

# ALABAMA

## SUMMARY OF PLANT PROTECTION REGULATIONS Updated December 2022

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**The information, as provided, is for informational purposes only and should not be interpreted as complete, nor should it be considered legally binding. Coordination with both your state and the destination state plant regulatory agency listed above may be necessary to stay up to date on revised requirements. For complete laws and regulations, refer to <https://agi.alabama.gov/>.**

**Authority: Chapter 25 of Title 2, Code of Alabama (1975)  
Chapter 80-10- 1, Alabama Department of Agriculture & Industries,  
Administrative Code**

### **NURSERY STOCK DEFINITION**

Nursery stock shall include all plants, trees, shrubs, vines, cuttings and grafts, scions and buds grown or kept for or capable of propagation, distribution or sale; provided, that vegetable, grass and other soft-wood herbaceous plants shall not be considered nursery stock except when grown by a producer of hardwood plants then it becomes nursery stock and subject to fees based on acreage and other requirements that govern the sale of nursery stock.

### **GENERAL SHIPPING REQUIREMENTS**

Each bundle package or container or nursery stock shipped into Alabama must be accompanied by a certificate tag, label, or stamp issued by the appropriate regulatory agency of the state of origin, certifying that the nursery stock to which it is attached has been appropriately inspected and found to be apparently pest free.

### **NOXIOUS WEEDS**

**80-10-14-.04 Noxious Weeds.** For the purposes of this quarantine, the following articles are hereby deemed to be regulated:

- (1) Class A Noxious Weeds.
  - (a) All weeds listed in 7 C.F.R. 360.200 Federal Noxious Weed List, the same of which is hereby incorporated by reference herein including its subsequent amendments and editions.
  - (b) Garlic mustard (*Alliaria petiolata*)
  - (c) Air-potato (*Dioscorea bulbifera*)

- (d) Old world climbing fern (*Lygodium microphyllum*)
- (e) Mile-a-minute (*Polugonum perfoliatum*)
- (f) Coltsfoot (*Tussilago farfara*)

(2) Class B Noxious Weeds.

- (a) Japanese climbing fern (*Lygodium japonicum*)
- (b) Purple loosestrife (*Lythrum salicaria*)
- (c) Skunk vine (*Paederia foetida*)

(3) Class C Noxious Weeds.

- (a) Alligatorweed (*Althernanthera philoxeroides*)
- (b) Balloon vine (*Cardiospermum halicacabum*)
- (c) Brazilian elodea (*Egeria densa*)
- (d) Curlyleaf pondweed (*Potamogeton crispus*)
- (e) Floating waterhyacinth (*Eichornia crassipes*)
- (f) Hairy crabgrass, mulberry weed (*Fatoua villosa*)
- (g) Mary's grass, Japanese grass (*Microstegium vimineum*)
- (h) Parrotfeather, watermilfoil (*Myriophyllum aquaticum*)
- (i) Eurasian watermilfoil (*Myriophyllum spicatum*)
- (j) Star of Bethlehem (*Ornithogalum umbellatum*)
- (k) Torpedo grass (*Panicum repens*)
- (l) Phragmites, common reed (*Phragmites australis*)
- (m) Longstalked phyllanthus (*Phyllanthus tenellus*)
- (n) Chamberbitter, niuri (*Phyllanthus urinaria*)
- (o) Japanese knotweed, Japanese bamboo (*Polygonum cuspidatum*)
- (p) Multiflora rose (*Rosa multiflora*)
- (q) Spinyleaf naiad (*Najas minor*)
- (r) Water-aloe (*Stratolotes aloides*)
- (s) Water-lettuce (*Pistia stratiotes*)
- (t) Water chestnut (*Trapa natans*)

## QUARANTINES OR ADDITIONAL REQUIREMENTS

### 80-10-4 Japanese Beetle Quarantine

PEST: Japanese beetle, *Popillia japonica* Newman

STATES REGULATED: All of CT, DE, DC, GA, IL, IN, KY, ME, MA, MD, MI, MO, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV; portions of AL, Quebec and Ontario, Canada

MATERIALS REGULATED: (1) Japanese beetle in any living stage; soil, humus, compost, manure; plants with roots with soil attached (except home grown house plants not for sale, greenhouse grown plants, soil-free aquatic plants); grass sod; plant crowns and roots for propagation; bulbs, corms, rhizomes and tubers of ornamental plants; used mechanized soil-moving equipment.

