

**CHAPTER 20
QUARANTINES**

Authority

N.J.S.A. 4:1-21.5, 4:6-20, and 4:7-1 et seq.

Source and Effective Date

Effective: January 25, 2018.
See: 50 N.J.R. 897(a).

Chapter Expiration Date

Chapter 20, Quarantines, expires on January 25, 2025.

Chapter Historical Note

Chapter 20, Quarantines, was adopted and became effective prior to September 1, 1969 with Subchapter 1, Gypsy Moth; Subchapter 2, Gooseberries and Currants; and Subchapter 3, Red Pine Scale.

Subchapter 1, Gypsy Moth, was repealed by R.1971 d.28, effective March 4, 1971. See: 3 N.J.R. 18(a), 3 N.J.R. 55(a).

Subchapter 4, *Subcoccinella Viginliqualuorpunctata*, was adopted as R.1974 d.153, effective June 19, 1974. See: 6 N.J.R. 254(b).

Subchapter 2, Gooseberries and Currants, and Subchapter 4, *Subcoccinella Viginliqualuorpunctata*, were repealed by R.1978 d.402, effective November 21, 1978. See: 10 N.J.R. 416(a), 11 N.J.R. 2(b).

Subchapter 2, White Pine Blister Rust, was adopted as new rules by R.1990 d.495, effective October 1, 1990. See: 22 N.J.R. 2070(a), 22 N.J.R. 3146(b).

Pursuant to Executive Order No. 66(1978), Chapter 20, Quarantines, was readopted as R.1995 d.523, effective August 25, 1995, and Subchapter 3, Red Pine Scale, was repealed by R.1995 d.523, effective September 18, 1995. See: 27 N.J.R. 2511(a), 27 N.J.R. 3599(b).

Subchapter 1, Golden Nematode, was recodified from N.J.A.C. 2:17-2 by R.1997 d.212, effective May 19, 1997. Subchapter 3, Ceriferus (or Japanese) Wax Scale; Subchapter 4, Mediterranean Fruit Fly; Subchapter 5, Africanized Honeybee; and Subchapter 6, Khapra Beetle were recodified from N.J.A.C. 2:22, Insect Control, by R.1997 d.212, effective May 19, 1997. See: 29 N.J.R. 719(a), 29 N.J.R. 2265(a).

Pursuant to Executive Order No. 66(1978), Chapter 20, Quarantines, was readopted as R.2000 d.345, effective July 27, 2000, and Subchapter 7, Postentry Quarantine, was adopted as new rules by R.2000 d.345, effective August 21, 2000. See: 32 N.J.R. 1454(a), 32 N.J.R. 3057(b).

Subchapter 8, Asian Longhorned Beetle, was adopted as Emergency New Rules by R.2002 d.365, effective October 15, 2002 (to expire December 14, 2002). See: 34 N.J.R. 3863(a). Subchapter 8, Asian Longhorned Beetle, was adopted as R.2002 d.23, effective December 14, 2002. See: 34 N.J.R. 3863(a), 35 N.J.R. 395(a).

Chapter 20, Quarantines, was readopted as R.2006 d.6, effective November 29, 2005. See: 37 N.J.R. 3099(a), 38 N.J.R. 124(a).

Subchapter 9, Pine Shoot Beetle, was adopted as emergency new rules by R.2006 d.63, effective January 13, 2006 (expires on March 14, 2006). See: 38 N.J.R. 1081(a).

Subchapter 9, Pine Shoot Beetle, was adopted as concurrent new rules by R.2006 d.149, effective May 1, 2006. See: 38 N.J.R. 1081(a), 38 N.J.R. 1813(a).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 20, Quarantines, was scheduled to expire on May 28, 2013. See: 43 N.J.R. 1203(a).

Chapter 20, Quarantines, was readopted as R.2011 d.150, effective April 28, 2011. As a part of R.2011 d.150, Subchapter 9, Pine Shoot Beetle, was repealed, effective June 6, 2011. See: 42 N.J.R. 2877(a), 43 N.J.R. 1330(a).

Chapter 20, Quarantines, was readopted, effective January 25, 2018. See: Source and Effective Date.

Subchapter 9, Non-Native Phytophagous Snails, was adopted as new rules by R.2018 d.159, effective August 20, 2018. See: 50 N.J.R. 1191(a), 50 N.J.R. 1887(a).

Subchapter 10, Spotted Lanternfly, was adopted as emergency new rules by R.2018 d.161, effective July 30, 2018 (to expire on September 28, 2018). See: 50 N.J.R. 1903(a). The provisions of R.2018 d.161 were readopted without change as R.2018 d.190, effective September 27, 2018. See: 50 N.J.R. 1903(a), 50 N.J.R. 2235(a).

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SUBCHAPTER 1. GOLDEN NEMATODE

2:20-1.1 Golden Nematode deemed a threat to agriculture

The fact has been determined by the New Jersey State Board of Agriculture, and notice is hereby given, that a nematode (*Globodera rostochiensis*), present in the state of New York and in Canada, and not known to be present in New Jersey, constitutes a serious threat to agriculture in New Jersey.

Amended by R.1996 d.300, effective July 1, 1996.
See: 28 N.J.R. 1583(a), 28 N.J.R. 3299(a).

2:20-1.2 Soil and sod shall not contain Golden Nematode

No soil, including sod, and sand, shall be moved from any area, known to be infested with Golden Nematode, into the State of New Jersey, except when fumigated by an approved method and certified as such, or except to laboratories approved by the Deputy Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture for such purposes as set forth in the Federal regulation regarding interstate movement of soil samples containing Golden Nematode for processing, testing or analysis, 7 C.F.R. 301.85-3(b).

Amended by R.1997 d.212, effective May 19, 1997.
See: 29 N.J.R. 719(a), 29 N.J.R. 2265(a).

Added provision allowing movement of infested soil to approved laboratories.

2:20-1.3 Material in violation confiscated

Material entering New Jersey in violation of this order shall be confiscated.

SUBCHAPTER 2. WHITE PINE BLISTER RUST
(*CRONARTIUM RIBICOLA FISCHER*)

2:20-2.1 White pine blister rust declared a nuisance

The State Board of Agriculture has determined that white pine blister rust (*Cronartium ribicola* Fischer) is a dangerous plant disease and is hereby declared a nuisance.

2:20-2.2 Preventing the spread of white pine blister rust

(a) In order to prevent the spread of white pine blister rust (*Cronartium ribicola* Fischer) in the State of New Jersey, the distribution and movement of the plant material will be regulated as follows:

1. Five-needled pines (*Pinus* sp.) except such pines visibly infected with white pine blister rust, may be moved into or within New Jersey.

