>Sicyos angulatus</i>	Bur cucumber
<i>Sorghum almum</i>	Columbus grass
<i>Sorghum bicolor</i>	Shattercane
<i>Sorghum halepense</i>	Johnson grass
<i>Sonchus arvensis</i>	Perennial sowthistle

Restricted Noxious Weeds: Seed sold with more than 0.25% of the species listed below is in violation of the Indiana Seed Law. (IC 15-15-1 & 360 IAC 1-1-6)

<i>Agrostemma githago</i>	Corncockle
<i>Amaranthus spp.</i>	Palmer amaranth, Waterhemp, Pigweed seed
<i>Barbarea vulgaris</i>	Bitter wintercress
<i>Brassica arvensis</i>	Mustard
<i>Chrysanthemum leucanthemum</i>	Oxeye daisy
<i>Cuscuta sp.</i>	Dodder
<i>Lepidium campestre</i>	Field peppergrass
<i>Plantago lanceolata</i>	Buckhorn
<i>Rumex crispus</i>	Curled dock
<i>Setaria faberi</i>	Giant foxtail
<i>Solanum carolinense</i>	Horsenettle
<i>Solanum ptycanthum</i>	Eastern black nightshade
<i>Thlaspi arvense</i>	Pennycress
<i>Xanthium pensylvanicum</i>	Cocklebur

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

PROHIBITED INVASIVE AQUATIC PLANTS [312 IAC 18-3-23] A person must not do the following with respect to any species identified below; (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 below, under which a permit has been 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.

<i>Azolla pinnata</i>	Mosquito fern
<i>Butomus umbellatus</i>	Flowering rush
<i>Caulerpa taxifolia</i>	Caulerpa or Mediterranean killer algae
<i>Egeria densa</i>	Brazilian elodea, Brazilian waterweed, Anacharis, or Egeria
<i>Eichhornia azurea</i>	Anchored water hyacinth
<i>Hydrilla verticillata</i>	Hydrilla or Water thyme
<i>Hydrocharis morsus-ranae</i>	European frogbit or Common frogbit
<i>Hygrophilia polysperma</i>	Miramar weed, Indiana swampweed, or Hygro
<i>Ipomoea aquatica</i>	Chinese waterspinach or Swamp morning-glory
<i>Iris pseudacorus</i>	Yellow flag iris or Tall yellow iris
<i>Lagarosiphon major</i>	Oxygen weed or African elodea
<i>Limnophila sessiliflora</i>	Asian marshweed or Ambulia
<i>Monochoria hastata</i>	Monochoria, arrowleaf, or False pickerelweed
<i>Monochoria vaginalis</i>	Heartshape or False pickerelweed
<i>Myriophyllum aquaticum</i>	Parrot feather or Parrot feather watermilfoil
<i>Myriophyllum spicatum</i>	Eurasian watermilfoil
<i>Najas minor</i>	Brittle naiad or Brittle water nymph
<i>Nymphoides peltata</i>	Yellow floating heart
<i>Ottelia alismoides</i>	Duck lettuce
<i>Potamogeton crispus</i>	Curlyleaf pondweed
<i>Sagittaria sagittifolia</i>	Arrowhead
<i>Salvinia auriculata</i>	Giant salvinia
<i>Salvinia biloba</i>	Giant salvinia
<i>Salvinia herzogii</i>	Giant salvinia
<i>Salvinia molesta</i>	Giant salvinia
<i>Sparganium erectum</i>	Exotic bur-reed
<i>Trapa natans</i>	Water chestnut
<i>Typha angustifolia</i>	Narrow-leaf cattail

PROHIBITED INVASIVE TERRESTRIAL PLANTS [312 IAC 18-3-25] A person must not do the following with respect to any species identified below; (1) sell, offer for sale, gift, barter, exchange, or distribute a species, (2) transport or introduce a species by any means. Exempted from this section are the following: (1) a person who possesses a species identified below, under which a permit has been 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. (Law to be in effect in 2019)

<i>Achyranthes japonica</i>	Japanese chaff flower
<i>Ailanthus altissima</i>	Tree of heaven
<i>Alliaria petiolata</i>	Garlic mustard

