



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

HEMLOCK WOOLLY ADELGID INTERIOR STATE QUARANTINE

WHEREAS the Director of the Michigan Department of Agriculture and Rural Development, having found that a dangerous pest commonly known as hemlock woolly adelgid, *Adelges tsugae* Annand, is injurious to native eastern hemlock, has become established in parts of the eastern and western United States; and, that this pest has been detected in the state of Michigan; and,

WHEREAS hemlock woolly adelgid has been found infesting hemlock, *Tsuga* spp., trees in a limited area in Michigan; and,

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

WHEREAS many species of wildlife benefit from the excellent habitat that hemlock provides, and hemlock is considered a critical component to wildlife habitat; 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 6 of Act No. 72 of the Public Acts of 1945 (Section 286.256, Compiled Laws of 1948) and Regulation No. 620 Quarantine, does establish a quarantine to prevent the further spread in Michigan of the insect pest, hemlock woolly adelgid, and sets forth definitions, 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, Certificate of Quarantine Compliance or equivalent certification document issued by an authorized state agricultural official.
- (B) **COMPLIANCE AGREEMENT** means a written agreement between the Director and a person moving or receiving regulated articles.
- (C) **DEPARTMENT** means the Michigan Department of Agriculture and Rural Development.
- (D) **DIELECTRIC HEAT (DH)** means lumber has been heat treated using dielectric heating.

- (E) **DIRECTOR** means the Director of the Michigan Department of Agriculture and Rural Development or her/his authorized representative.
- (F) **FIREWOOD** means tree parts in lengths less than 1.22 meters (4 feet).
- (G) **HEAT TREATMENT (HT)** means lumber which has been placed in a closed chamber and artificial heat added until the lumber or packing achieves a minimum core temperature of 56 degrees Celsius (132.8 degrees Fahrenheit) for a minimum of 30 minutes.
- (H) **INFESTATION** means the presence of the hemlock woolly adelgid or the existence of the circumstances that make it reasonable to believe that hemlock woolly adelgid is present.
- (I) **KILN DRIED (KD)** means lumber seasoned in a closed chamber by means of artificial heat to a maximum moisture content of 19 percent at time of surfacing.
- (J) **LOG** means tree parts cut into lengths 1.22 meters (4 feet) or longer.
- (K) **LUMBER** means timber sawed into boards, planks, or other structural members.
- (L) **MOVED (MOVEMENT)** means shipped, held for shipment, received for shipment, transported, carried, or allowed to be moved or shipped.
- (M) **PERSON** means an individual, firm, association, partnership, corporation, governmental entity, or other legal entity.
- (N) **SAFEGUARDED** means protective measures which have been taken to prevent the introduction of hemlock woolly adelgid onto hemlock nursery stock. Protective measures include:
 - a) transporting and/or holding nursery stock that is enclosed by a covering such as canvas, plastic, or closely woven cloth,
 - b) transporting and/or holding the nursery stock in an enclosed trailer body or vehicle; and,
 - c) holding the nursery stock in an enclosed building or in a secure, screened greenhouse or in a secure, screened hoop house.

II. PEST

Hemlock woolly adelgid, *Adelges tsugae* Annand, in any living form.

III. REGULATED AREAS WITHIN MICHIGAN

The entire counties of Allegan, Antrim, Benzie, Leelanau, Manistee, Mason, Muskegon, Oceana, Ottawa and a portion of Washtenaw County which includes the area between Geddes Avenue and the Huron River, east of Forest Hill Cemetery, and west of Huron Parkway as well as the entirety of Nichols Arboretum in Ann Arbor (see Appendix A).

IV. REGULATED ARTICLES

Hemlock woolly adelgid, *Adelges tsugae* Annand, in any living form.

Tsuga spp. (hemlock) and *Picea torano* (syn. *Picea polita*) (tiger-tail spruce) nursery stock; uncomposted chipped/shredded/ground forest products bearing twigs and needles, including branches, boughs, logs, lumber, and firewood.