RESTRICTIONS: (1) Certificate of Quarantine Compliance must be attached to the container or shipping document which accompanies regulated materials shipped from a regulated area. Such certificate must indicate that the shipment has been treated to eliminate Japanese beetles. (2) Regulated materials originating outside the regulated area

can move without a certificate, if clearly labeled and protected from infestation when moving through regulated area.

### 80-10-2 Sweet Potato Seed and Plants Certification

PESTS: All injurious, insects, plant diseases or disorders of sweet potatoes.

STATES REGULATED: ALL

MATERIALS REGULATED: Sweet potato, *Ipomoea batatas* (L) Lam., vines, cuttings, slips, draws, roots, and any other vegetatively propagated part of the plant.

RESTRICTIONS: (1) Shippers must attach certificate seed tag to each container of sweet potato seed entering Alabama, and a certificate plant tag to each container of sweet potato plants entering Alabama. Such plants must be tied in bundles of 100 plants or less with certificate plant tape. Such certificate tags and tape must indicate that seed and plants they accompany are apparently pest free and meet the same standards required by Alabama of Alabama producers. If sweet potato seed tags or sweet potato plant tags and tape are not available in the state of origin they will be supplied by Alabama. (2) Sweet potato seed and plants shall be shipped in new, unused containers, or treated used containers.

### 80-10-5 Sweet Potato Weevil Quarantine

PEST: Sweetpotato weevil, *Cylas formicarius elegantulus* Summers

STATES REGULATED: FL, GA, LA, MS, NC, SC, TX

MATERIALS REGULATED: Sweetpotato weevil in any living stage, any roots, plants, vines, cuttings, slips, draws and other vegetatively propagated parts of the genera *Ipomoea* and *Convolvulus* including the sweet potato, *Ipomoea batatas* (L) Lam., or other plant parts which may be hosts of the sweetpotato weevil.

RESTRICTIONS: Each shipment of sweet potatoes entering Alabama must be accompanied by a certificate of quarantine compliance indicating (1) the sweet potatoes originated in an area free from sweetpotato weevils. Each container of sweet potatoes must have a green "weevil-free" certificate tag firmly attached. (2) that the sweet potatoes originated in an area infested with sweetpotato weevils but have been properly treated to eliminate sweetpotato weevils. Each container of such sweet potatoes must have a manila "fumigated" certificate tag firmly attached.

Chapter 80-10-2 of the Alabama Administrative Code specifically prohibits the sale or distribution of sweet potato seed and/or plants unless certified under the provisions of said Chapter. **Ornamental sweet potatoes and morning glories also fall under the authority of this regulation.**

Nurseries may purchase ornamental sweet potato plants only from a certified source. Such certification must be based on Alabama's Rules as a minimum basis for such certification. Ornamental sweet potato plants entering, moving within, or produced within Alabama must have a tag or label firmly attached to each container stating that the ornamental sweet potato plant was produced in a SPW-free area of (state name).

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Other sweet potato producing states must meet Alabama's guidelines as minimum requirements in order to ship ornamental sweet potato plants or morning glories into Alabama. Ornamental sweet potato plants shall include plants of the genera *Ipomoea* (sweet potato, morning glory), and *Convolvulus* (bindweed).

### 80-10-6 Imported Fire Ant Quarantine

PEST: Imported Fire Ant, *Solenopsis richteri* Forel and *Solenopsis invicta* Buren.

STATES REGULATED: Entire states of AL, FL, LA, and Commonwealth of Puerto Rico; and portions of AR, MS, GA, NC, TX, OK, TN, and SC.

