IDAPA 02 – IDAHO DEPARTMENT OF AGRICULTURE

Plants Division

02.06.05 – Rules Governing Plant Disease and Quarantines

Who does this rule apply to?
Growers of hops, onions, mint, grapes, lentils, and orchard crops such as apples, cherries, and peaches. Nurseries and other landowners with infestations of certain pests such as Japanese beetles. Growers and others involved in the disposal of cull onions and potatoes.

What is the purpose of this rule?
This rule establishes regulated pests, regulated products, regulated articles, control areas, quarantine area and special permits for certain crops to prevent the spread of plant disease and pests. This rule will provide regional consistency for plant pest quarantines.

The rules that were combined as sub-chapters in this single rule are all the result of a potential problem pest or disease that can impact crops or commodities grown in Idaho. Each of these sub-chapters provides a set of quarantine requirements meant to protect unaffected crops from the introduction of a known pest. The stakeholders and constituencies affected by these rules participated in the negotiated rulemaking process that put these rules in place, and have expressed support and interest in the protection these rules provide.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statutes passed by the Idaho Legislature:

- 22-2004, Idaho Code – Duties of the Department Regarding Idaho Plant Pest Act
- 22-2006, Idaho Code – Promulgation of Rules – Collection and Deposit of Fees and Penalties

Who do I contact for more information on this rule?

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This rule chapter will be reviewed in compliance with Section 67-5292, Idaho Code, and in accordance with the 8-year rule review schedule linked here.

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000. LEGAL AUTHORITY.
Sections 22-2004, and 22-2006, Idaho Code. (4-6-23)

001. SCOPE.
This rule establishes regulated pests, regulated products, regulated articles, control areas, quarantine areas and special permits for certain crops to prevent the spread of plant disease and pests. This rule will provide regional consistency for plant pest quarantines. (4-6-23)

002. -- 009. (RESERVED)

010. DEFINITIONS.
The definitions set forth in Section 22-2005, Idaho Code, apply in the interpretation and enforcement of this rule. (4-6-23)

SUBCHAPTER A – DISEASES OF HOPS

011. -- 111. (RESERVED)

112. REGULATED PESTS.

01. Verticillium Wilt. Plant Material infected with the disease caused by the fungus *Verticillium nonalfalfae* (formerly known as *Verticillium albo-atrum Reinke* and *Berth*) and any species or strains of the genus Verticillium pathogenic to hops. (4-6-23)

02. Powdery Mildew. Plant Material infected with the disease caused by the fungus *Podosphaera macularis* (Wallr. Fr.), synonyms *Sphaerotheca macularis* (Wallr. Fr.) Lind and *Sphaerotheca humuli* (Burril) Lind. (4-6-23)

03. Hop Stunt Viroid. Plant Material infected with the disease caused by the viroid *Hostuviroid hop stunt viroid* and all strains and genetic variants associated with the genus. (4-6-23)

04. Ilarvirus Species. Plant Material infected with the disease caused by virus species within the Genus Ilarvis, including but not limited to Apple Mosaic Virus and Prunus Necrotic Ringspot Virus. (4-6-23)

113. -- 119. (RESERVED)

120. REGULATED ARTICLES.

01. Plant Material. Plants and all plant parts of hops, except kiln dried cones. (4-6-23)

121. -- 129. (RESERVED)

130. QUARANTINE AREA.
All areas outside of the territorial borders of Idaho, Oregon, and Washington. (4-6-23)

131. -- 139. (RESERVED)

140. RESTRICTIONS ON IMPORT.
No person may import restricted articles from the quarantined area into Idaho unless the person importing the regulated articles first obtains a special permit from the department as set forth in Section 160. (4-6-23)

141. –159. (RESERVED)

160. SPECIAL PERMITS.
Any person(s) or agencies wishing to import covered commodities from the quarantine area must apply in writing for a special permit as authorized by the department. (4-6-23)

01. Application. Application for special permits must list the prospective buyer and seller; the number, and origin of stock; location of proposed planting site; and any other relevant information. (4-6-23)

