

01-001 DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
DIVISION OF ANIMAL & PLANT HEALTH

Chapter 266: HEMLOCK WOOLLY ADELGID QUARANTINE

SUMMARY: This chapter establishes a quarantine against the Hemlock Woolly Adelgid to prevent its artificial spread in the State, in order to protect Maine's forest, timber and wildlife resources from this destructive pest.

Section 1: HEMLOCK WOOLLY ADELGID QUARANTINE

1. **Pest.** A quarantine is established against Hemlock Woolly Adelgid (*Adelges tsugae* Annand) and possible carriers.
2. **Regulated articles:** Plants and plant products of hemlock (*Tsuga* spp.) listed below:
 - A. Rooted plants (seedlings & nursery stock)
 - B. Hemlock branches and/or needles
 - C. Chips with top material (branches and/or needles), and
 - D. Uncomposted bark with top material (branches and/or needles).

3. **Area Under Quarantine**

- A. In Maine, in:

Androscoggin county: the ~~towns~~ Minor Civil Divisions of Auburn, Durham, Lewiston, Lisbon, Mechanic Falls, Minot, Poland & Sabattus;

Cumberland county: the ~~Minor Civil Division~~ towns of Baldwin, Brunswick, Cape Elizabeth, Casco, Chebeague Island Cumberland, Falmouth, Freeport, Frye Island, Gray, Gorham, Harpswell, Long Island, Naples, New Gloucester, North Yarmouth, Portland, Pownal, Raymond, Scarborough, Sebago, South Portland, Standish, Westbrook, Windham, and Yarmouth;

Hancock county: the Minor Civil Divisions of Bar Harbor, Blue Hill, Brooklin, Brooksville, Bucksport, Castine, Cranberry Isles, Deer Isle, Ellsworth, Franklin, Fletchers Landing TWP, Frenchboro, Gouldsboro, Hancock, Lamoine, Mount Desert, Orland, Penobscot, Sedgwick, Sorrento, Southwest Harbor, Stonington, Sullivan, Surry, Swans Island, T7-SD BPP, T9-SD BPP, T10-SD BPP, Tremont, Trenton, Verona Island and Winter Harbor

Kennebec county: the Minor Civil Division ~~towns~~ of Litchfield and Pittston;

Knox county;

Lincoln county;

Sagadahoc county;

Waldo county: the Minor Civil Divisions of Belfast, Belmont, Frankfort, Islesboro, Lincolnville, Morrill, Northport, Prospect, Searsmont, Searsport, Stockton Springs, Swanville and Waldo; and

York County;

Sub county designation is based on standardized annual survey of all towns adjacent to the regulated area.

- B. In the eastern United States outside of Maine, counties included in the USDA Forest Service's (USDA-FS) publication entitled "List of Counties and States with Known Hemlock Woolly Adelgid Infestations" dated May 2013 distribution maps found on the USDA-FS website or subsequent updates on a list maintained by the Department.
- C. In the western United States and Canada, the State of Alaska, the State of California, the State of Oregon, the State of Washington and the province Provinces of British Columbia and Nova Scotia.

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Section 2. RESTRICTIONS FROM QUARANTINE AREAS

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

- 1. Rooted hemlock plants originating from or having previously been held in an area under quarantine are prohibited entry into non-quarantined areas in the State of Maine unless treated by a method approved by the State Plant Regulatory Official.
- 2. Rooted hemlock plants which have been transported through an area under quarantine are prohibited entry into non-quarantined areas in the State of Maine 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,
 - 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.
- 3. Hemlock chips with top material, and uncomposted bark with top material from quarantined areas may be imported into non-quarantined areas in the State of Maine provided that said material is shipped only to sites within Maine that are preapproved by

the Maine Forest Service, Department of Agriculture, Conservation & Forestry. Such sites must have a compliance agreement with the Maine Forest Service.

Section 3. RESTRICTIONS FROM NON-QUARANTINED AREAS

1. Rooted hemlock plants from non-quarantined areas shipped into non-quarantined areas in Maine must be accompanied by a State Phytosanitary Certificate, or a Certificate of Origin, signed by a plant regulatory official in the originating state, 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.

Section 4. VIOLATIONS

1. Any written agreement to ship or receive roundwood with bark, uncomposted bark and chips with bark from quarantined to preapproved sites in Maine may be canceled by the Maine Forest Service if the person who entered into it 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. Written agreements may be reinstated by the Maine Forest Service if it 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 Class E crime.

STATUTORY AUTHORITY: 7 M.R.S.A. Chapter 409 §§ 2301-2303

EFFECTIVE DATE:

October 1, 1988

AMENDED:

January 10, 2001

August 5, 2007 – filing 2007-317

September 25, 2013 – filing 2013-223