



2 CSR 70-11.060 Thousand Cankers Disease of Walnut Exterior Quarantine

PURPOSE: *This rule prevents the introduction into Missouri of a newly-described destructive pest complex known as Thousand Cankers Disease of Walnut, consisting of an insect pest, the Walnut Twig Beetle, *Pityophthorus juglandis*, and a fungal pathogen, *Geosmithia morbida* sp. nov.*

(1) It has been determined that Thousand Cankers Disease of Walnut, a lethal insect-fungal pathogen pest complex of walnut (*Juglans* spp.) has been detected in at least nine (9) states (Arizona, California, Colorado, Idaho, New Mexico, Oregon, Tennessee, Utah, and Washington). The Walnut Twig Beetle is known from several western states and Mexico; however, the fungus is a newly-described fungus with a proposed name of *Geosmithia morbida* sp. nov. Thousand Cankers Disease has not yet been found in Missouri, but its introduction could cause an estimated \$851 million in losses over a twenty (20)-year period to the state economy, as well as inestimable, long-term ecological and sociological impacts. As such, the state entomologist, under the authority of section 263.140, RSMo, of the Missouri Plant Law does now establish a quarantine to prevent the introduction of this pest complex into Missouri and now sets forth the name of this pest complex against which the quarantine is established, the quarantined area, the articles regulated, and the penalty.

(2) The following definitions shall apply to this quarantine:

(A) Bark means the natural bark of a tree, including the ingrown bark around the knots and bark pockets between rings of annual growth and an additional one-half (½)-inch of wood, including the vascular cambium;

(B) Compliance agreement is a written agreement between the state entomologist and a person or entity moving regulated articles from or through a quarantined area into Missouri;

(C) Firewood for the purposes of this quarantine shall be defined as wood, either split or unsplit, in sections less than four feet (4') in length;

(D) State entomologist refers to the Missouri Department of Agriculture Plant Pest Control Bureau Administrator; and

(E) State plant regulatory official refers to the National Plant Board member of the state of origin.

(3) The following is a list of articles, the movement of which is regulated:

(A) The Walnut Twig Beetle, *Pityophthorus juglandis*, in any living stage of development;

(B) The fungal pathogen, *Geosmithia morbida* sp. nov.;

(C) Firewood of any non-coniferous (hardwood) species;

(D) All plants and plant parts of the genus *Juglans*, including but not limited to nursery stock, budwood, scionwood, green lumber, and other material living, dead, cut, or fallen, including logs, stumps, roots, branches, and composted and uncomposted chips. Specific exceptions are nuts, nut meats, hulls, processed lumber (one hundred percent (100%) bark-free, kiln-dried with squared edges), and finished wood products without bark, including walnut furniture, instruments, and gun stocks; and

(E) Any article, product, or means of conveyance when it is determined by the state entomologist to present the risk of spread of the Walnut Twig Beetle, *Pityophthorus juglandis*, or the fungal pathogen, *Geosmithia morbida* sp. nov.

(4) Regulated articles from the areas listed below are prohibited entry into Missouri under any circumstances.

(A) Arizona.

(B) California.

(C) Colorado.

(D) Idaho.

(E) Nevada.

(F) New Mexico.

(G) Oregon.

(H) Tennessee.

(I) Utah.

(J) Washington.

(K) Any other areas of the United States as determined by the state entomologist to have Thousand Cankers Disease of Walnut.

(5) The following are conditions of movement of regulated articles:

(A) All regulated articles are prohibited movement into or transiting through the state of Missouri;

(B) Articles listed in section (3) originating in an area not known to have Thousand Cankers Disease but transiting through an area known to have Thousand Cankers Disease will be considered to be regulated articles; and

(C) Regulated articles to be used for research purposes, at the discretion of the state entomologist, may move under a compliance agreement between the state entomologist and the Missouri recipient. At minimum, the compliance agreement shall require inspection of the regulated articles at the point of origin, a state phytosanitary certifi-

cate issued by the state plant regulatory official in the state of origin, and at least twenty-four (24) hours' pre-shipment notification.

(6) Regulated articles transported in violation of this quarantine may be destroyed, or returned to the point of origin, at the discretion of the state entomologist. Common carriers or other carriers, persons, firms, or corporations who transport or move regulated articles in violation of this quarantine and these rules will be subject to the penalties named in section 263.180, RSMo, of the Missouri Plant Law.

(7) These rules are distinct from, and in addition to, any federal statute, regulation, or quarantine order addressing the interstate movement of articles from the known infested areas.

AUTHORITY: *sections 263.040, 263.050, and 263.180, RSMo 2000.* Emergency rule filed April 2, 2010, effective April 12, 2010, expired Jan. 19, 2011. Original rule filed Sept. 24, 2010, effective Jan. 30, 2011.*

**Original authority: 263.040, RSMo 1939; 263.050, RSMo 1939; and 263.180, RSMo 1939, amended 1949.*