02. Conditions. Special permits, when granted, may include such conditions as may be necessary to prevent disease establishment. All permitted material must be found free from regulated pests by a federal, state, or university laboratory. (4-6-23)

161. -- 211. (RESERVED)

SUBCHAPTER B – WHITE ROT DISEASE OF ONION

212. REGULATED PEST.
Onion white rot *(Sclerotium cepivorum)*. (4-6-23)

213. -- 219. (RESERVED)

220. DESIGNATED COUNTIES.
Ada, Bingham, Blaine, Boise, Bonneville, Canyon, Cassia, Elmore, Gem, Gooding, Jefferson, Jerome, Lincoln, Madison, Minidoka, Owyhee, Payette, Power, Twin Falls, and Washington Counties, state of Idaho. (4-6-23)

221. -- 229. (RESERVED)

230. REGULATED PRODUCTS.
Bulbs, sets, or seedlings of onion, garlic, leek, chive, shallot or other Allium species, including all ornamental Allium species, for planting purposes. (4-6-23)

231. -- 249. (RESERVED)

250. RULES GOVERNING SHIPMENTS.

01. Shipment for Planting Purposes. No person may import into the designated counties bulbs, sets or seedlings of onion, garlic, leek, chives, shallots or other Allium species, including ornamentals, for planting purposes except as provided in Subsections 250.02 through 250.04. (4-6-23)

02. Designated Counties. Allium production within the designated counties shall be limited to production from seed, or from vegetative propagative material produced from seed within the designated counties. Bulbs, sets or seedlings of Allium species produced within the designated counties then exported from the designated counties for processing or other purposes cannot be returned to the designated counties for planting purposes. (4-6-23)

03. Vegetative Propagative Material. Vegetative propagative material, produced under aseptic conditions or field inspected annually by the Department during active growth, may be brought into the designated counties if an exemption is granted by the Department. (4-6-23)

04. Allium Exemption. Bulbs, sets, or seedlings of Allium species, for planting purposes, produced in Malheur County, Oregon, and regulated by similar rules are exempt from the restrictions of Subsection 250.01. (4-6-23)

251. -- 309. (RESERVED)

SUBCHAPTER C – APPLE AND CHERRY PESTS

310. DEFINITIONS.
The definitions found in section 310 apply to the interpretation and enforcement of Subchapter C only: (4-6-23)

01. Commercial Fruit. Fruit harvested from a commercial orchard and destined to a commercial processing plant, packing plant, or for retail or wholesale sales. (4-6-23)

02. Commercial Orchard. An orchard in which fruit is grown for commercial purposes under

accepted industry, university agricultural extension service, and regulatory guidelines. (4-6-23)

03. Graded Culls. Apples that have failed to meet industry quality standards for fresh markets, yet meet industry quality standards for processing purposes. (4-6-23)

04. Infested Area. An area where a regulated pest is known to be present and is capable of reproducing and maintaining a viable population. (4-6-23)

05. Threatened with Infestation. The entire commercial orchard is threatened with infestation when an outside boundary is within one-half (1/2) mile of an established regulated pest even if a portion of the commercial orchard is beyond one-half (1/2) mile of an established regulated pest. (4-6-23)

311. – 319. (RESERVED)

320. REGULATED PESTS.

01. Apple Maggot. *(Rhagoletis pomonella)*. (4-6-23)

02. Plum Curculio. (*Conotrachelus nenuphar* (*Coleoptera*: *Curculionidae*)). (4-6-23)

321. REGULATED ARTICLES.
All commercially packed fresh fruit of apple (including crabapple), cherry, hawthorn (haw), pear, plum, prune, and quince. (4-6-23)

322. --329. (RESERVED)

330. REGULATED AREAS.

01. Non-Infested Areas -- Within Idaho. Any commercial orchard surveyed for verification of pest freedom and found negative. (4-6-23)

331. -- 339. (RESERVED)

340. RESTRICTIONS.
Any shipment of regulated articles shall be free from infestation of regulated pests. (4-6-23)

341. -- 511. (RESERVED)