2. The possession or movement of plant cultivars and hybrids of European Black Currant (*Ribes nigrum* L.) into or within New Jersey is only allowed under special permit issued by the Department.

3. The possession or movement of red currant and gooseberry plants (*Ribes* sp. and *Grossularia* sp.) is allowed into or within New Jersey except the following municipalities, constituting a protective area: Montague, Sandyston, Walpack and Vernon Townships in Sussex County; West Milford, Ringwood Borough and Wanaque Township in Passaic County, and Jefferson Township in Morris County.

Amended by R.1995 d.523, effective September 18, 1995.
See: 27 N.J.R. 2511(a), 27 N.J.R. 3599(b).
Amended by R.2002 d.160, effective May 20, 2002.
See: 34 N.J.R. 1076(a), 34 N.J.R. 1857(a).

Rewrote (a)1 through 3; deleted (a)4.

2:20-2.3 Special permit for the importation and/or growing of plant cultivars and hybrids of European Black Currant (*Ribes nigrum* L.) in New Jersey

(a) Any person who wants to import or grow white pine blister rust resistant/immune varieties of European black currant (*Ribes nigrum* L.) plants into the State must first complete an application form, supplied by the Department, which includes the following information:

1. The name, address, and telephone number of person applying for permit;

2. The number of plants to be grown or imported during permit period listed by cultivar; and

3. A detailed map showing where the Ribes cultivars where plants will be grown during the permit period.

(b) An application is not valid as permit unless signed by authorized Department official.

(c) Plant cultivars and hybrids of Ribes nigrum L. shall be labeled as follows:

1. Imported plants shall be labeled with cultivar nomenclature during movement into or through the State.

2. Plants growing in the field shall be labeled with cultivar nomenclature at the beginning and end of each row.

3. If plants are moved, the grower shall provide notification to the Department, including a map of the new plant location, within seven days of movement.

(d) For new introductions of currants, the permittee shall provide to the Department a certification from the plant source that all plants are white pine blister rust resistant/immune cultivars. A permit may be issued following favorable scientific review and certification of the varieties by the USDA APHIS and/or the U.S. Forest Service.

(e) Inspection by the Department shall proceed as follows:

1. The permittee shall allow Department to access site where plants are grown.

2. The Department may inspect plants at least once each year during permit period to ensure freedom from white pine blister rust disease.

3. If white pine blister rust is found on less than two percent of plants of a specific cultivar, the permittee shall remove and destroy all infected plants within 10 days of an order by the Department.

4. If white pine blister rust disease is found on more than two percent of plants of a specific cultivar, the permittee shall remove and destroy all plants of the infected cultivar within 30 days of an order by the Department.

5. Any signs or symptoms of the white pine blister rust observed on any of the Ribes cultivars shall be reported by the permittee to the Department within five days.

(f) No new plants may be propagated from existing plants unless authorized in writing by the Department.

(g) Conditions for permit amendment, expiration or revocation are as follows:

1. The permit shall expire five years from date of issuance.

2. At the end of the permit period, the permittee shall remove and destroy all permitted plants unless the permit is amended and approved by the Department. A permittee who violates this section may be subject to penalty action by the Department as authorized by N.J.S.A. 4:7-18.

3. If any additional plants are to be received by the permittee during this period, the permittee shall amend his or her permit application in writing. Such amendment shall include written certification from the source of the plants that they are white pine blister rust resistant varieties. A map of the proposed planting site shall also be submitted with the request for permit amendment.

4. The Department may revoke the permit at any time if it determines that the permittee did not follow permit conditions or if plants appear to be a cause of spread of white pine blister rust.

New Rule, R.2002 d.160, effective May 20, 2002.

See: 34 N.J.R. 1076(a), 34 N.J.R. 1857(a).

Amended by R.2018 d.159, effective August 20, 2018.

See: 50 N.J.R. 1191(a), 50 N.J.R. 1887(a).

Deleted former (d); recodified former (e) through (h) as (d) through (g); and in (d), inserted "of currants", deleted "as indicated in (d) above" from the end of the first sentence, and inserted the second sentence.

2:20-2.4 Annual inspection fee

(a) The Department shall assess a fee for inspections necessary to implement this permit.

(b) A fee of \$75.00 will be charged annually for inspection of a growing site containing fewer than two acres.

(c) A fee of \$75.00 plus \$4.00 per acre, or part thereof, will be charged annually for inspection of a growing site containing two acres or more.

(d) Determination of the inspection fee is based only on those lands on which Ribes cultivars are actually growing.

(e) The grower shall be entitled to one reinspection at no additional charge.

(f) Fees for additional reinspections of a Ribes location, due to failure on the part of the grower to control white pine blister rust disease, as prescribed on the inspection report, shall be assessed for each location reinspected using the fee schedule in (b) and (c) above.

(g) The inspection fee shall be payable within 30 days of receipt of invoice.

(h) A late fee of \$5.00 shall be assessed if payment is not received within 15 days of the due date printed on the original invoice.

(i) Failure to pay the fee may result in the revocation of the permit.

(j) All fees shall be paid to the New Jersey Department of Agriculture, Division of Plant Industry, PO Box 330, Trenton, NJ 08625-0330.

New Rule, R.2002 d.160, effective May 20, 2002.

See: 34 N.J.R. 1076(a), 34 N.J.R. 1857(a).

SUBCHAPTER 3. CERIFERUS (OR JAPANESE) WAX SCALE (*CEROPLASTES CERIFERUS F.*)

2:20-3.1 Ceriferus (or Japanese) Wax Scale (*Ceroplastes ceriferus F.*)

It has been determined by the New Jersey State Board of Agriculture that the Ceriferus (or Japanese) Wax Scale (*Ceroplastes ceriferus F.*) is a dangerously injurious insect and constitutes a menace to the trees and shrubs of the State of New Jersey. The Ceriferus (or Japanese) Wax Scale is not native to the State of New Jersey. The harboring or importation of the Ceriferus (or Japanese) Wax Scale is prohibited. Any building, product or means of conveyance of any character whatsoever, which, in the determination of the Department of Agriculture, presents a risk of the spread of the Ceriferus (or Japanese) Wax Scale, shall be subject to the measures of control allowed by the Statutes of New Jersey.

Amended by R.1997 d.212, effective May 19, 1997.
See: 29 N.J.R. 719(a), 29 N.J.R. 2265(a).

