

STATE OF MARYLAND
MARYLAND DEPARTMENT OF AGRICULTURE

QUARANTINE ORDER OF	*
THE SECRETARY OF AGRICULTURE,	* PLANT PROTECTION
STATE OF MARYLAND, TO PREVENT	* ORDER # 19-01
THE SPREAD OF THOUSAND CANKERS	* Authority: Agriculture Article,
DISEASE IN THIS STATE	* § 5-304, Annotated Code
	* of Maryland

* * * * *

QUARANTINE ORDER TO LIMIT THE SPREAD OF
THOUSAND CANKERS DISEASE OF WALNUT

PURPOSE OF QUARANTINE: Thousand Cankers Disease (TCD), a disease complex that kills walnut trees, *Juglans spp.* There is no cure for a tree once it is infected. It is caused by the fungus *Geosmithia morbida* which is vectored by the walnut twig beetle (WTB), *Pityophthorus juglandis*. The fungus is introduced by beetles tunneling under the bark and causes cankers that eventually coalesce and girdle limbs and branches, killing the tree. TCD has been detected in a limited area of Maryland.

The purpose of this quarantine is to prevent the spread of TCD to uninfested areas by natural means or through the movement of infested articles.

WHEREAS, The Secretary of Agriculture, State of Maryland, has broad powers to control, retard, or eradicate dangerously injurious plant pests;

WHEREAS, TCD is a disease complex that kills walnut trees, *Juglans spp.*;

WHEREAS, There is no cure for a walnut tree once it is infested; and

WHEREAS, The causal agent for TCD, the fungus *Geosmithia morbida*, and its vector the walnut twig beetle, *Pityophthorus juglandis*, have been detected in the State and have a limited distribution at this time.

NOW, THEREFORE, I, Joseph Bartenfelder the Secretary of Agriculture, State of Maryland, by virtue of the authority vested in me by Agriculture Article, § 5-304, Annotated Code of Maryland, on this May 1, 2019 hereby **ORDER:** That a quarantine is established, subject to the following terms, conditions, and restrictions:

1. **Quarantine Area.** This quarantine applies to the geographic area of:
 - a. Cecil County, Maryland, as follows: All of Cecil County that is: (a) south of the Pennsylvania state line, (b) north of I-95, and (c) between MD Rte. 213 and the Delaware state line.
 - b. Baltimore City, Maryland – all of Baltimore City
 - c. Baltimore County, Maryland, as follows: All of Baltimore county that is: (a) south of Harford Rd where it hits the Baltimore city line, (b) south of Rt 695 from Harford Rd to White Marsh Blvd – Rt 147, (c) south of White Marsh Road – Rt 147 to Pulaski Hwy – Rt. 40, (d) south of Pulaski Hwy – Rt 40 to Ebenezer Rd, (e) east of Ebenezer Rd to Graces Quarters Rd, (f) Graces Quarters Rd to Aberdeen Proving Ground

2. **Quarantine Period.** This quarantine is effective immediately and will remain in effect until rescinded or otherwise modified by the Secretary.

3. **Definitions.** The following terms shall be construed to mean:

(a) "Certificate" or "certificate of inspection" means a document issued, or authorized to be issued, by the Secretary, including State-issued certificates of quarantine compliance, State phytosanitary certificates and multiple-use quarantine certificates, to allow the movement of regulated articles to any destination.

(b) "Compliance Agreement" means a written agreement between a person moving regulated articles and the Maryland Department of Agriculture, wherein the former agrees to comply with the requirements of the agreement.

(c) "Inspector" means an employee of the Maryland Department of Agriculture authorized to enforce the provisions of this quarantine.

(d) "Move," "moved," or "movement" means shipped, offered for shipment, received for transportation, transported, carried, or allowed to be moved or shipped.

(e) "Person" means any association, company, corporation, firm, individual, joint stock company, partnership, society, or any other legal entity.