SUBCHAPTER D – PEACH TREE DISEASES

512. REGULATED PESTS.
The viral diseases known as Peach Yellows, Peach Rosette, and Little Peach. (4-6-23)

513. -- 519. (RESERVED)

520. AREA UNDER QUARANTINE.
All states or foreign countries or portion thereof where Peach Yellows is known to occur. (4-6-23)

521. -- 524. (RESERVED)

525. REGULATED ARTICLES.
All trees, cuttings, grafts, scions, or buds of all Prunus species and varieties including the flowering forms of peach, nectarine, apricot, almond, plum, and prune, and any trees budded or grafted on peach stock or peach roots, coming from a regulated area. (4-6-23)

526. -- 529. (RESERVED)

530. RESTRICTIONS GOVERNING SHIPMENTS.
The regulated articles will not be admitted into Idaho from the regulated areas unless the state of origin certifies that they were produced in a county free from infection with the regulated pests, as determined by adequate annual surveys satisfactory to the Director, and from disease-free bud sources, rootstocks, and environs. (4-6-23)

531. -- 539. (RESERVED)

540. OFFICIAL CERTIFICATE REQUIREMENTS.
The certificates required by Section 530 of these rules, will state the names and addresses of the shipper and consignee, the number and kind of regulated articles in the shipments, and the area where grown. A copy of the certificate accompanies the shipment, and one (1) copy is forwarded at the time of shipment to the Division of Plant Industry, Idaho State Department of Agriculture, Boise, Idaho. (4-6-23)

541. -- 549. (RESERVED)

550. EXEMPTIONS.
This quarantine does not apply to experiments of the United States Department of Agriculture in the state of Idaho nor to experiments of the College of Agriculture, Department of Pathology of the University of Idaho. (4-6-23)

551. -- 609. (RESERVED)

SUBCHAPTER E – DISPOSAL OF CULL ONIONS AND POTATOES

610. DEFINITIONS.
The definitions found in section 610 apply to the interpretation and enforcement of Subchapter E only. (4-6-23)

01. Cull Onions. Refers to those onions that are not marketable or usable for consumption or are generally considered waste, and includes the residue left in the field from the production of onion seed as well as commercial onions. (4-6-23)

02. Cull Potatoes. Refers to those potatoes that are not marketable or usable for consumption or as seed potatoes and includes the residue left in the field from commercial or seed potato production, or as a result of spoilage while in storage. (4-6-23)

611. -- 619. (RESERVED)

620. REGULATED AREA.

01. Onions. Ada, Canyon, Gem, Payette, Owyhee, and Washington Counties, state of Idaho. (4-6-23)

02. Potatoes. The entire state of Idaho. (4-6-23)

621. -- 629. (RESERVED)

630. REGULATED PRODUCTS.

01. Cull Onions. All cull onions produced as a result of market conditions, the grading process, or as a result of breakdown in storage or sorted out in the field during harvest and bulbs and waste left over from seed production. (4-6-23)

02. Cull Potatoes. All cull potatoes produced as a result of market conditions, the grading process, or as a result of breakdown in storage, or sorted out in the field during harvest and tubers and waste left over from potato seed production. (4-6-23)

631. -- 639. (RESERVED)

640. DISPOSITION OF CULL ONIONS.

All cull onions existing in the control area shall be disposed of by a method approved of in Section 641 of this rule, to prevent sprouting. Disposal of all existing cull onions and debris must be completed prior to March 15th, of each year; provided; however, that in the case of onions sorted on or after March 15th of each year, the cull onions resulting therefrom shall be disposed of within one (1) week after such sorting regardless of the disposal method. The Department only enforces the cull onion disposal portions of this rule from March 15th through July 1st of each year. (4-6-23)

641. DISPOSAL METHODS.
To control the spread of the onion maggot and related onion diseases, all disposal methods listed in Section 641 must be carried out to the extent that control of the regulated pest(s) is achieved in order to be in compliance with Subchapter E. (4-6-23)

