

MICHIGAN DEPARTMENT OF AGRICULTURE
PESTICIDE AND PLANT PEST MANAGEMENT DIVISION

Hemlock Woolly Adelgid Quarantine

WHEREAS, the Director of the Michigan Department of Agriculture, having found that a dangerous pest, commonly known as Hemlock Woolly Adelgid is injurious to native eastern hemlock and has become established in parts of the states of Connecticut, Delaware, Massachusetts, Maryland, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia and that this pest is not known to exist in Michigan and

WHEREAS, once eastern Hemlock native stands are infested with this pest it is difficult to detect and eradicate, and

WHEREAS, many species of wildlife benefit from the excellent habitat that a dense stand of hemlock provides and is considered a critical component to wildlife habitat.

WHEREAS, the Secretary of Agriculture of the United States has not determined that a federal quarantine is necessary.

NOW, THEREFORE, the Director of the Michigan Department of Agriculture, by authority of Section 23 of Act No. 189, P.A. of 1931, as amended, (Section 286.223, Compiled Laws of 1948) and Section 20 (2) and (3) of Act No. 189, (Section 286.220(2)(3), Compiled Laws of 1948, and Regulation No. 620, does establish a quarantine to prevent the introduction into Michigan of the insect pest Hemlock Woolly Adelgid set forth: areas under quarantine, regulated articles, shipping restrictions, and violations.

I. HEMLOCK WOOLLY ADELGID QUARANTINE

Pest, Hemlock Woolly Adelgid (Adelges tsugae Annand).

II. AREAS UNDER QUARANTINE

In the United States, the counties included in the USDA Forest Service's publication entitled "List of Counties and States with Known Hemlock Woolly Adelgid Infestations" dated December 2000, and any subsequent lists published hereafter.

III. REGULATED ARTICLES

Hemlock seedlings and nursery stock, logs, lumber with bark, uncomposted chips with bark, and uncomposted bark.

IV. SHIPPING RESTRICTIONS

All regulated articles having originated or previously been held in an area under quarantine are prohibited entry into the State of Michigan except as specifically allowed and conditioned below.

1. Hemlock seedlings and nursery stock originating from or having previously been held in an area under quarantine are prohibited entry into Michigan unless treated using a method approved by the Director.
2. Hemlock seedlings and nursery stock from non-quarantined areas shipped into Michigan must be accompanied by a State Phytosanitary Certificate or Certificate of Quarantine Compliance

indicating the number and type of regulated articles, and attesting to the fact that the regulated articles:

- a. originated from a non-quarantined area
- b. have not been held in an area under quarantine; and
- c. have not been exposed to regulated articles from quarantined areas.

A copy of the State Phytosanitary Certificate or a Certificate of Quarantine Compliance must be signed by a plant regulatory official in the originating state and shall accompany the stock to its final retail location.

3. Hemlock seedlings and nursery stock, which have been transported through an area under quarantine, are prohibited entry into Michigan except in accordance with the following conditions:
 - a. the vehicle transporting the regulated articles must be enclosed by a covering adequate to prevent the introduction of Hemlock Woolly Adelgid (such as canvas, plastic, or closely woven cloth), or must be in an enclosed trailer body; and
 - b. the regulated articles were not off-loaded in the area under quarantine; and
 - c. no regulated articles were added to the shipment in the quarantined area.
4. Hemlock logs, lumber with bark, uncomposted chips with bark, and uncomposted bark from quarantined and non-quarantined areas may be imported into Michigan provided that said material is shipped only to sites within Michigan that are pre-approved by the Director of the Michigan Department of Agriculture. Such shipments must be made under a written agreement between the shipper and the Director of the Michigan Department of Agriculture.
5. Hemlock logs, lumber with bark, uncomposted chips with bark and uncomposted bark from quarantined areas may be imported into Michigan when treated using a method approved by the Director. A certificate must accompany the articles and treatment used must be indicated on the certificate. Treated articles must have been safeguarded from reinfestation in accordance with the following conditions:
 - a. the vehicle transporting the regulated articles must be enclosed by a covering adequate to prevent the introduction of Hemlock Woolly Adelgid (such as canvas, plastic, or closely woven cloth), or must be in an enclosed trailer body; and
 - b. the regulated articles were not off-loaded in the area under quarantine; and
 - d. no regulated articles were added to the shipment in the quarantined area.
6. Hemlock logs, lumber with bark, uncomposted chips with bark and composted bark from non-quarantined areas shipped into Michigan must be accompanied by a State Phytosanitary Certificate or Certificate of Quarantine Compliance. The certificate must indicate the number and type of regulated articles and attest to the fact that the regulated articles:
 - a. originated from a non-quarantine area
 - b. have not been held in an area under quarantine; and,
 - c. have not been exposed to regulated articles from quarantine areas.

V. VIOLATIONS

1. Any written agreement to ship hemlock logs, lumber with bark, uncomposted chips with bark, and uncomposted bark from quarantined areas to pre-approved sites in Michigan may be

canceled by the Director of the Michigan Department of Agriculture if the person who entered into the agreement fails to comply with the provisions of this rule. If the person has been given notice of cancellation orally, written confirmation of the decision and the reasons for it will be provided within 10 working days. The Director of the Michigan Department of Agriculture may reinstate written agreements if he finds that the reason(s) for cancellation has (have) been rectified.

2. Any person found to violate any provision of this quarantine is guilty of a misdemeanor and upon conviction be fined according to the provisions of Act 189.

Issued on May 8, 2001

Dan Wyant, Director