



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

MOUNTAIN PINE BEETLE EXTERIOR STATE QUARANTINE

September 10, 2020

WHEREAS, the Director of the Michigan Department of Agriculture and Rural Development, having found that a dangerous pest, commonly known as the mountain pine beetle, *Dendroctonus ponderosae* Hopkins, is injurious to pine trees, has been detected in other states; and, that this pest is not known to exist in Michigan; and,

WHEREAS pine is an economically important genus of trees in Michigan, that is harvested for saw logs, pulpwood and holiday greenery; and,

WHEREAS once native stands of pine trees are infested with this pest it is difficult to eradicate; and,

WHEREAS many species of wildlife benefit from the excellent habitat that a stand of pine trees provides, and pine 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 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 the insect pest known as mountain pine beetle and sets forth: regulated areas, regulated articles, shipping restrictions, and violations.

I. DEFINITIONS

- (A) **BARK** means the natural bark of a tree, including residual bark at branch unions.
- (B) **CERTIFICATE** means a State Phytosanitary Certificate or Certificate of Quarantine Compliance or equivalent certification document issued by an authorized state plant health regulatory official.
- (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) **DIELECTRIC HEAT (DH)** means lumber has been heat treated using dielectric heating.
- (F) **DIRECTOR** means the Director of the Michigan Department of Agriculture and Rural Development or her/his authorized representative.

- (G) **FIREWOOD** means tree parts in lengths less than 1.22 meters (4 feet).
- (H) **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 C. (132.8 degrees F.) for a minimum of 30 minutes.
- (I) **INFESTATION** means the presence of the mountain pine beetle or the existence of the circumstances that make it reasonable to believe that the mountain pine beetle is present.
- (J) **INSPECTOR** means an employee of the Department authorized to enforce the provisions of this quarantine.
- (K) **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.
- (L) **LOG** means tree parts cut into lengths 1.22 meters (4 feet) or longer.
- (M) **LUMBER** means timber sawed into boards, planks, or other structural members.
- (N) **MOVED (MOVE, MOVEMENT)** means shipped, held for shipment, received for shipment, transported, carried, or allowed to be moved or shipped.
- (O) **PERSON** means an individual, firm, association, partnership, corporation, governmental entity, or other legal entity.

II. PEST

Mountain pine beetle, *Dendroctonus ponderosae* Hopkins, in any living form.

III. REGULATED AREAS

The entire states of Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, South Dakota, Utah, Washington, Wyoming; and, the Canadian provinces of Alberta, British Columbia and Saskatchewan.

IV. REGULATED ARTICLES

1. Mountain pine beetle, *Dendroctonus ponderosae* Hopkins, in any living form.
2. Wood or plant parts of the genus *Pinus* (pines) with bark attached, including logs, posts, lumber, stumps and branches.
3. Firewood of any species.
4. Any article, product or conveyance when it is determined by the Director to present a risk of spread of the mountain pine beetle, *Dendroctonus ponderosae* Hopkins.

V. EXEMPTIONS

1. Chipped/shredded/ground forest products of pine species.
2. Pine holiday greenery, such as cut Christmas trees, wreaths, boughs and grave blankets.
3. Pine nursery stock.
4. Lumber, logs and other pine forest products with all bark completely removed.
5. 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).
6. Lumber and posts which have been treated with wood preservatives compounds per label requirements of the compound.
7. Seeds and cones of pine species.
8. Regulated articles from a regulated area may be allowed entry into Michigan under a Compliance Agreement issued by the Director.
9. Treated firewood that is packaged and labeled as being KD, HT, DH, KDHT; or, is USDA Certified and clearly marked with the producer's name and address.

VI. RESTRICTIONS

1. All regulated articles are prohibited entry into Michigan from any regulated area.
2. Regulated articles originating in non-regulated areas and transiting a regulated area are prohibited entry into Michigan unless safeguarded during transit. See Transportation Requirements.
3. Regulated articles moved under a Compliance Agreement must comply with the criteria listed in the Compliance Agreement.

VII. CERTIFICATION AND SHIPPING REQUIREMENTS

1. Certificates and Shipping Documents

a. Regulated articles moved into Michigan under a Compliance Agreement issued by the Director must be accompanied by a Certificate issued by the originating state agricultural official. The Certificate shall verify that the articles comply with the conditions of the Compliance Agreement.

b. Regulated articles shipped into Michigan from non-regulated areas must be accompanied by shipping documents that indicate the state and county of origin, the number and the type of regulated articles.

2. Transportation Requirements

a. During the high risk, eight-month period of March through October, regulated articles originating outside a regulated area may be transported through a regulated area, provided that: a) said articles are enclosed by a covering adequate to prevent the introduction of mountain pine beetle (such as canvas, plastic, or closely woven cloth), or is transported in an enclosed trailer body or vehicle; and, b) said articles were not off-loaded in a regulated area; and, c) no regulated articles were added to the shipment in the regulated area.

b. During the low risk, four-month period encompassing November through February the above requirements do not apply.

VIII. RECORD KEEPING REQUIREMENTS

Persons receiving regulated articles 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. 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. 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.
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.



Gary McDowell, Director

September 10, 2020
Date

This quarantine shall become effective on:

September 24, 2020
Effective Date

History: Promulgated Sept. 10, 2020; Eff. Sept. 24, 2020