

**MINNESOTA DEPARTMENT OF AGRICULTURE
STATE EXTERIOR EMERGENCY QUARANTINE
THOUSAND CANKERS DISEASE OF WALNUT (*JUGLANS* SP)
No. RF - 1722**

Section I: Statement of Concerns

Whereas, the Commissioner of the Minnesota Department of Agriculture, having found that a new and emerging disease of walnut (*Juglans* species) has been detected in other states and has a limited distribution at this time; and

Whereas, this disease, called Thousand Cankers Disease of Walnut, is caused by an insect/fungus complex in which the insect called the walnut twig beetle (*Pityophthorus juglandis*) introduces the fungus (*Geosmithia morbida*) into walnut trees (*Juglans* species) causing cankers which eventually kill the walnut tree; and

Whereas hundreds of walnut trees in western and southwestern United States have been killed by Thousand Cankers Disease of Walnut and was confirmed for the first time on black walnut (*Juglans nigra*) in its native range in July 2010, in Knoxville, Tennessee; and

Whereas black walnut is an environmentally important tree in Minnesota, with the native range of this species extending through southeastern Minnesota, and along with plantations, totals over six million trees according to US Forest Service estimates; and

Whereas black walnut is an economically important tree in Minnesota, as it is highly valued for its wood and one to two million board feet of black walnut are harvested annually in Minnesota; and

Whereas Thousand Cankers Disease of Walnut poses a serious threat to walnut trees in Minnesota; and

Whereas it is necessary to protect Minnesota's walnut timber production, the native ecosystem and walnut as a landscape species from Thousand Cankers Disease of Walnut; and

Whereas, Thousand Cankers Disease of Walnut can be spread by movement of unregulated articles into the state,

Now, therefore, the State of Minnesota is hereby establishing this emergency plant exterior quarantine by the authority of Minnesota Statutes Chapter 18G.06, subd. 5 (2010), to prevent the spread of Thousand Cankers Disease of Walnut into Minnesota and sets forth: definitions, regulated articles, conditions of movement, violations and penalties, and special exemptions. This quarantine shall become effective immediately upon signing and will remain in effect until rescinded by the Commissioner.

Section II: Definitions

"Commissioner" means the Commissioner of the Minnesota Department of Agriculture or his designee.

“Emerging disease” means a disease not native to Minnesota, already present in the United States but not widely distributed, whose introduction and establishment causes, or may cause, economic or environmental harm or harm to human health.

“Firewood” means wood cut to lengths less than four feet long. This includes firewood cut for personal use.

“Minnesota” means the State of Minnesota.

“Move” (“moved,” “movement”) means shipped, transported, carried; held or offered for shipment, transport or carriage; received for shipment, transport or carriage; or allowed to be shipped, transported or carried.

“Regulated Article” means any article listed under Section III of this quarantine regulation.

“State” means the District of Columbia, Puerto Rico, the Northern Mariana Islands, or any state, territory, or possession of the United States.

“Transit” (“transiting”) means movement through an area.

“Walnut” means the *Juglans* genus of trees and their hybrids

Section III: Regulated Articles

(A) Regulated articles are as follows:

- a. all life stages of the walnut twig beetle (*Pityophthorus juglandis*);
- b. all life stages of the Geosmithia fungus (*Geosmithia morbida*);
- c. all plants and plant parts of the genus *Juglans*, including but not limited to
 - i. Logs and green lumber
 - ii. Firewood
 - iii. Nursery stock, scion wood, and bud wood
 - iv. Chips and mulch
 - v. Stumps, roots, and branches
 - vi. Packaging material
- d. Any article, product or means of conveyance when it is determined by the State Plant Regulatory Official to present the risk of spread of the walnut twig beetle (*Pityophthorus juglandis*) or the fungal pathogen (*Geosmithia morbida*)

(B) Exceptions are

- a. Nuts, nutmeat, and hulls
- b. Processed lumber = 100% bark free and kiln dried, with squared edges
- c. Finished wood products without bark, including walnut furniture, musical instruments and gun stocks

Section IV: Movement of Regulated Articles

- (A) The sale and/or movement of all regulated articles originating in any of the areas listed below into Minnesota are prohibited pursuant to Minnesota Statute 18G.06, subd. 4 (2009).
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| a. Arizona | f. New Mexico |
| b. California | g. Oregon |
| c. Colorado | h. Tennessee |
| d. Idaho | i. Washington |
| e. Nevada | j. Utah |
- k. Any other areas of the United States as determined by the State Plant Regulatory Official to have Thousand Cankers Disease of Walnuts
- (B) The sale and/or movement of all regulated articles originating in areas other than those listed above but transiting through those areas into Minnesota are prohibited pursuant to Minnesota Statute 18G.06, subd. 4 (2010).
- (C) No person shall move or cause to be moved a regulated article which originates in, or has transited through, a regulated area into or through the state of Minnesota unless:
- The person first enters in a compliance agreement with the Minnesota Department of Agriculture, and;
 - The regulated article is accompanied by a phytosanitary certificate from the originating state verifying that the material complies with the conditions of the associated Minnesota Department of Agriculture compliance agreement.
- (D) The sale and/or movement of all regulated articles originating in areas other than those listed above must provide proof of harvest location of the wood by county and state.
- (E) Any regulated articles moved in violation of this quarantine shall be subject to destruction under the direction of the commissioner and at the expense of the owner or owners.

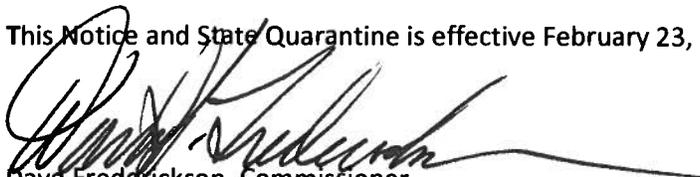
Section V: Penalties

- (A) Any person violating these quarantine regulations is subject to civil penalties of up to \$7,500.00 per day of violation or misdemeanor penalties set forth in Minnesota Statutes Section 18J.10 (2010) and may be subject to criminal penalties set forth in Minnesota Statutes Section 18J.11 (2010).

Section VI: Special Exemptions

- (A) The Commissioner may allow, with written approval, the movement of regulated articles into or within Minnesota for research purposes.

This Notice and State Quarantine is effective February 23, 2011



Dave Frederickson, Commissioner
Minnesota Department of Agriculture