

Vermont Agency of Agriculture, Food and Markets

Hemlock Woolly Adelgid Quarantine

Section 1. General

- 1.1 Statement of Concerns. Whereas Hemlock Woolly Adelgid (*Adelges tsugae* Annand) has been found to cause mortality of Eastern Hemlock (*Tsuga canadensis*). Whereas Hemlock Woolly Adelgid is established in New England and has shown rapid movement northward. Whereas this pest has been found to be difficult to control in natural Hemlock stands. Whereas Hemlock is a very valuable component of Northern New England's forest for both timber and wildlife as well as a high value landscape ornamental. Therefore, the State of Vermont is establishing this plant quarantine against Hemlock Woolly Adelgid for the protection of these valuable resources.
- 1.2 Enabling Legislation. The statutory authority for this regulation is 6 V.S.A. Chapter 84 'Pest Survey, Detection and Management.'

Section 2. Definitions

- 2.1 "Hemlock" means all the species within the genus, *Tsuga*.
- 2.2 "Hemlock Woolly Adelgid" means the insect known as Hemlock Woolly Adelgid, *Adelges tsugae* Annand, in the order Homoptera and family Adelgidae.
- 2.3 "Inspector" means a representative of the Vermont State Agency of Agriculture, Food and Markets, when authorized by the Secretary to act in that capacity.
- 2.4 "Nursery Stock" means all woody or herbaceous shrubs, trees, plants and vines, including bulbs and rhizomes as well as buds, grafts, scions and other parts capable of propagation whether wild, cultivated or grown under artificial covering or artificial conditions. This definition does not include cut flowers or seeds.

2.5 "Regulated Article" means hemlock nursery stock and, when found by an inspector to present a hazard of spreading hemlock woolly adelgid, any other nursery stock.

2.5.2.6 "Secretary" means the Secretary of Agriculture, Food and Markets.

Section 3. Specific Purpose and Factual Basis

- 3.1 Purpose. The specific purpose of this regulation is to protect Vermont's Hemlock resource by preventing the introduction of Hemlock Woolly Adelgid into Vermont and its spread within the State.
- 3.2 Factual Basis. The Agency of Agriculture, Food and Markets has determined that this quarantine is necessary based on the following facts:
- (a) The Hemlock Woolly Adelgid is an introduced species native to Asia, and a serious pest of Eastern Hemlock in many Eastern States.

- (b) This insect feeds mainly on the young branches by inserting its piercing and sucking mouthparts and removing sap.
- (c) This feeding retards or prevents tree growth, causes needles to discolor and drop prematurely, kills branches, weakens and disfigures the tree, and causes tree mortality.

Section 4. Hemlock Woolly Adelgid Quarantine

4.1 Pest. A quarantine is established against Hemlock Woolly Adelgid (*Adelges tsugae* Annand).

4.2 Area Under Quarantine. All counties where hemlock woolly adelgid is known to occur.

- (a) In the Eastern United States and Canada, the counties where hemlock woolly adelgid has been detected ~~according to the most recent map depicting the “Distribution of HWA” produced by the USDA Forest Service or any subsequent updates.~~
- (b) 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 of British Columbia.

~~4.3 Regulated Articles. Hemlock nursery stock and any other article when found by an inspector to present a hazard of spreading hemlock woolly adelgid.~~

~~4.4.3 Restrictions. All regulated articles are prohibited entry into non-quarantined areas of Vermont except as specifically allowed and conditioned below.~~

- (a) ~~Hemlock nursery stock~~A regulated article originating from or having previously been held in an area under quarantine is prohibited entry into ~~non-quarantined areas of~~ Vermont unless treated by a method approved by the Vermont Agency of Agriculture, Food and Markets. ~~A Treated nursery stock~~regulated article shall be accompanied by a State Phytosanitary Certificate indicating the number and type of regulated articles and the treatment used.
- (b) ~~Hemlock nursery stock~~A regulated article originating from a non-quarantined area and shipped into Vermont must be accompanied by a State Phytosanitary Certificate, or a Certificate of Origin, indicating the number and type of regulated articles, and attesting to the fact that the regulated articles:
 - (i) originated from a non-quarantined area;
 - (ii) originated from a non-quarantined area adjacent to quarantined counties which are annually surveyed and found negative for Hemlock Woolly Adelgid by a State Plant Protection Agency;

- (iii) have not been held in an area under quarantine; and
- (iv) have not been exposed to a regulated article from a quarantined area.

(c) A regulated article originating from or having previously been held in an area under quarantine within Vermont is prohibited entry into non-quarantined areas of Vermont unless treated by a method approved by the Vermont Agency of Agriculture, Food and Markets. A treated regulated article shall be accompanied by a State Phytosanitary Certificate indicating the number and type of regulated articles and the treatment used.

(e)(d) For Sections 4.43(a)-(b), a copy of the State Phytosanitary Certificate or Certificate of Origin shall be signed by a plant regulatory official in the originating state and upon issuance shall be submitted to the Agency of Agriculture, Food and Markets within three days of issuance.

(d)(e) Hemlock nursery stock which has been transported through an area under quarantine is prohibited entry into Vermont except in accordance with the following conditions:

- (i) The vehicle transporting the regulated articles must transit the area under quarantine without stopping, except for refueling.
- (ii) The regulated articles were not off-loaded in the area under quarantine.
- (iii) No regulated articles were added to the shipment in the quarantined area.