

**13. The full text of the rules follows:**

**TITLE 3. AGRICULTURE**

**CHAPTER 4. DEPARTMENT OF AGRICULTURE  
PLANT SERVICES DIVISION**

**ARTICLE 2. QUARANTINE**

Section

R3-4-244. Regulated and Restricted Noxious Weeds

R3-4-245. Prohibited Noxious Weeds

**ARTICLE 2. QUARANTINE**

**R3-4-244. Regulated and Restricted Noxious Weeds**

**A.** Definitions. In addition to the definitions provided in A.R.S. § 3-201, the following terms apply to this Section:

1. "Habitat" means any terrestrial or aquatic area within Arizona, such as canals, drainage ditches, ponds, and lakes that is capable of sustaining plant growth.
2. "Infested area" means each individual container in which a pest is found or the specific area that harbors a pest.
3. "Regulated pest" means any of the following plant species, including viable plant parts (stolons, rhizomes, cuttings and seed, except agricultural, vegetable and ornamental seed for planting purposes), found within the state may be controlled to prevent further infestation or contamination:

*Cenchrus echinatus* L. -- Southern sandbur,  
*Cenchrus incertus* M.A. Curtis -- Field sandbur,  
*Convolvulus arvensis* L. -- Field bindweed,  
*Eichhornia crassipes* (Mart.) Solms -- Floating waterhyacinth,  
*Medicago polymorpha* L. -- Burclover,  
*Pennisetum ciliare* (L.) Link -- Buffelgrass  
*Portulaca oleracea* L. -- Common purslane,  
*Tribulus terrestris* L. -- Puncturevine.

4. "Restricted pest" means any of the following plant species, including viable plant parts (stolons, rhizomes, cuttings and seed, except agricultural, vegetable and ornamental seed for planting purposes), found within the state shall be quarantined to prevent further infestation or contamination:

*Acroptilon repens* (L.) DC. -- Russian knapweed,  
*Aegilops cylindrica* Host. -- Jointed goatgrass,  
*Alhagi pseudalhagi* (Bieb.) Desv. -- Camelthorn,  
*Cardaria draba* (L.) Desv. -- Globed-podded hoary cress (Whitetop),  
*Centaurea diffusa* L. -- Diffuse knapweed,  
*Centaurea maculosa* L. -- Spotted knapweed,  
*Centaurea solstitialis* L. -- Yellow starthistle (St. Barnaby's thistle),  
*Cuscuta* spp. -- Dodder,  
*Eichhornia crassipes* (Mart.) Solms -- Floating waterhyacinth,  
*Elytrigia repens* (L.) Nevski -- Quackgrass,  
*Euryops sunbcarnosus* subsp. *vulgaris* -- Sweet resinbush,  
*Halogeton glomeratus* (M. Bieb.) C.A. Mey -- Halogeton,  
*Helianthus ciliaris* DC. -- Texas blueweed,  
*Ipomoea triloba* L. -- Three-lobed morning glory,  
*Linaria genistifolia* var. *dalmatica* -- Dalmation toadflax,  
*Onopordum acanthium* L. -- Scotch thistle.

**B.** Area under quarantine: All infested areas within the state.

**C.** The following commodities are hosts or carriers of the regulated or restricted pest:

1. All plants other than those categorized as a regulated or restricted pest;
2. Forage, straw, and feed grains;
3. Live and dead flower arrangements;
4. Ornamental displays;
5. Aquariums; and
6. Any appliance, construction or dredging equipment, boat, boat trailer or related equipment, or any other vehicle with

Notices of Proposed Rulemaking

soil attached or carrying plant debris.

