

**CHAPTER 20
QUARANTINES**

Authority

N.J.S.A. 4:1-21.2, 4:1-21.5, 4:1-21.6, 4:6-20 and 4:7-1 et seq.

Source and Effective Date

R.2006 d.6, effective November 29, 2005.
See: 37 N.J.R. 3099(a), 38 N.J.R. 124(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 20, Quarantines, expires on May 28, 2011. See: 42 N.J.R. 2877(a).

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Subchapter 1, Gypsy Moth, was repealed by R.1971 d.28, effective March 4, 1971.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Subchapter 2, Gooseberries and Currants, and Subchapter 4, Subcoccinella Viginliqualuorpunctata, were repealed by R.1978 d.402, effective November 21, 1978.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20, Quarantines, was readopted as R.1995 d.523, effective August 25, 1995, and Subchapter 3, Red Pine Scale, was repealed by R.1995 d.523, effective September 18, 1995.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: Source and Effective Date. See, also, section annotations.

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).

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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) Only the following white pine blister rust resistant/immune cultivars are permitted:

1. "Consort";