(f) "Regulated articles" means:

- Any life stage of the walnut twig beetle, *Pityophthorus juglandis*.
- The fungal pathogen, *Geosmithia morbida*.
- Firewood of any non-coniferous (hardwood) species.
- All plants and plant parts of the genus *Juglans* including but not limited to nursery stock, budwood, scionwood, green lumber, firewood, and other material living, dead, cut, fallen including stumps, roots, branches, mulch, and composted and uncomposted chips.
- Any other article or means of conveyance when it is determined by an inspector to present a risk of spread of Thousand Cankers Disease.
- Specific exemptions include nuts, nut meats, hulls, processed lumber (which is one hundred percent bark-free and kiln-dried, with squared edges) and finished wood products without bark, including walnut furniture, instruments, and other items derived from the genus *Juglans*.

(g) "Secretary" means the Secretary of the Maryland Department of Agriculture or his authorized representative.

(h) "Thousand Canker Disease" means the fungus *Geosmithia morbida* or its insect vector known as walnut twig beetle (*Pityophthorus juglandis* [Coleoptera: Scolytidae]) or any other vector in any stage of development.

(i) "Walnut tree" means any tree in the genus *Juglans*

4. **Movement of Regulated Articles.**

(a) Except under the conditions in (a)(i) and (ii) below or as directed by the Secretary, a person may not move regulated articles from within the Quarantined Area to any destination outside the Quarantined Area:

- (i) Regulated articles may be moved that have been issued a certificate of inspection based on conditions and treatments administered in accordance with methods that the Secretary has approved (a certificate of inspection may be issued based upon the determination by the following: (aa) the inspector, or (bb) a grower or shipper authorized to conduct such inspection under a Compliance Agreement), that no TCD is present; and

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(ii) The certificate of inspection is attached to the regulated articles, and remains on the regulated articles until such articles reach their final destination (alternatively, the certificate of inspection may be attached to the shipping document provided, however, the regulated article is adequately described in the shipping document or the certificate of inspection).

(b) Except under the conditions in (b)(i) and (ii) below or as directed by the Secretary, a person may not move regulated articles originating outside the Quarantined Area through the Quarantined Area without a certificate of inspection for this pest:

(i) For the period between April 1 and August 31, or when the ambient air temperature is 40 degrees F. or higher, regulated articles may be moved that are shipped in an enclosed vehicle, or are completely covered to prevent access by TCD; and for the period between September 1 and March 31, or when the ambient air temperature is below 40 degrees F., the regulated articles are moved without stopping, except to refuel or for traffic conditions; and

(ii) The points of origin and destination of the regulated articles are indicated on the bill of lading or shipping documents.

(c) Regulated articles originating outside a Quarantined Area which are moved into the Quarantined Area other than according to 4(b) above shall be considered to have originated from the Quarantined Area. These regulated articles may be moved from the Quarantined Area only under the conditions set forth in 4(a) above.

(d) The bill of lading or shipping documents accompanying a shipment of regulated articles within or through Maryland shall indicate the county and State of origin of the regulated articles.

5. Enforcement

(a) A person may not resist or oppose the Secretary or an authorized inspector in enforcing this Quarantine Order. Agriculture Article, § 2-104(c), Annotated Code of Maryland.

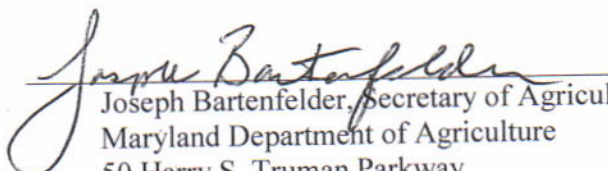
(b) An authorized inspector may call upon the assistance of any law enforcement officer to enforce this Quarantine Order. Agriculture Article, § 2-104(b), Annotated Code of Maryland.

(c) A person who violates this Quarantine Order is subject to criminal or civil penalties as provided under Agriculture Article, §§ 5-313 and 5-314, Annotated Code of Maryland.

6. Quarantine Questions

Any person affected by this quarantine may address any questions to the Plant Protection and Weed Management Sections Maryland Department of Agriculture at 410-841-5920 or email at ppwm.mda@maryland.gov.

Dated: May 1, 2019


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