- D. The Department may quarantine any commodity, habitat, or area infested or contaminated with a regulated pest and notify the owner or carrier of the restrictions and treatments listed in subsections (F) and (G). If the regulated pest is not quarantined, the Department shall provide the grower with technical information on effective weed control activities through integrated pest management.
- E. The Department shall quarantine any commodity, habitat, or area infested or contaminated with a restricted pest and shall notify the owner or carrier of the restrictions and treatments of the pest listed in subsections (F) and (G).
- F. Restrictions.
  - 1. No regulated or restricted pest or commodity infested or contaminated with a regulated or restricted pest shall be moved to a non-infested area unless the Director issues a permit for the transporting or propagating of the pest.
  - 2. An owner or the owner's representative shall notify the Department at least two working days in advance of moving contaminated equipment from an infested area.
  - 3. The Department may inspect all equipment within two working days after a request to inspect the equipment is made if the equipment:
    - a. Has been moved into or through a non-infested area;
    - b. Has not been treated; or
    - c. Has been used to harvest an infested crop within the past 12 months.
- G. Treatments.
  - 1. An owner or the owner's representative shall treat all soil and debris from equipment used in a quarantined area until it is free of the regulated or restricted pest before the equipment is moved. Removal or destruction of the restricted or regulated pest shall be accomplished through one of the following methods:
    - a. Autoclaving.
      - i. Dry heat. The commodity shall be heated for 15 minutes at 212° F.
      - ii. Steam heat. The commodity shall be heated for 15 minutes at 212° F;
    - b. Fumigating with ethylene oxide, chamber only: The commodity shall be fumigated with 1,500 mg/L for four hours in a chamber pre-heated to 115-125° F;
    - c. High-pressure water spray;
    - d. Crushing;
    - e. Incinerating; or
    - f. Burying in a sanitary landfill to a depth of six feet.
  - 2. An owner or the owner's representative shall treat an infested area or habitat, including the area within the crop, rangeland, roadside, or private property, with treatments based on an integrated pest management program appropriate to the commodity. The treatments shall take place under the direction of an inspector and shall include:
    - a. Reshipment from the state;
    - b. Manual removal;
    - c. Application of a herbicide;
    - d. Biological control including insects, fungi, nematodes, or microbes; or
    - e. Any other treatment approved by the Director.

**R3-4-245. Prohibited Noxious Weeds**

- A. Definition. In addition to the definitions provided in A.R.S. § 3-201, the following apply to this Section:
  - 1. "Habitat" means any terrestrial or aquatic area within Arizona, ~~such as canals, drainage ditches, ponds, and lakes that is capable of sustaining plant growth.~~
  - 2. "Infested area" means each individual container in which a pest is found, the specific area that harbors the pest, or any shipment that has not been released to the receiver and is infested with a pest.
  - 3. "Pest" means any of the following plant species, including viable plant parts (stolons, rhizomes, cuttings and seed, except agricultural, vegetable and ornamental seed for planting purposes), that are prohibited from entering the state:
    - Acroptilon repens* (L.) DC. -- Russian knapweed,
    - Aegilops cylindrica* Host. -- Jointed goatgrass,
    - Alhagi pseudalhagi* (Bieb.) Desv. -- Camelthorn,
    - Alternanthera philoxeroides* (Mart.) Griseb. -- Alligator weed,
    - Cardaria pubescens* (C.A. Mey) Jarmolenko -- Hairy whitetop,
    - Cardaria chalepensis* (L.) Hand-Muzz -- Lens podded hoary cress,
    - Cardaria draba* (L.) Desv. -- Globed-podded hoary cress (Whitetop),
    - Carduus acanthoides* L. -- Plumeless thistle,
    - Cenchrus echinatus* L. -- Southern sandbur,
    - Cenchrus incertus* M.A. Curtis -- Field sandbur,
    - Centaurea calcitrapa* L. -- Purple starthistle,
    - Centaurea iberica* Trev. ex Spreng. -- Iberian starthistle,