SUBCHAPTER 4. MEDITERRANEAN FRUIT FLY (*CERATITUS CAPITATA*)

2:20-4.1 Mediterranean Fruit Fly (*Ceratitus capitata*)

It has been determined by the New Jersey State Board of Agriculture that the Mediterranean Fruit Fly (*Ceratitus capitata*) is a dangerously injurious insect and constitutes a menace to the fruits and vegetables of the State of New Jersey. The Mediterranean Fruit Fly is not native to the State of New Jersey. The harboring or importation of the Mediterranean Fruit Fly is prohibited. Any building, product or means of conveyance of any character whatsoever, which, in the determination of the Department of Agriculture, presents a risk of the spread of the Mediterranean Fruit Fly, shall be subject to the measures of control allowed by the Statutes of New Jersey.

Amended by R.1997 d.212, effective May 19, 1997.
See: 29 N.J.R. 719(a), 29 N.J.R. 2265(a).

SUBCHAPTER 5. AFRICANIZED HONEYBEE (*APIS MELLIFERA SCUTELLATA*)

2:20-5.1 Africanized Honeybee (*Apis mellifera scutellata*); prohibitions

It has been determined by the New Jersey State Board of Agriculture that the Africanized Honeybee (*Apis mellifera scutellata*) is a dangerously injurious insect and constitutes a menace to the practice of apiculture in New Jersey. The Africanized Honeybee is not native to the State of New Jersey. The keeping or importation of Africanized Honeybees in any stage of development, including honeybees with characteristics identifiable with the subspecies (*Apis mellifera scutella-*

ta), fresh or frozen bee sperm, equipment, shipping and storage containers that have been used at an apiary, unprocessed comb are prohibited. Any other product, article or means of conveyance of any character whatsoever, if in the determination of the Department of Agriculture, presents a risk of the spread of the Africanized Honeybee, shall be prohibited.

Amended by R.2011 d.150, effective June 6, 2011.
See: 42 N.J.R. 2877(a), 43 N.J.R. 1330(a).

Deleted "regardless of the purity of the genetic strains of the bees," preceding the first occurrence of "fresh", and substituted "are" for "vehicles that have been used to carry regulated articles, other than fresh or frozen bee sperm, is".

SUBCHAPTER 6. KHAPRA BEETLE (*TROGODERMA GRANARIUM EVERTS*)

2:20-6.1 Khapra Beetle (*Trogoderma granarium Everts*)

It has been determined by the New Jersey State Board of Agriculture that the Khapra Beetle (*Trogoderma granarium Everts*) is a dangerously injurious insect and constitutes a menace to the food and grains stocks of the State of New Jersey. The Khapra Beetle is not native to the State of New Jersey. The harboring or importation of the Khapra Beetle is prohibited. Any building, product or means of conveyance of any character whatsoever, which, if in the determination of the Department of Agriculture, presents a risk of the spread of the Khapra Beetle, shall be subject to the measures of control allowed by the Statutes of New Jersey.

Amended by R.1997 d.212, effective May 19, 1997.
See: 29 N.J.R. 719(a), 29 N.J.R. 2265(a).

SUBCHAPTER 7. POSTENTRY QUARANTINE

2:20-7.1 Definitions

As used in this subchapter, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

"APHIS" means the United States Department of Agriculture, Animal and Plant Health Inspection Service.

"Department" means the New Jersey Department of Agriculture.

"Emergency action notification" means the United States Department of Agriculture form known as "Emergency Action Notification (PPQ Form 523)," and is a written notification issued by APHIS to a person holding a postentry quarantine agreement or permit, and/or who owns and/or is in possession of a site where plants or plant products are being grown under postentry quarantine, requiring the person to take action at the site under the direction of the Department.

“Exotic plant pest” means a plant pest not known to exist in the United States.

“Inspector” means any person officially designated by the Department, or an employee of APHIS, authorized to enforce the provisions of this subchapter.

“Notice of shipment” means the United States Department of Agriculture form known as “Notice of Shipment and Report of Inspection of Imported Plants To Be Grown Under Postentry Quarantine (PPQ Form 236)” issued by APHIS at a port of entry. This form serves to notify the Department of a release by APHIS from a port of entry of a kind and number of plants to a person holding a postentry quarantine permit for the purpose of growing such plants under postentry quarantine.

“Person” means an individual, firm, corporation, company, limited liability company, society, association, or other business.

“Plant” means any part of a plant, tree, aquatic plant, plant product, shrub, vine fruit, rhizome, sod, vegetable, seed, bulb, stolon, tuber, corm, pip, cutting, scion, bud, graft or fruit.

“Plant pest” means any pest of plants, agricultural commodities, horticultural products, nursery stock, or non-cultivated plants. This includes, but is not limited to, insects, snails, nematodes, fungi, viruses, bacterium, microorganisms, mycoplasma-like organisms, weeds, plants or parasitic higher plants.

“Postentry quarantine” means a restriction on the growth and movement of plants imported to the United States of America pursuant to 7 C.F.R. § 319.37-7, as amended and supplemented, incorporated herein by reference, for the purpose of determining whether the plants are infested or infected with plant pests not discernible by port-of-entry inspection, for a period of six months after importation of *Chrysanthemum* spp., for a period of one year after importation of *Dianthus* spp., and for a period of two years after importation for all other plants.

“Postentry quarantine agreement” means the United States Department of Agriculture form known as “Agreement for Postentry Quarantine—State Screening Notice (PPQ Form 546)” issued by the United States Department of Agriculture, Animal and Plant Health Inspection Service. This form serves to notify the Department of the pendency of a person’s application for a postentry quarantine permit and indicates the terms and location within a space of dimensions of a proposed postentry quarantine. A copy of this APHIS form may be obtained by writing to the Division of Plant Industry, Department of Agriculture, PO Box 330, Trenton, NJ 08625-0330, or telephoning (609) 292-5442.

“Postentry quarantine permit” means the United States Department of Agriculture form known as “Import Permit for Plants and Plant Products (PPQ Form 597)” issued by APHIS

to a person approved by APHIS to receive plants subject to postentry quarantine.

“Site” means premises owned, rented, or otherwise in possession of a person who entered into a postentry quarantine agreement, specified in the postentry quarantine agreement as the actual location where plants subject to postentry quarantine will be grown.