IN - 4 of 8

<i>Alnus glutinosa</i>	Black alder
<i>Artemisia vulgaris</i>	Mugwort
<i>Arthraxon hispidus</i>	Small carpgrass
<i>Berberis thunbergii</i>	Japanese barberry
<i>Carduus acanthoides</i>	Spiny plumeless thistle
<i>Carduus nutans</i>	Musk thistle
<i>Celastrus orbiculatus</i>	Asian bittersweet
<i>Centaurea stoebe</i>	Spotted knapweed
<i>Cirsium vulgare</i>	Bull thistle
<i>Conium maculatum</i>	Poison hemlock
<i>Convolvulus arvensis</i>	Field bindweed
<i>Coronilla varia</i>	Crown vetch
<i>Dioscorea polystachya (oppositifolia)</i>	Chinese yam
<i>Dipsacus fullonum</i>	Common teasel
<i>Dipsacus laciniatus</i>	Cut-leaved teasel
<i>Elaeagnus umbellata</i>	Autumn olive
<i>Euonymus fortunei</i>	Wintercreeper
<i>Euphorbia virgata</i>	Leafy spurge
<i>Frangula alnus</i>	Glossy buckthorn
<i>Humulus japonicus</i>	Japanese hops
<i>Hesperis matronalis</i>	Dame's rocket
<i>Lespedeza cuneata</i>	Sericea lespedeza
<i>Lepidium latifolium</i>	Pepperweed
<i>Ligustrum obtusifolium</i>	Blunt leaved privet
<i>Lonicera japonica</i>	Japanese honeysuckle
<i>Lonicera maackii</i>	Amur honeysuckle
<i>Lonicera morrowii</i>	Morrow's honeysuckle
<i>Lonicera tatarica</i>	Tatarian honeysuckle
<i>Lonicera x bella</i>	Bell's honeysuckle
<i>Microstegium vimineum</i>	Japanese stiltgrass
<i>Morus alba</i>	White mulberry
<i>Phalaris arundinacea</i>	Reed canarygrass
<i>Phellodendron amurense</i>	Amur cork tree
<i>Phragmites australis subspecies australis</i>	Common reed
<i>Polygonum perfoliatum</i>	Mile-a-minute vine
<i>Reynoutria japonica</i>	Japanese knotweed
<i>Reynoutria sachalinensis</i>	Giant knotweed
<i>Reynoutria x bohémica</i>	Bohemian knotweed
<i>Rhamnus cathartica</i>	Common buckthorn
<i>Vincetoxicum nigrum</i>	Black swallow-wort
<i>Vincetoxicum rossicum</i>	Pale swallow-wort

ADDITIONAL REQUIREMENTS AND QUARANTINES

SUDDEN OAK DEATH (*Phytophthora ramorum*) PRE-SHIPPING NOTIFICATION

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

STATES REGULATED: California, Washington, & Oregon and infested states, counties or areas designated in the USDA-APHIS quarantine under 7 CFR 301.92-3.

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

REQUIREMENTS: When required, notification of nursery stock shipments to Indiana can be sent via E-mail to DEPP@dnr.IN.gov or MAbraham@dnr.in.gov; faxed to (317) 232-2649; mailed to the above address or submitted via requirements of the National P.ramorum program.

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

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.

THOUSAND CANKERS DISEASE [312 IAC 18-3]

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

STATES REGULATED: Arizona, California, Colorado, Idaho, Maryland, Nevada, New Mexico, North Carolina, Ohio, Oregon, Pennsylvania, Tennessee, Utah, Virginia, 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

IN - 6 of 8

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 and 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 (1) 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 (2) notifies the State Entomologist, or representative, at least twenty-four (24) hours before the regulated article arrives at the destination in Indiana, and (3) 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.

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

PEST: Black Vine Weevil, *Otiorhynchus sulcatus*

STATES REGULATED: All

MATERIALS REGULATED: All nursery stock

RESTRICTIONS: Nursery 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.

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 nine 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>

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.

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. The State Entomologist may issue a permit for containment for scientific research.

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

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

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.

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 Rule.

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.

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.

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.