01. Disposal by Covering in Dumps or Pits. (4-6-23)

a. Cull onions disposed of by being dumped in pits shall be managed and covered as recommended by the University of Idaho Agricultural Extension Service. (4-6-23)

b. Covering shall be accomplished by March 15th of each year or as provided in Section 640 of this rule. (4-6-23)

02. Disposal by Feeding After March 15th of Each Year. (4-6-23)

a. Onion debris shall be completely removed from feeding areas and buried under twelve (12) inches or more of onion-free soil by March 15th of each year. (4-6-23)

b. In the case of residues of onion debris two (2) inches or less in depth, or onions tramped into the soil so that they cannot be removed, such areas shall be disked and plowed as deep as possible, and such that all onions and debris are buried under eight (8) inches or more of onion-free soil by March 15th of each year. (4-6-23)

c. Feeding areas and areas where onions are buried shall be treated in the manner set out in Section 641. (4-6-23)

03. Disposal by Composting. Cull onions being composted shall be covered by twelve (12) inches or more of onion-free soil or composting material until the onions have turned to compost. (4-6-23)

04. Disposal of Residue in Onion Producing Fields. (4-6-23)

a. Commercial onion fields where sort-out bulbs are left at harvest shall be disked and plowed as deep as possible, and such that all onions and debris are buried under eight (8) inches or more of onion-free soil by March 15th of each year. (4-6-23)

b. Following final seed harvest, seed bulbs shall be disked and plowed as deep as possible, and such that all onions and debris are buried under eight (8) inches or more of onion-free soil by March 15th of each year. (4-6-23)

05. Disposal by Chopping or Shredding. Cull onions that have been chopped or shredded to the point that they are incapable of sprouting, shall be disked and plowed as deep as possible, and such that all onions and debris are buried under eight (8) inches or more of onion-free soil by March 15th of each year. (4-6-23)

06. Disposal by Spreading. Cull Onions may be disposed of by being spread on agricultural fields destined to be planted to a crop other than onions provided the onions are disked and plowed as deep as possible, and such that all onions and debris are buried under eight (8) inches or more of onion-free soil. (4-6-23)

642. INCLEMENT WEATHER.
If inclement weather prevents disposal by the methods in Subsections 641.01 through 641.06, culls shall be treated with an EPA-labeled insecticide at prescribed intervals as recommended by the University of Idaho Agricultural Extension Service until proper disposal as prescribed in Subsections 641.01 through 641.06 can be carried out.

(4-6-23)

643. (RESERVED)

644. NOTIFICATION REQUIRED.
Any person or entity delivering cull onions for disposal in the area regulated for cull onion disposal shall provide written notification to the recipient of those cull onions advising the recipient of this rule and the recipient's obligations for the disposal of the cull onions under this rule. If the recipient is not the property owner, written notification shall also be made to the owner of the property where the onions are to be disposed of. Failure to make such notification in writing is a violation of Subchapter E. (4-6-23)

645. -- 649. (RESERVED)

650. DISPOSITION OF CULL POTATOES.
All cull potatoes existing west of the Raft River shall be rendered non-viable by April 15th of each year and all cull potatoes generated after April 15th shall be rendered non-viable on a daily basis until September 20th. All cull potatoes existing east of the Raft River shall be rendered non-viable by May 15th of each year and all cull potatoes generated after May 15th shall be rendered non-viable on a daily basis until September 20th. (4-6-23)

651. CULL POTATO DISPOSAL METHODS.
Cull potatoes shall be disposed of in a manner as to render them non-viable. Disposal methods are those as recommended by the University of Idaho Agricultural Extension Service. (4-6-23)

652. -- 709. (RESERVED)

SUBCHAPTER F – MINT ROOTSTOCK AND CLONE PRODUCTION

710. DEFINITIONS.
The definitions found in section 710 apply in the interpretation and enforcement of Subchapter F only: (4-6-23)

01. Field. A parcel of land submitted to the department for inspection of the mint being grown thereon, and physically separated by a minimum of five (5) feet of bare ground, or irrigation ditch, or road, or other physically discernible barrier separating it from an adjacent parcel of land planted with mint. (4-6-23)

711. (RESERVED)