2:20-7.2 Importation of foreign plants under postentry quarantine permit

Any plants eligible for entry into the United States of America subject to postentry quarantine for which APHIS issues a postentry quarantine permit, for the purposes of being grown in New Jersey, shall be held and grown under postentry quarantine in accordance with the requirements of 7 C.F.R. § 319.37-7, as amended and supplemented, incorporated herein by reference, except that the Department shall limit the volume of plant importations to no more than 500 pieces, per species, per year, per person.

2:20-7.3 Department review of postentry quarantine agreement

(a) Upon the Department’s receipt from APHIS of a postentry quarantine agreement, the Department shall review the agreement to determine whether the Department will provide inspection and monitoring services in accordance with the terms of the postentry quarantine agreement.

(b) The Department’s determination shall be based on the availability of Departmental resources to undertake the provision of inspection and monitoring services in accordance with the terms of the postentry quarantine agreement, taking into consideration the availability of technically trained State inspectors, and the numbers of sites and plants already growing in postentry quarantine as to which the Department has undertaken to provide inspection and monitoring services. The Department’s determination also shall be based on whether the terms of the proposed postentry quarantine, as articulated in the postentry quarantine agreement, are conducive to an effective and efficient quarantine for the inspection of monitoring of plants and the identification and elimination of exotic plant pests, taking into consideration the type and number of plants in relation to the size and physical characteristics of the site.

(c) If the Department determines that the terms of the postentry quarantine agreement on their face are beyond the available resources of the Department, the Department shall report to APHIS as soon as practicable that the Department declines to undertake the postentry quarantine agreement.

(d) Unless the Department has declined to undertake the postentry quarantine agreement in accordance with (c) above, then one or more inspectors shall meet with the person who is a party to the postentry quarantine agreement and shall inspect sites indicated in the postentry quarantine agreement.

(e) After it has conducted the site inspection described in (d) above, the Department shall report to APHIS:

1. Whether the site is of adequate size to contain the number of plants proposed for postentry quarantine, taking into account potential increase in number to the extent authorized under 7 C.F.R. § 319.37-7, as amended and supplemented, incorporated herein by reference;

2. Its recommendations for appropriate revisions to the postentry quarantine permit toward ensuring an effective and efficient quarantine for the inspection and monitoring of plants and the identification and elimination of exotic plant pests, taking into consideration the type and number of plants in relation to the size and physical characteristics of the site; and

3. Whether the Department declines or accepts to undertake the postentry quarantine pursuant to the terms of the postentry quarantine agreement, based upon its consideration of the factors described in (b) above. The Department may condition its acceptance on APHIS' revision of the terms of the postentry quarantine agreement in accordance with the Department's recommendations issued pursuant to (e)2 above.

2:20-7.4 Departmental inspection and monitoring; reporting to APHIS

(a) Upon APHIS' issuance of a notice of shipment of plants with respect to which the Department has agreed to provide inspection and monitoring services, the Department shall inspect and monitor plants in postentry quarantine for a minimum two years following APHIS' release of the plants from the port of entry, at least once during the first year and at least once during the second year. The purpose of the Department's inspection shall be to check for evidence of exotic plant pests and to ascertain the kind and number of plants at a site and whether the permit holder is in compliance with the terms of the postentry quarantine agreement and the postentry quarantine permit.

(b) The Department shall report to APHIS any evidence of exotic plant pests found by inspectors.

(c) The Department shall report to APHIS any change in the number of plants at a postentry quarantine site from the number indicated in the notice of shipment.

(d) The Department shall report to APHIS any noncompliance with the terms of the postentry quarantine agreement and the postentry quarantine permit.

2:20-7.5 Right to enter premises for inspection; sanctions for interference or obstruction

(a) Persons entering into a postentry quarantine agreement shall be deemed to have acknowledged and consented to the Department's authority, without prior notice, to enter private property containing a site for the purpose of inspecting plants

subject to a postentry quarantine permit for evidence of exotic pests, in accordance with 7 C.F.R. § 319.37-7, as amended and supplemented, incorporated herein by reference, and N.J.S.A. 4:7-13 and 35.

(b) Persons interfering with or obstructing the Department or an inspector in the conduct of postentry quarantine inspection and monitoring services shall be subject to the sanctions provided at 7 C.F.R. § 319.37-7, as amended and supplemented, incorporated herein by reference, and N.J.S.A. 4:7-13, 14 and 18.

2:20-7.6 Treatment or destruction of diseased or infested plants; report to APHIS

(a) If the Department finds evidence of exotic plant pests infesting or infecting plants grown under postentry quarantine, the Department shall recommend to APHIS safeguards or pest mitigation methods to be taken to control the pest.

(b) Upon the Department's receipt from APHIS of a copy of an emergency action notification relating to plants in postentry quarantine that show evidence of infestation or infection with an exotic plant pest, the Department shall supervise any pest mitigation methods taken to control the pest and the plants shall be subject to control measures, including destruction, in accordance with 7 C.F.R. § 319.37-7, as amended and supplemented, incorporated herein by reference, and N.J.S.A. 4:7-8, 16 through 19, and 23.

(c) The Department shall report to APHIS any pest mitigation actions taken at the postentry quarantine site.

SUBCHAPTER 8. ASIAN LONGHORNED BEETLE

2:20-8.1 Definitions

As used in this subchapter, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

"APHIS" means the United States Department of Agriculture Animal and Plant Health Inspection Service.

"Asian longhorned beetle" means the insect known as Asian longhorned beetle (*Anoplophora glabripennis*) in any stage of development.

"Certificate" means any document which is issued for regulated article by an inspector or by a person operating under a compliance agreement, and which represents that such article is eligible for movement outside the quarantine area designated in N.J.A.C. 2:20-8.5.

"Department" means the New Jersey Department of Agriculture.

"Exposed" means determination by an inspector to be at risk for spreading Asian longhorned beetle.

“Infestation” means the presence of Asian longhorned beetle in any life stage.

“Inspector” means any person officially designated by the Department, or an employee of APHIS, authorized to enforce the provisions of this subchapter.

“Move” means to ship, carry, transport, offer for shipment, receive for shipment, or allow to be transported by any means.

“Movement” means the act of shipping, carrying, transporting, offering for shipment, receiving for shipment, or allowing to be transported by any means.

“Notification by the Department” mean an official written order issued by the Secretary of Agriculture specifying conditions found, actions the recipient shall carry out, and a specified time frame by which the order must be complied with.

“Nursery” means any premises, including greenhouses but excluding any orchard, at which plants are grown or maintained for propagation or replanting.

“Person” means an individual, firm, corporation, company, limited liability company, society, association, or other business.