MATERIALS REGULATED: (1) Imported fire ant queens and reproducing colonies of imported fire ant; (2) Soil shipped separately or with other articles, except potting soil that is shipped in original containers in which the soil was placed after commercial preparation; (3) Baled hay and straw stored in direct contact with the ground; (4) Plants and sod with roots and soil attached, except plants maintained indoors in a home or office environment and not for sale; (5) Used soil-moving equipment, unless all noncompacted soil removed; (6) Any other article, product or means determined to present of risk of spread of the imported fire ant.

RESTRICTIONS: Certificates are issued for any regulated articles by an inspector if he/she determines that they are eligible for certification for movement to any destination.

NOTE: See also Federal Imported Fire Ant Quarantine

### 80-10-7 Phony Peach Disease Quarantine

PEST: Phony Peach Virus

STATES REGULATED: FL, GA, LA, MS, SC, TN, TX

MATERIALS REGULATED: Peach, plum, apricot, nectarine, and almond nursery stock.

RESTRICTIONS: The movement of regulated articles into Alabama shall be accompanied by a certificate securely attached to the outside of each container, package, or bundle indicating the following requirements have been met: (1) regulated articles were produced 300 yards from wild or native plums, one-half mile from infected commercial orchards or urban areas; (2) The area within one-half mile of the production site was inspected prior to October 1, and infected trees within this area were removed prior to November 1; (3) Only the slip-bud method of grafting was used; (4) no stock propagated by rooted cuttings; and (4) Plant pest control recommendations of the Alabama Cooperative Extension Service were followed.

### 80-10-8 Brown Garden Snail Quarantine

Brown Garden Snail, *Helix aspersa* Muller

STATES REGULATED: AZ, CA, MN, NM, OR

**MATERIALS REGULATED:** The brown garden snail in any living stage; soil, sand or gravel, plants and plant products, stump wood, timbers.

**RESTRICTIONS:** (1) Regulated materials must be accompanied by a certificate of quarantine compliance issued by and bearing the signature of an authorized inspector of the state of origin. The certificate will verify freedom from the brown garden snail or that the commodities have been properly treated as recommended in the USDA, APHIS, PPQ Treatment Manual. (2) Nurseries shipping regulated material into Alabama which are rejected will not be allowed to ship other materials for a minimum of 6 months.

#### **80-10-10 St. Augustine Grass Decline Virus Quarantine**

**PEST:** St. Augustinegrass Decline Virus

**STATES REGULATED:** AR, LA, TX

**MATERIALS REGULATED:** All propagative parts except true sexual seed, of the following: German foxtail millet, *Sertaria italica* (L.) Beauv.; pearl millet, *Pennisetum glaucum* (L.) R. Brown; proso millet, *Panicum miliaceum* (L.); St. Augustinegrass, *Stenotaphrum secundatum* (Walker) Kuntze; crabgrass, *Digitaria sanguinalis* (L.) Scop.; centipede grass, *Eremochloa ophiuroides* (Munro) Hack.

**RESTRICTIONS:** Regulated articles from regulated areas must be accompanied by a certificate of quarantine compliance issued by an authorized inspector of the state of origin certifying: (1) That St. Augustinegrass Decline Virus does not occur within 2 miles of the site in which the regulated articles were produced; (2) The production equipment used on a site known to be infested with St. Augustinegrass Decline Virus has never been used on the site from which the shipment is being shipped; (3) The identity of the shipment has been maintained and has been adequately protected from contamination.

#### **80-10-12 Boll Weevil Quarantine**

**PEST:** Boll weevil, *Anthonomus grandis* Boheman

**STATES REGULATED:** ALL

**MATERIALS REGULATED:** The boll weevil in any living stage; gin trash, cotton seed, cotton plants, bolls, used cotton equipment.

**RESTRICTIONS:** (1) Regulated articles moving from a regulated area or outside regulated areas into or through the elimination area of Alabama shall be accompanied by a certificate or permit or certificate of origin. (2) Certificates must attest to freedom from the boll weevil, or treatment or handling in accordance with approved procedures to exclude boll weevil.

