

MAINE

SUMMARY OF PLANT PROTECTION REGULATIONS

Updated August 2017

Maine Department of Agriculture, Conservation and Forestry

Division of Animal and Plant Health

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Notification of nursery stock shipments, when required, should be sent to Gary Fish's attention at the above address or fax number, or email to: gary.fish@maine.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

Any woody plants and herbaceous plants and all viable parts of these plants, except cut flowers, cut Christmas trees, dried plants, field crops and seeds.

GENERAL SHIPPING REQUIREMENTS

Any nursery stock shipped into Maine shall have an inspection certificate, issued by the appropriate regulatory official of the state of origin, attached to each package and the contents must be apparently free of plant pests.

NOXIOUS WEEDS

The plants listed below are illegal to import, export, buy sell or intentionally propagate in Maine starting January 1, 2018. The ban includes all cultivars, varieties and hybrids of these plants.

Scientific name	Common name
<i>Acer platanoides</i>	Norway Maple
<i>Alliaria petiolata</i>	Garlic Mustard
<i>Berberis thunbergii</i>	Japanese Barberry
<i>Celastrus orbiculatus</i>	Asiatic Bittersweet
<i>Elaeagnus umbellata</i>	Autumn Olive
<i>Euonymus alatus</i>	Winged Euonymus
<i>Fallopia japonica</i>	Japanese Knotweed
<i>Frangula alnus</i>	Glossy buckthorn
<i>Hesperius matronalis</i>	Dame's Rocket
<i>Iris pseudacorus</i>	Yellow Iris
<i>Lonicera morrowii</i>	Morrow's Honeysuckle
<i>Lonicera tatarica</i>	Tartarian Honeysuckle
<i>Lythrum salicaria</i>	Purple Loosestrife
<i>Robinia pseudoacacia</i>	Black Locust
<i>Rosa multiflora</i>	Multiflora Rose
<i>Acer ginnala</i>	Amur Maple
<i>Aegopodium podagraria</i>	Bishop's Weed
<i>Ailanthus altissima</i>	Tree of Heaven
<i>Amorpha fruticosa</i>	False Indigo Bush
<i>Artemisia vulgaris</i>	Common Mugwort
<i>Berberis vulgaris</i>	Common Barberry
<i>Euphorbia cyparissias</i>	Cypress Spurge
<i>Ligustrum vulgare</i>	Common Privet
<i>Lonicera japonica</i>	Japanese Honeysuckle
<i>Lonicera maackii</i>	Amur or Bush Honeysuckle
<i>Populus alba</i>	White Cottonwood
<i>Impatiens glandulifera</i>	Ornamental Jewelweed
<i>Ampelopsis glandulosa</i>	Porcelain Berry
<i>Fallopia baldschuanica</i>	Chinese Bindweed
<i>Microstegium vimineum</i>	Japanese Stilt Grass
<i>Paulownia tomentosa</i>	Paulownia
<i>Persicaria perfoliata</i>	Mile a Minute Weed
<i>Phellodendron amurense</i>	Amur Cork Tree

[Note: The following list of noxious weeds is regulated by the Department of Environmental Protection (38 MRS section 410-N). For more information: www.maine.gov/dep/water/invasives/index.html]

Brazilian elodea (*Egeria densa*),
hydrilla (*Hydrilla verticillata*),
curly leaved pondweed (*Potamogeton crispus*),
parrot feather (*Myriophyllum aquaticum*),
European frogbit (*Hydrocharis morsus-ranae*),
variable leaf milfoil (*Myriophyllum heterophyllum*),
European naiad (*Najas minor*),
water chestnut (*Trapa natans*),
Eurasian milfoil (*Myriophyllum spicatum*),
yellow floating heart (*Nymphoides peltata*),
Fanwort (*Cabomba caroliniana*).

QUARANTINES AND ADDITIONAL REQUIREMENTS

EMERALD ASH BORER QUARANTINE

PEST: Emerald Ash Borer (*Agrilus planipennis*)

STATES REGULATED: See

https://www.aphis.usda.gov/plant_health/plant_pest_info/emerald_ash_b/downloads/Asas_Quarantined.pdf

MATERIALS REGULATED: The 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, and composted and uncomposted chips of the genus *Fraxinus*; and any other article, product, or means of conveyance not listed in paragraph above may be designated as a regulated article if an inspector determines that it presents a risk of spreading emerald ash borer and notifies the person in possession of the article, product, or means of conveyance that it is subject to the restrictions of the regulations.

RESTRICTIONS: Movement of a regulated article solely within the quarantined area of the state is allowed without restriction.

Regulated articles for which a certificate has been issued in accordance with this chapter may be moved out of a quarantined area provided the following conditions are met: the regulated article originated outside the quarantine area and has not been exposed to emerald ash borer while in this area; OR the regulated article 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

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approved by an inspector as not posing a risk of infestation by emerald ash borer; OR the regulated article has been grown, produced, manufactured, stored or handled in a manner that, in the judgment of the inspector, prevents the regulated article from presenting a risk of spreading emerald ash borer.

Regulated articles for which no certificate has been issued in accordance with this chapter may be moved out of a quarantined area provided the article is moved by the Maine Department of Agriculture, Conservation and Forestry for experimental or scientific purposes.

Regulated articles may be moved out of a quarantined area under limited permit issued by the Maine Department of Agriculture Conservation and Forestry if the regulated article is to be moved to a specified destination for specified handling, processing, or utilization and this movement will not result in the spread of the emerald ash borer. The destination and other conditions must be listed in the limited permit.