“Plant” means any part of a plant, tree, aquatic plant, plant product, shrub, vine fruit, rhizome, sod, vegetable, seed, bulb, stolon, tuber, corm, pip, cutting, scion, bud, graft or fruit.

“Quarantined area” means any area designated as a quarantined area in accordance with N.J.A.C. 2:20-8.5.

“Regulated article” means any article listed in N.J.A.C. 2:20-8.4.

“Regulated fruit, regulated plant, regulated seed, regulated tree” means any fruit, plant, seed, or tree defined as a regulated article.

2:20-8.2 Asian longhorned beetle declared a nuisance

The State Board of Agriculture declares that the Asian longhorned beetle, a dangerously injurious insect not known to be native to New Jersey, that damages hardwood trees especially maple (Norway, sugar, silver and red), birch, horsechestnut, poplar, willow, and elm by boring through bark, tunneling and girdling the tree until the tree is killed, to be a nuisance.

2:20-8.3 Restrictions on movement of plant material

No person may move any regulated articles listed at N.J.A.C. 2:20-8.4, or which are subject to the requirements of 7 C.F.R. § 301.51, Asian longhorned beetle quarantine, as amended and supplemented, and incorporated herein by reference, outside the quarantine area designated in N.J.A.C. 2:20-8.5.

2:20-8.4 Regulated articles

(a) Regulated articles are as follows:

1. Firewood, green lumber, nursery stock or any material living, dead, cut or fallen off logs, stumps, roots, branches or debris of half an inch or more of the following genera: Acer (maple), Aesculus (horse chestnut), Albizia (mimosa), Betula (birch), Celtis (hackberry), Cercidiphyllum (katsura), Fraxinus (ash), Platanus (sycamore), Populus (poplar), Salix (willow), Sorbus (mountain ash), and Ulmus (elm).

2. Any other product, article, or means of conveyance, of any character whatsoever, not covered by (a)1 above, when it is determined by an inspector that it presents a risk of spread of Asian longhorned beetle and the person in possession thereof has actual notice that the product, article, or means of conveyance is subject to the provisions of this subchapter.

Emergency amendment, R.2004 d.345, effective August 17, 2004 (to expire October 16, 2004).

See: 36 N.J.R. 4172(a).

In (a), rewrote 1.

Administrative correction.

See: 36 N.J.R. 4327(a).

Concurrent adopted amendment, R.2004 d.419, effective October 12, 2004.

See: 36 N.J.R. 4172(a), 36 N.J.R. 4327(a), 36 N.J.R. 5087(a).

Provisions of R.2004 d.345 adopted with change incorporated at 36 N.J.R. 4327(a).

Amended by R.2011 d.150, effective June 6, 2011.

See: 42 N.J.R. 2877(a), 43 N.J.R. 1330(a).

In (a)1, deleted a comma following “stock” and “cut”, and substituted “Acer (maple), Aesculus (horse chestnut), Albizia (mimosa), Betula (birch), Celtis (hackberry), Cercidiphyllum (katsura), Fraxinus (ash), Platanus (sycamore), Populus (poplar), Salix (willow), Sorbus (mountain ash), and Ulmus (elm)” for “Maple (Acer spp.), Horsechestnut (Aesculus spp.), Willow (Salix spp.), Elm (Ulmus spp.), Birch (Betula spp.), Mimosa (Albizia julibrissin), Hackberry (Celtis spp.), Ash (Fraxinus spp.), Sycamore/Planetree (Platanus spp.), Mountain Ash (Sorbus spp.), and Poplar (Populus spp.)”.

2:20-8.5 Quarantine area

The Secretary of the Department of Agriculture may temporarily designate any area in New Jersey as a quarantine area, if the Secretary has reason to believe that Asian longhorned beetle is present based on positive confirmation of Asian longhorned beetle by the Department, or by the U.S. Department of Agriculture Animal and Plant Health Inspection Service.

Emergency amendment, R.2004 d. 345, 348, effective August 17 and 19, 2004 (to expire October 16 and 18, 2004).

See: 36 N.J.R. 4172(a), 4174(a).

In (a), added 3 through 7.

Adopted concurrent amendments, R.2004 d.419 and d.420, effective October 12, 2004.

See: 36 N.J.R. 4172(a), 36 N.J.R. 4174(a), 36 N.J.R. 5087(a), 36 N.J.R. 5087(b).

Provisions of R.2004 d.345 and d.348 adopted without change.

Emergency amendment, R.2005 d. 45, effective December 27, 2004 (to expire February 25, 2005).

See: 37 N.J.R. 357(a).

In (a), rewrote 6, 7.

Adopted concurrent amendment, R.2005 d.99, effective April 4, 2005.

See: 37 N.J.R. 357(a), 37 N.J.R. 1051(a).

In (a), rewrote 6 and 7.

Emergency amendment, R.2005 d.320, effective August 25, 2005, (to expire October 24, 2005).

See: 37 N.J.R. 3727(a).

In (a), rewrote 7.

Adopted concurrent amendments, R.2006 d.6 and d.7, effective January 3, 2006.

See: 37 N.J.R. 3099(a), 37 N.J.R. 3727(a), 38 N.J.R. 124(a), 38 N.J.R. 124(b).

Provisions of R.2005 d.320 adopted without change; in (a), deleted 1 and 2 and recodified existing 3-7 as 1-5.

Emergency amendment, R.2006 d.168, effective April 12, 2006 (to expire June 11, 2006).

See: 38 N.J.R. 1875(a).

In (a), added 6 and 7; in (a)1, inserted "the confluence of Cross Creek; south along Cross Creek to Peter J. Sica Industrial Drive"; and in (a)5, inserted "northeast along Saint Georges Avenue (State Highway 27) the Roselle Borough-Linden border to the Linden-Elizabeth City border; southeast along the Linden-Elizabeth City border".

Emergency amendment, R.2006 d.239, effective May 31, 2006 (to expire July 30, 2006).

See: 38 N.J.R. 2739(a).

Rewrote (a)1, 4-7 and added 8.

Concurrent adopted amendment, R.2006 d.282, effective August 7, 2006.

See: 38 N.J.R. 1875(a), 38 N.J.R. 2739(a), 38 N.J.R. 3159(b).

Provisions of R.2006 d.168, d.239 adopted with changes incorporated at 38 N.J.R. 2739(a).

Adopted concurrent amendment, R.2006 d.316, effective September 5, 2006.

See: 38 N.J.R. 2739(a), 38 N.J.R. 3529(a).

Provisions of R.2006 d.239, adopted without change.

Repeal and New Rule, R.2018 d.159, effective August 20, 2018.