712. REGULATED PESTS.

01. Diseases. Verticillium wilt *(Verticillium dahliae Kleb)* a persistent soil-borne fungal disease of mint and any virulently pathogenic, persistent disease known to be detrimental to the production of mint rootstock. (4-6-23)

02. Insects. Mint stem borer *(Pseudobaris nigrina)*, insect pests of mint rootstocks and any persistent insect pest known to be detrimental to the production of mint rootstocks and without effective control options. (4-6-23)

03. Noxious Weeds. Those weeds declared noxious by authority of Title 22, Chapter 24, Idaho Code (Noxious Weed Law) and Rules. Growers will be notified by the Department of existing noxious weed problems. If noxious weeds have not been effectively controlled as determined by the Department, prior to the second inspection, the field will be rejected for certification by the Department. (4-6-23)

713. -- 714. (RESERVED)

715. REGULATED PRODUCTS.

01. Mentha. Rootstocks of all species of the genus *Mentha*. (4-6-23)

716. -- 719. (RESERVED)

720. CONTROL AREAS.
To facilitate inspection and control, the areas, currently defined as: Cassia, Gooding, Jerome, Minidoka, and Twin Falls counties. (4-6-23)

01. Certified mint shall not be grown when the specific location is within five (5) miles of uncertified mint unless there are adequate physical and cultural barriers. (4-6-23)

721. -- 729. (RESERVED)

730. REQUIREMENTS FOR PLANTING MINT ROOTSTOCK.

01. State of Origin Phytosanitary Certificate. Healthy clones shall be accompanied by a phytosanitary certificate or transfer permit issued by a regulatory agency of the state of origin with zero (0) tolerance for regulated disease(s), insect(s) and noxious weed(s). (4-6-23)

02. Greenhouse Requirements. Greenhouses shall be screened and tightly constructed to preclude entry of any regulated pest. Planting media shall be sterilized prior to planting and not re-used for planting of any mint destined to be entered in mint certification. Greenhouses shall be disinfected annually with a ten percent (10%) sodium hypochlorite solution. (4-6-23)

731. -- 739. (RESERVED)

740. DETECTION OF REGULATED PESTS.
In the event visual examination reveals evidence of a regulated pest, laboratory tests, if necessary to determine the causal organism, will be conducted by the Idaho Department of Agriculture laboratory on official samples in addition to the field inspection. In the case of a disagreement between the state Department of Agriculture and the interested party concerning the identity of the regulated pest in question, the state Department of Agriculture will submit an official sample to any lab of the University of Idaho, for a final determination. (4-6-23)

741. -- 779. (RESERVED)

780. EXEMPTIONS.

01. Government Agencies. Subchapter F does not apply to any governmental agency growing mint in experimental plots approved by the Director of the Idaho Department of Agriculture and under the supervision of qualified plant scientists. (4-6-23)

02. Private Home Use. These rules do not apply to species of the genus *Mentha* intended for private home use. (4-6-23)

781. -- 819. (RESERVED)

SUBCHAPTER G – GRAPE PLANTING STOCK

820. REGULATED AREAS.
All areas outside of the territorial borders of the state of Idaho. (4-6-23)

821. -- 829. (RESERVED)

830. REGULATED COMMODITIES.
Planting stock of grape (Vitis species) including live plants, hardwood cuttings, softwood cuttings, rootstocks, and any other parts of the grape plant, except fruit, capable of propagation (except fruit). (4-6-23)

831. REGULATED PESTS.
Regulated pests include, but are not limited to: (4-6-23)

01. Grapevine Fanleaf Virus. (4-6-23)

02. Grapevine Leaf Roll - Associated Viruses. (4-6-23)

03. Red Blotch Virus. (4-6-23)

04. Grapevine Corky Bark Disease. Which include, but may not be limited to: (4-6-23)

a. Grapevine virus A**.** (4-6-23)

b. Grapevine virus B. (4-6-23)