Notices of Proposed Rulemaking

*Centaurea squarrosa* Willd. -- Squarrose knapweed,  
*Centaurea sulphurea* L. -- Sicilian starthistle,  
*Centaurea solstitialis* L. -- Yellow starthistle (St. Barnaby's thistle),  
*Centaurea diffusa* L. -- Diffuse knapweed,  
*Centaurea maculosa* L. -- Spotted knapweed,  
*Chondrilla juncea* L. -- Rush skeletonweed,  
*Cirsium arvense* L. Scop. -- Canada thistle,  
*Convolvulus arvensis* L. -- Field bindweed,  
*Coronopus squamatus* (Forsk.) Ascherson -- Creeping wartcress (Coronopus),  
*Cucumis melo* L. var. *Dudaim* Naudin -- Dudaim melon (Queen Anne's melon),  
*Cuscuta* spp. -- Dodder,  
*Drymaria arenarioides* H.B.K. -- Alfombrilla (Lightningweed),  
*Eichhornia azurea* (SW) Kunth. -- Anchored waterhyacinth,  
*Eichhornia crassipes* (Mart.) Solms – Floating waterhyacinth,  
*Elytrigia repens* (L.) Nevski -- Quackgrass,  
*Euphorbia esula* L. -- Leafy spurge,  
*Halogeton glomeratus* (M. Bieb.) C.A. Mey -- Halogeton,  
*Helianthus ciliaris* DC. -- Texas blueweed,  
*Hydrilla verticillata* Royale -- Hydrilla (Florida-elodea),  
*Ipomoea* spp. -- Morning glory. All species except *Ipomoea carnea*, Mexican bush morning glory; *Ipomoea triloba*, three-lobed morning glory (which is considered a restricted pest); and *Ipomoea aborescens*, morning glory tree,  
*Ipomoea triloba* L. -- Three-lobed morning glory,  
*Isatis tinctoria* L. -- Dyers woad,  
*Linaria genistifolia* var. *dalmatica* -- Dalmation toadflax,  
*Lythrum salicaria* L. -- Purple loosestrife,  
*Medicago polymorpha* L. -- Burclover,  
*Nassella trichotoma* (Nees.) Hack. -- Serrated tussock,  
*Onopordum acanthium* L. -- Scotch thistle,  
*Orobanche ramosa* L. -- Branched broomrape,  
*Panicum repens* L. -- Torpedo grass,  
*Peganum harmala* L. -- African rue (Syrian rue),  
*Pennisetum ciliare* (L.) Link – Buffelgrass,  
*Portulaca oleracea* L. -- Common purslane,  
*Rorippa austriaca* (Crantz.) Bess. -- Austrian fieldcress,  
*Salvinia molesta* -- Giant Salvinia,  
*Senecio jacobaea* L. -- Tansy ragwort,  
*Solanum carolinense* L. -- Carolina horsenettle,  
*Sonchus arvensis* L. -- Perennial sowthistle,  
*Solanum viarum* Dunal -- Tropical Soda Apple,  
*Stipa brachychaeta* Godr. -- Puna grass,  
*Striga* spp. -- Witchweed,  
*Trapa natans* L. -- Water-chestnut,  
*Tribulus terrestris* L. -- Puncturevine.

- B.** Area under quarantine: All states, districts, and territories of the United States except Arizona.
- C.** The following commodities are hosts or carriers of the pest:
1. All plants and plant parts other than those categorized as a pest;
  2. Forage, straw, and feed grains;
  3. Live or dead flower arrangements;
  4. Ornamental displays;
  5. Aquariums; and
  6. Any appliance, construction or dredging equipment, boat, boat trailer or related equipment, or any other vehicle with soil attached or carrying plant debris.
- D.** The Department shall quarantine any commodity, habitat, or area infested or contaminated with a pest and shall notify the owner or carrier of the methods of removing or destroying the pest from the commodity, habitat, or area. The Department shall reject any shipment not released to the receiver and reship to the shipper.
- E.** Restrictions:
1. No pest or commodity infested or contaminated with a pest shall be admitted into the state unless the Director issues a permit for the transporting or propagating of the pest.

**Notices of Proposed Rulemaking**

2. The Department shall regulate the movement of the commodity out of a quarantined area within the state until the pest is eradicated. Any shipment or lot of a commodity infested or contaminated with a pest arriving in the state in violation of this quarantine shall, according to A.R.S. § 3-205(A), be immediately reshipped from the state, or treated or destroyed using one of the following methods:
  - a. The commodity shall be fumigated with 1,500 mg/L of ethylene oxide for four hours in a chamber pre-heated to 115-125° F;
  - b. Incinerating;
  - c. Burying in a sanitary landfill to a depth of six feet;
  - d. Application of a herbicide; or
  - e. Any other treatment approved by the Director.