See: 50 N.J.R. 1191(a), 50 N.J.R. 1887(a).

Section was "Quarantine area".

2:20-8.6 Right of access

(a) Duly authorized representatives of the Department may enter upon any lands or premises, public or private, within the State for the purpose of making necessary inspections for Asian longhorned beetle, and for the removal of condemned trees.

(b) Persons interfering with or obstructing the Department or an inspector in the conduct of inspections for Asian longhorned beetle shall be subject to the sanctions provided at 7 C.F.R. § 301.51, as amended and supplemented, incorporated herein by reference, and N.J.S.A. 4:7-13, 14 and 18.

2:20-8.7 Notification of infestation, treatment order

A written Notice of Infestation—Treatment Order will be issued to the affected person by the Secretary of Agriculture, following positive confirmation of Asian longhorned beetle by the Department. The recipient shall have all plant material specified in the order treated to eradicate Asian longhorned beetle in a manner approved by the Secretary of Agriculture, including the destruction of infected trees. The notice or order shall specify a time, not less than three days from its date, within which it must be complied with.

2:20-8.8 Conditions of movement, certification

(a) No firewood, green lumber, logs, nursery stock, or other regulated articles may be moved from the quarantined area,

unless accompanied by written approval issued by the Department, or as is permitted in accordance with the requirements at 7 C.F.R. § 301.51-4.

(b) A person whose stock has been tested to the satisfaction of the Department and found free from Asian longhorned beetle, wishing to move regulated plants shall be provided with a certificate issued by the Department.

(c) The Department reserves the right to charge an inspection fee, pursuant to N.J.A.C. 2:18, to recover costs associated issuing an inspection certificate.

SUBCHAPTER 9. NON-NATIVE PHYTOPHAGOUS SNAILS

2:20-9.1 Definitions

As used in this subchapter, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

"Department" means the New Jersey Department of Agriculture.

"Infested areas" mean the states of Arizona, California, Florida, Hawaii, Minnesota, New Mexico, Oregon, Texas, Washington, or any other areas that are infested with phytophagous snails that are not native to New Jersey.

"Movement" means to ship, carry, transport, offer for shipment, receive for shipment, or allow to be transported by any means.

"Non-native phytophagous snail" means any live snail, in any stage of development that feeds on plants and does not occur naturally in New Jersey including, but not limited to, the following: the brown garden snail, *Helix aspersa*; the green or burrowing snail, *H. aperta*; the pulmonate snail, *H. pomatia*; the white garden snail, *Theba pisana*; the giant African snail, *Achatha fulica*; the giant South American snail, *Megalobulimus oblongus*; the lactea snail, *Otala lactea*; and any other species determined by the Secretary to be a threat to New Jersey agriculture and added to this section pursuant to N.J.S.A. 52:14B-1 et seq. Native New Jersey species are not included.

"Plant material" means all wild, cultivated, or greenhouse-grown plants, trees, shrubs, vines, bulbous plants and roots, grafts, scions, and buds. "Plant material" includes nursery stock, annuals, bedding plants, vegetable plants, cut flowers, and decorative plants without roots.

2:20-9.2 Materials regulated

Plant materials harboring live, non-native phytophagous snails, live, non-native phytophagous snails themselves, and/or other articles capable of transporting non-native phy-

tophagous snails shall not be moved into the State of New Jersey from an infested area.

2:20-9.3 Restrictions

(a) Raising, maintaining, and/or holding live, non-native phytophagous snails is prohibited.

(b) Movement of live, non-native phytophagous snails into or through the State in any stage of development is prohibited.

2:20-9.4 Treatment or disposal of infested materials

Regulated articles that are infested with live, non-native phytophagous snails, or materials that have been exposed to infestation by these plant pests, may be ordered destroyed or fumigated at the expense of the owner, at the direction of the Department.

SUBCHAPTER 10. SPOTTED LANTERNFLY

2:20-10.1 Definitions

As used in this subchapter, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

“Agent” means a representative of the New Jersey Department of Agriculture or the United States Department of Agriculture, or any individual under contract with the Department or USDA to apply pesticide treatments or otherwise.

“APHIS” means the United States Department of Agriculture Animal and Plant Health Inspection Service.

“Checklist” or “Spotted Lanternfly Checklist” means a document prepared by the Department and is available at https://www.state.nj.us/agriculture/divisions/pi/prog/spotted_lanternfly.html.

“Department” means the New Jersey Department of Agriculture.

“Eradication” means the elimination or removal of a pest from a defined geographic area.

“Exposed” means a determination by an inspector to be at risk for spreading Spotted Lanternfly.

“Infestation” means the presence of Spotted Lanternfly in any life stage.

“Inspector” means any person officially designated by the Department or APHIS, authorized to enforce the provisions of this subchapter.

“Move” means to ship, carry, transport, offer for shipment, receive for shipment, or allow to be transported by any means.

“Movement” means the act of shipping, carrying, transporting, offering for shipment, receiving for shipment, or allowing to be transported by any means.

“Notice of Infestation–Treatment Order” means an official written order issued by the Department specifying conditions found, actions the recipient shall carry out, and a specified time frame by which the order must be complied with, pursuant to N.J.A.C. 2:20-10.5.

“Person” means an individual, partnership, association, firm, corporation, limited liability corporation, State agency, municipality or other governmental unit or agency, or any other legal entity.

“Plant” means any part of a plant, tree, aquatic plant, plant product, shrub, vine fruit, rhizome, sod, vegetable, seed, bulb, stolon, tuber, corm, pip, cutting, scion, bud, graft, or fruit.

“Quarantined area” means any area designated as a quarantined area in accordance with N.J.A.C. 2:20-10.5.

“Regulated article” means any article listed under N.J.A.C. 2:20-10.3.

“Regulated fruit, regulated plant, regulated seed, regulated tree” means any fruit, plant, seed, or tree defined as a regulated article under N.J.A.C. 2:20-10.3.

“Secretary” means the Secretary of the New Jersey Department of Agriculture.

“Spotted Lanternfly” means *Lycorma delicatula*.

“Treatment Order” or “Order” means any Notice of Infestation–Treatment Order as set forth in N.J.A.C. 2:20-10.6.

“Tree of Heaven” means any life stage of the plant *Ailanthus altissima*.

“USDA” means the United States Department of Agriculture.

2:20-10.2 Spotted Lanternfly declared a nuisance

The State Board of Agriculture declares that the Spotted Lanternfly, a dangerously injurious insect and plant pest not known to be native to New Jersey, that damages nursery stock, agricultural crops, and the environment of the State, to be a nuisance.

