



Michigan Department of Agriculture and Rural Development
Pesticide and Plant Pest Management Division

EXTERIOR FIREWOOD QUARANTINE
October 14, 2021 - DRAFT FOR COMMENT

WHEREAS, the Director of the Michigan Department of Agriculture and Rural Development, having found that there are over 140 pests and diseases that can be moved with firewood, including Asian longhorned beetle, oak wilt, beech bark disease and spotted lanternfly, many of which are not known to exist in Michigan; or are of limited distribution in the state; and,

WHEREAS, once a pest or disease becomes established it is difficult to eradicate; and causes severe economic hardship upon municipalities, counties, industry, and citizens to manage and control unwanted pests and diseases; and,

WHEREAS agricultural and silvicultural resources and tourism provide significant economic and environmental benefits to Michigan; and,

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 and Rural Development, by authority of Section 23 of Act No. 189, P.A. of 1931, as amended, (Section 286.223, Compiled Laws of 1948); 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 pests and diseases associated with firewood and sets forth: regulated areas, regulated articles, shipping restrictions, and violations.

I. DEFINITIONS.

The following terms shall be construed to mean:

- (A) **CERTIFICATE** means a State Phytosanitary Certificate or Certificate of Quarantine Compliance, or equivalent certification document issued by an authorized state agricultural official.
- (B) **CERTIFIED FIREWOOD KILN** – means a kiln that has passed a rigorous inspection and testing process and has successfully demonstrated the ability to heat their firewood to a minimum core temperature of 60° Celsius (140° Fahrenheit) for 60 minutes.
- (C) **COMPLIANCE AGREEMENT** means a written agreement between the Director and a person moving or receiving regulated articles.
- (D) **DEPARTMENT** means the Michigan Department of Agriculture and Rural Development.
- (E) **DIRECTOR** means the Director of the Michigan Department of Agriculture and Rural Development or her/his authorized representative.

- (F) **FIREWOOD** means all wood of any species, cut or not cut, split or not split, regardless of length which is: a) in a form and size appropriate for use as fuel, or b) which is destined for use as fuel.
- (G) **INFESTATION** means the presence of a harmful pest or disease or the existence of the circumstances that make it reasonable to believe that the pest or disease is present.
- (H) **INSPECTOR** means an employee of the Department authorized to enforce the provisions of this quarantine.
- (I) **MOVED (MOVE, MOVEMENT)** means shipped, held for shipment, received for shipment, transported, carried, or allowed to be moved or shipped.
- (J) **PERSON** means an individual, firm, association, partnership, corporation, governmental entity, or other legal entity.

II. PESTS AND DISEASES

All insect pests and pathogens including but not limited to Asian longhorned beetle, cedar longhorned beetle, spotted lanternfly, Sirex wood wasp, oak wilt, beech bark disease, white pine blister rust, pinewood nematode, balsam woolly adelgid, brown garden snails, Lymantria dispar moth and thousand cankers disease of walnut.

III. REGULATED AREAS

All states, territories, possessions and districts in the United States and all countries.

IV. REGULATED ARTICLES

Firewood originating from outside the state of Michigan.

V. EXEMPTIONS

1. Kiln-dried dimensional lumber.
2. Wood that has been chipped to a maximum piece size that is no greater than one inch (2.54 cm.) in two dimensions.
3. Logs or wood from out of state sources being transported to or possessed by the following:
 - a. Sawmills for dimensional lumber
 - b. Veneer mills
 - c. Pulp and paper mills
 - d. Wood pellet manufacturers
 - e. Plywood manufacturers
 - f. Refineries or power plants utilizing wood biomass
 - g. Facilities producing re-constituted wood or wood composite products
 - h. Firewood treatment facilities

VI. RESTRICTIONS

All firewood is prohibited entry into Michigan from any regulated area, with the following exceptions:

1. Firewood treated in a certified kiln to achieve a minimum core temperature of 60°Celsius (140°Fahrenheit) for a minimum of 60 minutes; or
2. Firewood subjected to other treatments, e.g. steam, microwave, dielectric heat or hot water, approved by the Director that achieve the specification in VI (1); or,
3. Firewood treated by other methods approved in writing by the Director which achieve comparable results.
4. Mills that sell or otherwise distribute slab wood as firewood where it is a byproduct of their operation and where the wood originated from an out of state source and the mill operates under a compliance agreement utilizing a treatment method approved by the Director.

VII. CERTIFICATION AND SHIPPING REQUIREMENTS

Certificates - Firewood meeting the requirements for entry into Michigan must be accompanied by a certificate issued by an authorized agricultural official. The certificate must indicate the origin and attest to the type of treatment indicated in VI. Restrictions.

VIII. RECORD KEEPING REQUIREMENTS

Persons receiving firewood from interstate and international sources shall retain a copy of shipping records, invoices, waybills, bills of lading, certificates of quarantine compliance, phytosanitary certificates, or equivalent certification documents for a period of 36 months after receipt of the articles.

IX. VIOLATIONS

1. Any violation of this quarantine is subject to the full authority of Act No. 189, P.A. of 1931, as amended.
2. Common carriers or other carriers, persons, firms, or corporations who transport or move regulated articles in violation of this quarantine and these rules may be subject to the penalties described above.

Gary McDowell, Director
 Michigan Dept. of Agriculture & Rural Development

 Date

This quarantine shall become effective on:

 Effective Date

History: Promulgated xx/xx/xxxx, Effective xx/xx/xxx