05. Grape Phylloxera. *(Daktulosphaira vitifoliae)*; (4-6-23)

06. Pierce's Disease. As caused by the bacterium *Xylella fastidiosa*; (4-6-23)

07. Vine Mealybug. (Planococcus ficus) (4-6-23)

08. Glassy-Winged Sharpshooter. *(Homalodisca vitripennis)*. (4-6-23)

09. European Grapevine Moth. *(Lobesia botrana)* (4-6-23)

10. Xiphinema Index. (4-6-23)

832. -- 834. (RESERVED)

835. RULES GOVERNING SHIPMENTS.

01. Admittance into Idaho. Each shipment of a regulated article from a regulated area must be accompanied by a certificate issued by the state or country of origin's plant protection organization, stating that the grape planting stock to be imported has been certified in accordance with the regulations of an official grapevine certification program of the state or country of origin's plant protection organization, that includes annual inspections at all certification levels and testing at the foundation level for regulated pests and: (4-6-23)

a. The grapevines, rootstock and/or softwood cuttings were grown in and shipped from an area known to be free from regulated pests; or (4-6-23)

b. For small shipments (five hundred (500) or less) of un-rooted softwood cuttings, were individually inspected by an authorized inspector and were found to be free from regulated pests; or (4-6-23)

c. The grapevines, rootstock or softwood cuttings were grown under a sterile soil-less media and treated with a soil or systemic insecticide and a hot water dip treatment, as outlined in Section 840 of this rule, proven to be effective against vine mealybug and any other pests that may be present on the roots; or (4-6-23)

d. The grapevines, rootstock, and/or softwood cuttings were subject to one (1) of the two (2) treatments outlined in Section 840 of this rule, or such additional methods as may be determined to be effective and are approved by the director and were stored in a manner after treatment that would prevent re-infestation. (4-6-23)

02. Marking Contents. All shipments of grape planting stock must be plainly marked with the contents on the outside of the package or container. (4-6-23)

03. Shipment Notification. Persons shipping or transporting grape planting stock into this state from areas under regulation shall notify the department by electronic mail, regular mail or fax prior to shipment including the nature of the grape planting stock (such as live plants, hardwood cuttings, softwood cuttings, rootstocks, or other similar categories), the quantity in each shipment, the expected date of arrival, the name of the intended receiver and the destination. An official certificate issued by the plant protection organization of the state of origin certifying that

the grapevines meet the requirements of this chapter must accompany the grape planting stock into the state. All treatments and inspections must have been witnessed or performed by an official of the state of origin's plant protection organization. (4-6-23)

836. -- 839. (RESERVED)

840. ACCEPTABLE TREATMENTS.

01. Hot Water Treatment. Dormant, rooted grapevines or rootstock shall be washed to remove all soil or other propagative media by immersing in a hot water bath for a period of not less than three (3) minutes, nor more than five (5) minutes, at a temperature of not less than one hundred twenty-five degrees Fahrenheit (125º F.) or fifty-two degrees Celsius (52º C.), nor more than one hundred thirty degrees Fahrenheit (130º F.) or fifty-five degrees Celsius (55º C.) at any time during immersion; or (4-6-23)

02. Fumigation. Grapevines, rootstock or softwood cuttings may be treated with a fumigant approved for the regulated pests. (4-6-23)

03. Other Methods. Upon written application to the Director, variations to the above mentioned acceptable treatments or additional treatment methods may be considered. (4-6-23)

841. -- 854. (RESERVED)

SUBCHAPTER H – JAPANESE BEETLE

855. REGULATED PEST.
Japanese beetle *(Popillia japonica)*. (4-6-23)

856. -- 859. (RESERVED)

860. AREAS UNDER QUARANTINE.
Any areas known to be infested or subsequently found to be infested. (4-6-23)

861. -- 869. (RESERVED)