**80-10-13 Ginseng Rules**

PLANT: American Ginseng, *Panax quinquefolius L.*

STATES REGULATED: All

REQUIREMENTS: All ginseng to be exported shall have its weight verified prior to the issuance of an export permit. This weight must accurately correspond to the weight of purchases from collectors and growers set out in records required to be submitted to the Commissioner. Ginseng dealers shall neither receive, purchase, nor hold ginseng that has not been certified under Alabama law or laws or rules of other states. Uncertified ginseng received from other states must be returned to the state of origin within 30 days of receiving same. Upon proper certification by the state of origin, the ginseng may then be returned to and held by the Alabama dealer. Collectors who live out-of-state may be permitted so that they can legally collect and sell ginseng within Alabama.

**80-10-15 Pine Shoot Beetle Quarantine**

PEST: Pine Shoot Beetle, *Tomicus piniperda L.*

STATES REGULATED: IL, IN, MI, OH, PA, NY (individual counties in all states).

MATERIALS REGULATED: Pine nursery stock, cut Christmas trees, stumps, nuggets (bark chips), logs & lumber with bark attached.

RESTRICTIONS: Interstate movement of regulated articles from infested areas requires a limited permit or certificate to be issued by an APHIS-PPQ officer, state cooperator, or individual under compliance agreement. Conditions for the issuance of limited permits or certificates are outlined in CFR 301.50 and pine shoot beetle operations manual.

**80-10-19 Quarantine Against the Asian Citrus Psyllid (ACP) and Citrus Diseases and Other Pests**

PEST: Citrus Greening, Citrus Canker, Citrus Black Spot, Citrus Leprosis, Citrus Scab, Sweet Orange Scab, Citrus Tristeza, Citrus Variegated Chlorosis, African Psyllid, Asian Citrus Psyllid, Asian Grey Weevil, Black Citrus Aphid, and other diseases and pests listed in Alabama Administrative Code Chapter 80-10-19.

REGULATED AREAS: All areas outside of Alabama.

REGULATED ARTICLES: Hosts of Citrus Pests and Diseases. All plant and plant parts, including but not limited to nursery stock, cuttings, budwood, and propagative seed (but excluding fruit), of any Citrus species and Rutaceous plant that may be found to be a host of citrus pests or diseases. Any plant, plant part, rootstock, cuttings, budwood, seed, or fruit that may be found to be infested or contain a pest pathogen that would present a disease risk or be harmful to the Alabama citrus industry. Any other products, materials, articles, or means or conveyance, if an inspector determines that it presents a risk or spreading citrus pests or diseases.

**REQUIREMENTS FOR MOVEMENT FROM AN OUT OF STATE REGULATED AREA INTO ALABAMA:** All citrus nursery stock transported into Alabama must have been inspected and found free of all citrus diseases and pests within 30 days of shipment.

Before any regulated article is moved into Alabama, advance notice must be given in writing to the Alabama Department of Agriculture and Industries, Plant Protection Section. Notice must include the following: 1) Origin of shipment, 2) Date of shipment, 3) Content of Shipment, and 4) Destination of Shipment.

Citrus nursery stock moved into Alabama must be produced in an exclusion facility meeting all standards specified in the PPQ protocol document, "Interstate Movement of Citrus and Rutaceous Plants for Planting From Areas Quarantined for Citrus Canker, Citrus Greening, or Asian Citrus Psyllid."

**MOVEMENT OF REGULATED ARTICLES ORIGINATING WITHIN ALABAMA:** Regulated articles must be treated using products approved by the United States Environmental Protection Agency (EPA) and the department for use in nurseries. Any person engaged in the business of growing or handling regulated articles in the quarantine area outlined in 80-10-19-.06 must enter into a compliance agreement with the Alabama Department of Agriculture and Industries if the regulated materials are to be moved.

**ALABAMA REGULATED AREAS:** Alabama regulated areas are as follows: The entire State is regulated for ACP. Mobile and Baldwin Counties are regulated for citrus greening and sweet orange scab. Baldwin County is quarantined for citrus canker.

### **80-10-21 Industrial Hemp**

Refer to <https://agi.alabama.gov/hemp>