2:20-10.3 Regulated articles

(a) The Spotted Lanternfly, along with any material or object that may carry or spread the dangerously injurious insect, are considered regulated articles and shall not be moved out of, or within, the quarantined area, unless done in accordance N.J.A.C. 2:20-10.7.

(b) Regulated articles include:

1. Any living life stage of the Spotted Lanternfly;

2. Plants and plant parts, which include, but are not limited to, live or dead trees, nursery stock, budwood, green lumber, firewood, logs, perennial plants, garden plants, agricultural produce, stumps, roots, branches, mulch, composted and uncomposted chips, bark, and yard waste;

3. Outdoor industrial and construction materials and equipment, concrete barriers or structure, stone, quarry material, ornamental stone or concrete, construction, landscaping, and remodeling waste;

4. Packing materials, such as wood crates or boxes;

5. Outdoor household articles including recreational vehicles, lawn tractors and mowers, mower decks, grills, grill and furniture covers, tarps, mobile homes, tile, stone, deck boards, mobile fire pits, any equipment, or trucks or vehicles not stored indoors;

6. Means of conveyance of any type, whether utilized for movement of the materials previously listed, or personal use, and any trailers, wagons, or other means of conveyance, and equipment attached thereto; or

7. Any other articles, materials, or means of conveyance, when it is determined by an inspector to present a risk of spread of any life stage of Spotted Lanternfly.

2:20-10.4 Quarantine area

(a) By order of the State Board of Agriculture, and pursuant to N.J.S.A. 4:1-21.5, in order to control the spread of the dangerously injurious insect, the Spotted Lanternfly, a menace to the State's agricultural industries, environment, and residential areas of New Jersey, all New Jersey counties are hereby quarantined in their entirety.

(b) The Secretary of Agriculture may temporarily designate any nonquarantined area in New Jersey as a quarantined area, if the Secretary has reason to believe that the Spotted Lanternfly is present based on positive confirmation of any life stage of this insect by the Department, or by agents of the USDA APHIS.

Amended by R.2019 d.101, effective October 7, 2019.

See: 51 N.J.R. 793(a), 51 N.J.R. 1499(a).

In the introductory paragraph of (a), inserted a comma following "environment"; in (a)2, deleted "and" from the end; in (a)3, substituted a semicolon for a period; and added (a)4 through (a)8.

Emergency amendment, R.2021 d.108, effective August 27, 2021 was scheduled to expire on October 26, 2021. Pursuant to P.L. 2021, c. 103, the emergency amendment expired on January 2, 2022.

See: 53 N.J.R. 1581(a).

In (a)7, deleted "and" from the end; in (a)8, substituted a semicolon for a period; and added (a)9 through (a)13.

Provisions of R.2021 d.108 were adopted without change by R.2022 d.056, effective May 2, 2022. See: 53 N.J.R. 1581(a), 54 N.J.R. 779(a).

Amended by R.2023 d.019, effective February 6, 2023.

See: 54 N.J.R. 1895(a), 55 N.J.R. 141(a).

In (a), substituted "all" for "the following" preceding "New Jersey counties", and a period for a colon at the end; and deleted former (a)1 through (a)13.

2:20-10.5 Right of access

(a) Duly authorized representatives of the Department, the USDA, or their agents may enter upon any lands or premises, public or private, within the State, for the purpose of conducting necessary inspections and surveys for Spotted Lanternfly, for the removal and treatment of condemned host trees, to undertake eradication measures for the Spotted Lanternfly, and to determine compliance.

1. Prior to carrying out any treatment procedure, the Department shall notify the property owner in writing with a Notice of Infestation-Treatment Order. Any agent of the Department or USDA is authorized to enter the premises during reasonable hours to carry out the eradication or control measures.

2. Pursuant to any Notice of Infestation-Treatment Order, and any addendums thereto, the property owner shall take the following treatment actions:

i. The property owner shall allow control procedures to occur to eliminate any life stage of the Spotted Lanternfly on the property;

ii. Control procedures may include tree banding, pesticide application, or removal of any Tree of Heaven, or any combination thereof, to reduce the available host of the Spotted Lanternfly and to decrease the population of Spotted Lanternfly. All control procedures shall conform with methods approved by the Department and USDA Animal and Plant Inspection Services Plant Protection and Quarantine, in addition to all applicable Federal, State, and municipal laws and ordinances;

iii. Control work shall be performed by a contractor under agreement with the USDA APHIS to carry out the necessary control procedures on the owner's property;

iv. Property owners may be requested by the Department to remove and dispose of host trees, such as Tree of Heaven. The cost of any such removal shall be the responsibility of the property owner; and

v. The obligation of the property owner to allow control of the Spotted Lanternfly by State- or Federally contracted licensed pesticide applicators shall continue, so long as the Spotted Lanternfly exists on the property.

(b) The Department will continue to survey and monitor all properties within the quarantine areas set forth in N.J.A.C. 2:20-10.4, and any other areas identified within the State as having Spotted Lanternfly, until such quarantine area is rescinded. The Department, USDA, or its agents may enter onto any premises within the quarantine areas or any Notice of Infestation-Treatment Order, or any subsequent addendums thereto, to survey, collect samples, investigate, determine compliance, and carry out eradication or control measures, where necessary. Persons interfering with or obstructing the Department or an inspector or agent in the conduct of inspections, surveys, treatments, and removals for Spotted Lantern-

fly shall be subject to the sanctions provided by N.J.S.A. 4:7-13, 14, and 18, incorporated herein by reference.

2:20-10.6 Notification of Infestation-Treatment Order

A written Notice of Infestation-Treatment Order shall be issued to the affected property owner, by the Secretary of Agriculture, following positive confirmation of the Spotted Lanternfly by the Department or USDA. All host plant material specified in the order must be treated or eliminated to eradicate Spotted Lanternfly in a manner approved by the Secretary of Agriculture, which may include destruction of trees.

2:20-10.7 Restrictions on movement and conditions of movement

(a) No person may move any Spotted Lanternfly, plant material, or regulated articles containing any life stage of the Spotted Lanternfly, which are subject to the requirements of Spotted Lanternfly quarantine, outside the quarantine areas designated in N.J.A.C. 2:20-10.4, unless in compliance with the requirements set forth in this section.

(b) Members of the general public who move any regulated articles inside the quarantine area or to outside of the quarantine area shall be required to complete a Spotted Lanternfly Checklist prior to movement of any regulated article(s).