870. ARTICLES AND COMMODITIES UNDER QUARANTINE.

01. Possible Hosts and Carriers. The following are hereby declared to be hosts and possible carriers of the Japanese beetle: (4-6-23)

a. Soil, humus, compost, and manure (except when commercially packaged); (4-6-23)

b. All plants with roots (except bareroot plants free from soil); (4-6-23)

c. Grass sod; (4-6-23)

d. Plant crowns or roots for propagation (except when free from soil or under 50mm plug or liner rooting media); (4-6-23)

e. Bulbs, corms, tubers, and rhizomes of ornamental plants (except when free from soil); (4-6-23)

f. Any other plant, plant part, article, or means of conveyance when it is determined by the Director or authorized agent to present a hazard of spreading live Japanese beetle due to infestation or exposure to infestation by Japanese beetle. (4-6-23)

02. Soil. For the purposes of this quarantine, soil is defined as all growing media in which the plants are actually rooted. Packing material other than soil, added to bareroot plants after harvesting would not normally pose a pest risk. Packing material would be covered under (Subsection 870.01.f.), at the inspector's discretion. (4-6-23)

03. Free from Soil. For the purposes of this quarantine, free from soil is defined as soil in amounts that could not contain concealed Japanese beetle larvae or pupae. (4-6-23)

871. -- 879. (RESERVED)

880. RESTRICTIONS.
All articles and commodities under quarantine are prohibited entry into Idaho from an area under quarantine with the following exceptions: (4-6-23)

01. Certificate of Treatment. All of the articles and commodities covered are approved for entry into Idaho when accompanied by a certificate issued by an authorized state agricultural official at origin stating that the article or shipment was treated for Japanese beetle or grown in accordance with methods and procedures approved and prescribed by the Director. A Certificate of Treatment shall include the date of treatment. During the adult flight period (June to September), the treatment must occur no more than 2 weeks prior to shipment or be retreated. If plants are exposed to a second or additional flight season, they must be retreated during each flight season. Plants that are treated outside of the adult flight season are certified until the next flight season; at which time they must be retreated if not sold before the next flight season begins. (4-6-23)

02. Certificate of Origin. Commercial plant shipments with soil may be shipped from an area under quarantine into Idaho provided such shipments are accompanied by a certificate issued by an authorized state agricultural official at origin. Such certificates shall be issued only if the shipment confirms fully with either Subsections 880.02.a., 880.02.b., or 880.02.c. of Subchapter H: (4-6-23)

a. The greenhouse in which the plants were produced was tightly constructed so that adult Japanese beetles would not gain entry, the plants and greenhouses were inspected and found to be free from all stages of Japanese beetle, and the plants and soil were protected from subsequent infestation while being stored, packed and shipped; or (4-6-23)

b. The plants were not produced in the regulated area, were transported into the regulated area in a closed conveyance or closed containers and at all times thereafter were protected from becoming infested with Japanese beetle; or (4-6-23)

c. States or portions of states listed in the area under quarantine may have counties that are not infested with Japanese beetle. Shipments of articles and commodities covered will be accepted from these noninfested counties if annual surveys are made in such counties and the results of such surveys are negative for Japanese beetle. A list of counties so approved will be maintained by the Director. Agricultural officials of other states may recommend a noninfested county be placed on the approved county list by writing for such approval and stating how the surveys were made giving the following information: (4-6-23)

i. Area surveyed. (4-6-23)

ii. How survey was carried out. (4-6-23)

iii. Personnel involved. (4-6-23)

iv. If county was previously infested, give date of last infestation. (4-6-23)

v. The recommendation for approval of such counties will be evaluated by the Department of Feeds and Plant Services, Division of Plant Industries, Idaho Department of Agriculture. (4-6-23)

03. Denial of Approval. If heavy infestations occur in neighboring counties, approval may be denied. To be maintained on the approved list, each county will be reapproved every twelve (12) months. Shipments of articles and commodities under quarantine from noninfested counties will only be allowed entry into Idaho if the noninfested county has been placed on the approved list prior to the arrival of the shipment to Idaho. (4-6-23)

04. Privately Owned House Plants. Privately owned house plants grown indoors are exempt from

Subchapter H. (4-6-23)

05. Certificate Requirements. A copy shall be forwarded at the time of shipment to the Division of Plant Industry, Idaho State Department of Agriculture, Boise, Idaho. (4-6-23)

881. -- 999. (RESERVED)