V. EXEMPTIONS

Exempted items include:

1. Composted chipped/shredded/ground forest products of regulated species.
2. Lumber, logs and other forest products of regulated species with all twigs and needles completely removed.
3. Lumber, pallets and similar products that bear markings as being compliant with International Standards for Phytosanitary Measures No. 15, including American Lumber Standards Committee requirements for Kiln Dried (KD), Heat Treatment (HT), Dielectric Heat treatment (DH) or Kiln Dried Heat Treatment (KDHT).
4. Seeds and cones of regulated species.
5. Firewood and other forest products of the regulated species which have no attached twigs or needles.
6. *Tsuga* spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock originating from outside the regulated area which is moved into the regulated area for the purpose of immediate installation at a landscape site in the regulated area and is shipped directly to the landscape site is exempt.
7. *Tsuga* spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock originating from outside the regulated area which is moved into the regulated area for the purpose of installation at a landscape site in the regulated area and is held in a safeguarded manner until subsequent installation is exempt.

The Director may allow:

1. With written approval, the movement of regulated articles from the regulated area into non-regulated areas of Michigan for research purposes.
2. Movement of regulated articles from the regulated area into non-regulated areas of the state through a written compliance agreement issued by the Director.
3. Movement of regulated articles from locations within the regulated area to destinations inside the regulated area through a written compliance agreement issued by the Director.

VI. RESTRICTIONS

1. Movement of regulated articles from the regulated area to any destination outside the regulated area is prohibited, except for exempt articles listed in Section V. Exemptions.
2. Movement of regulated articles from locations within the regulated area to any destination inside the regulated area is prohibited, except for exempt articles listed in Section V. Exemptions.
3. Movement of hemlock yard waste (hemlock branches and boughs with needles and twigs attached; or un-composted hemlock yard waste which has been chipped) from locations within the regulated area to any destination inside the regulated area is prohibited, unless it meets both of the following conditions:

- a. It is moved to a disposal site where there are no hemlock trees within 100 yards.
 - b. During the high risk, eight-month period of March through October, said hemlock yard waste may only be transported when enclosed by a covering adequate to prevent the spread of hemlock woolly adelgid (such as canvas, plastic, or closely woven cloth), or is transported in an enclosed trailer body or vehicle.
4. *Tsuga* spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock originating from outside the regulated area which is moved into the regulated area will be considered exposed to potential infestation by hemlock woolly adelgid and may not be subsequently moved to destinations outside the regulated area except under written compliance agreement issued by the Director. This restriction does not apply to safeguarded articles as described in Section VII. Part 2 or to articles shipped entirely during the low risk, four-month period of November through February.
 5. NOTE: Hemlock nursery stock originating outside of the State of Michigan must meet the requirements of the Michigan HWA Exterior Quarantine.

VII. CERTIFICATION AND SHIPPING REQUIREMENTS

1. Certificates - *Tsuga* spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock originating in the regulated area in Michigan must be accompanied by a certificate issued by the Director. The certificate must indicate the county of origin, and compliance agreement number (where applicable). A copy of the certificate shall accompany said nursery stock to the final destination.

2. Transportation Requirements (Nursery Stock) - During the high risk, eight-month period of March through October, *Tsuga* spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock originating outside the regulated area may be transported through the regulated area, provided that: a) said nursery stock is enclosed by a covering adequate to prevent the introduction of hemlock woolly adelgid (such as canvas, plastic, or closely woven cloth), or is transported in an enclosed trailer body or vehicle; and, b) said nursery stock was not off-loaded in the regulated area; and, c) no *Tsuga* spp. (hemlock) or *Picea torano* (tiger-tail spruce) nursery stock was added to the shipment in the regulated area. Safeguarded *Tsuga* spp. (hemlock) and *Picea torano* (tiger-tail spruce) nursery stock transported through the regulated area must be accompanied by shipping documents which clearly identify the place of origin. During the low risk, four-month period encompassing November through February the above requirements do not apply.

VIII. RECORDKEEPING REQUIREMENTS

Persons receiving regulated articles from any source 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. Said documents shall be provided upon request to the Director.

IX. VIOLATIONS

1. Any violation of this quarantine is subject to the full authority of Act No. 72, P.A. of 1945, 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.
3. Regulated articles transported in violation of this quarantine may be ordered destroyed or returned to the point of origin at the discretion of the Director.

Tim Boing

Dr. Timothy Boing Director

July 24, 2024

Date

This quarantine shall become effective on:

July 29, 2024

Effective Date

Appendix A