1. The Spotted Lanternfly Checklist shall be provided by the Department at the following web address: <https://www.state.nj.us/agriculture/divisions/pi/prog/spottedlanternfly.html>.

2. The signed checklist shall remain with the regulated article(s).

3. Upon request by the Department, a copy of the signed checklist shall be provided to the Department within three calendar days by the person possessing the regulated article.

(c) Persons moving regulated materials for business purposes from, or into, the quarantine area shall be required to:

1. Undertake training on the Spotted Lanternfly. The owner, manager, supervisor, or other person(s) with authority to bind the entity and train other employees (hereinafter "designated employee(s)") shall take training provided by either by the Department, the Pennsylvania Department of Agriculture, Penn State Cooperative Extension, Rutgers Cooperative Extension, or others who have participated in a "Train the Trainer" course approved and recognized by the Department, and shall have passed an examination administered by an employee or agent of the Department or the Pennsylvania Department of Agriculture, demonstrating they have an understanding and knowledge of the pest and of the procedures necessary to prevent the spread of the pest.

i. Upon successful completion of the training and passing the required test, the designated employee(s) shall be responsible for training other employees of that entity and documenting such training.

ii. In conjunction with taking the examination, the designated employee(s) shall record, preserve, maintain, and provide to the Department, as needed, at a minimum, the following information:

(1) The name, telephone number, and e-mail address of the designated employee taking the required test;

(2) The legal name, address, business telephone number, and e-mail address of the primary business location;

(3) The number of vehicles and conveyances utilized; and

(4) An attestation that the person shall comply with all requirements of this subchapter.

2. The Secretary may request, in writing, additional information, if necessary, for evaluating the potential risk to the State.

3. Any employee responsible for driving any vehicle or conveyance, or handling, shipping, packaging, or loading any regulated article, shall be trained by a designated employee who has taken the training and passed the exam. Multiple employees in a business may take the training and examination if the business deems that necessary to build sufficient training capacity within their organization.

4. All regulated articles, including conveyances and vehicles, shall be inspected and all egg masses and other life stages of the Spotted Lanternfly shall be removed and destroyed prior to being moved within or out of the quarantine area. A record of such inspection shall be kept and recorded as set forth in N.J.A.C. 2:20-10.9.

5. Regulated articles, other than the vehicles and conveyances themselves, shall be packaged and safeguarded sufficiently, such as within a closed container, shrink wrap, tight tarp, or similar covering, to maintain isolation from the domestic environment during storage or transportation.

6. Any stage of living life cycle(s) of the insect, Spotted Lanternfly, found during any inspection, and/or other debris, off-fall, or by-products, shall remain within the quarantine area, be placed in a separate area away from other regulated articles and shall be processed, treated, burned, or buried, in accordance with all Federal, State, or local laws. Burning shall be done in accordance with laws and rules governing air quality and where buried, such burial shall comply with all laws and rules governing water quality. Final disposal of regulated articles shall be in a manner that does not leave material that may be infected or allow movement of the Spotted Lanternfly.

(d) Submission to the Department of a valid permit issued by the Pennsylvania Department of Agriculture, or any other state issuing such permit for the Spotted Lanternfly, will be accepted in satisfaction of the elements required under (c) above. Copies of such permits may be e-mailed to SLF-plantindustry@ag.nj.gov, or mailed to:

Division of Plant Industry
New Jersey Department of Agriculture
PO Box 330
Trenton, New Jersey 08625-0330

(e) Persons moving regulated materials for business purposes exclusively within the quarantine area shall be required to:

1. Treat, process, inspect, or dispose of regulated articles received and stored in a manner that complies with the methods of treatment described in (e)2 below.

2. Any stage of living life cycle(s) of the Spotted Lanternfly found during the inspection, and/or other debris, off-fall, or by-products, shall remain within the quarantine area, be placed in a separate area away from other regulated articles and shall be processed, treated, burned, or buried, in accordance with all Federal, State, or local laws. Burning shall be done in accordance with laws and rules governing air quality and where buried, such burial shall comply with all laws and rules governing water quality. Final disposal of regulated articles shall be in a manner that does not leave material that may be infected or allow movement of the Spotted Lanternfly.

3. Regulated articles must be shipped within five days of inspection, processing, or treatment and safeguarded in such a manner, such as storage inside an enclosed building or shrink wrapping, as to prevent infestation.

2:20-10.8 Other movement provisions for businesses

(a) A regulated article, including any vehicle or conveyance, may be shipped through the quarantine area, if the regulated article and the vehicle and conveyance originates outside the quarantine area and all the following criteria are met:

1. The points of origin and destination are outside of the quarantine area established by N.J.A.C. 2:20-10.4 and are indicated on a waybill accompanying the regulated article.

2. No point of origin is within an area of the State, where the presence of the Spotted Lanternfly has been confirmed by a Federal, State, or other regulatory agency.

3. If moving during the period of April through December, the regulated article is moved into the quarantine area in an enclosed vehicle or conveyance or is completely covered, such as by a tarp or full shrink wrapping, to prevent exposure to the Spotted Lanternfly. The covering must be kept on the regulated article until leaving the quarantine area and, thereafter, the covering shall be inspected, decontaminated, or destroyed.

4. The regulated article, including the vehicle and conveyance, is moved directly through the quarantine area without stopping, except for refueling, for traffic control devices, or emergency conditions, and has been stored, packed, or handled only at locations outside the quarantine area.

(b) If any other area inside or outside of this State is determined by a Federal, State, or other regulatory agency to have the Spotted Lanternfly present, movement from that area into the State shall require a permit issued either under the provisions of this subchapter, or a Department-approved permitting process or other program carried out by the state of origin.

2:20-10.9 Recordkeeping

(a) Documentation of required inspections and compliance measures taken when shipping regulated articles, including vehicles and conveyances within or outside of the quarantine area, shall be kept by each individual, employee, or person conducting activity within the quarantine area. These inspection records shall include recording of any living life stage finds and method utilized for destruction of the Spotted Lanternfly.

(b) Documentation shall be kept listing each individual training as a designated employee as set forth in N.J.A.C. 2:20-10.7(c)1.

(c) Incoming and outgoing shipment records are to detail the kind and quantity of regulated article shipped, shipper name, date of shipment, source or destination information, and corresponding inspection treatment and mitigation records.

(d) Inspection, treatment, and mitigation records, including dates and outcomes, shall be kept in accordance with this section.

(e) Records are to be maintained for a minimum of two years with copies provided to the Department upon request.