Regulated articles may be moved out of a quarantined area if the regulated article is to be moved under a compliance agreement for specified handling, processing, or utilization and this movement will not result in the spread of the emerald ash borer. The destination and other conditions must be listed in the compliance agreement.

Regulated articles which originate outside the quarantined area may transit through the quarantined area without a certificate or limited permit only if: the regulated article is safeguarded in an enclosed vehicle or with adequate covering against infestation during the months of May through September; AND the point of origin of the regulated article is specified on the waybill, invoice, or shipping document that accompanies the shipment.

Regulated articles which move from a quarantined area to another quarantined area and which transit a non-quarantined area may do so under a limited permit or compliance agreement provided the regulated article is in a completely enclosed vehicle during the months of May through September and the vehicle moves through the quarantined area without stopping, except for drop-off loads, refueling, or traffic conditions such as traffic lights or stop signs.

The regulated article moving under certificate or limited permit must also be eligible for unrestricted movement under all other Federal and State quarantines applicable to the regulated article.

HEMLOCK WOOLLY ADELGID QUARANTINE

PEST: Hemlock Woolly Adelgid (*Adelges tsugae*)

STATES REGULATED: Any county included on the USDA Forest Service's publication "List of Counties and States with Known Hemlock Woolly Adelgid Infestations"

MATERIALS REGULATED: Hemlock seedlings, nursery stock, chips with branches or needles and uncomposted bark with branches or needles

RESTRICTIONS: All regulated materials from regulated states or counties are prohibited entry to the counties of: Aroostook, Hancock, Franklin, Knox, Oxford, Penobscot, Piscataquis, Somerset, Waldo, Washington and portions of Androscoggin, Cumberland, and Kennebec Counties, unless treated by a method approved by the Director of the Division of Animal and Plant Health. Hemlock seedlings and nursery stock from unregulated areas must be accompanied by a certificate. For more information: www.maine.gov/dacf/php/horticulture/importinghemlocks.shtml

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: (1) *Ribes nigrum* is prohibited from all counties. (2) Possession and planting of all other species of *Ribes* is prohibited in the following counties: Androscoggin, Cumberland, Hancock, Kennebec, Knox, Lincoln, Sagadahoc, Waldo, York and parts of Aroostook, Franklin, Oxford, Penobscot, Piscataquis, Somerset and Washington. For more information: www.maine.gov/dacf/mfs/forest_health/quarantine_information.html#wpbr

PINE SHOOT BEETLE QUARANTINE

PEST: Pine Shoot Beetle, *Tomicus piniperda*

STATES REGULATED: All currently under federal regulation for this pest.

MATERIALS REGULATED: Pinus species (destined for Aroostook or Washington Counties) as regulated in the federal quarantine.

RESTRICTIONS: Stock must be in compliance with federal quarantine. (Maine has all counties except for Aroostook and Washington Counties currently under a federal-state internal quarantine.) For more information: www.maine.gov/dacf/mfs/forest_health/quarantine_information.html#psb

GYPSY MOTH QUARANTINE

PEST: Gypsy Moth, *Lymantria dispar*

STATES REGULATED: All currently under federal regulation for this pest.

MATERIALS REGULATED: Trees, logs, mobile homes and all other materials (destined for northern parts of Maine) as regulated in the federal quarantine.

RESTRICTIONS: Stock must be in compliance with federal quarantine. (The entire State of Maine is now under a federal quarantine) For more information:

www.maine.gov/dacf/mfs/forest_health/quarantine_information.html#GM

EUROPEAN LARCH CANKER QUARANTINE

PEST: European Larch Canker, *Lachnellula willkommii* (Dasycypha)

STATES REGULATED: All currently under federal regulation for this pest.

MATERIALS REGULATED: Larix species as regulated in the federal quarantine.

RESTRICTIONS: Stock must be in compliance with federal quarantine. (Parts of Hancock, Knox, Lincoln, Waldo and Washington Counties are currently under a federal-state internal quarantine.) For more information:

www.maine.gov/dacf/mfs/forest_health/quarantine_information.html#ELC

POTATO QUARANTINE

PEST: Columbia Root Knot Nematode (*Meloidogyne chitwoodi*).

Bacterial ring rot (*Clavibacter michiganense* *pv.* *sepedonicum* or *Corynebacterium sepedonicum*).

STATES REGULATED: For Columbia Root Knot Nematode – OR, WA, ID and parts of NV, CA, CO, UT, VA For Bacterial Ring Rot – wherever it is present.

MATERIALS REGULATED: potato tubers, used containers, bags, machinery, and implements.

RESTRICTIONS: Seed and processing potatoes from a regulated area cannot enter the State of Maine. Tablestock potatoes can enter the state if they have been washed, there is no evidence of internal defects caused by the regulated pests, the potatoes have been treated with a sprout inhibitor when shipped between February 1 and May 30 of each year, and they are packed in consumer bags. Used machinery and equipment can enter Maine only if it has been thoroughly washed and disinfested, and used bags are prohibited entry. For more information:

www.maine.gov/sos/cec/rules/01/001/001c030.doc

IMPORTED SEED POTATOES

No potato seed may be planted in the State of Maine in lots of one acre or more unless it meets the minimum disease standards of Maine certified seed as defined by the Commissioner of the Maine Department of Agriculture, Conservation and Forestry. Such standards are included in the Department's "Rules Governing Certification of Seed

Potatoes in the State of Maine” (CMR 01-001, Chapter 252). For more information:
www.maine.gov/sos/cec/rules/01/001/001c252.doc

HEMP

Maine’s hemp laws and rules are found at <https://www.maine.gov/dacf/php/hemp/index.shtml>