

**MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPEMENT
HEMLOCK WOOLLY ADELGID INTERIOR QUARANTINE
HEMLOCK WOOLLY ADELGID NURSERY PROGRAM FACILITY COMPLIANCE AGREEMENT**

Name and Address of Facility	Compliance Agreement No.: _____
	Phone: _____ Fax: _____ e-mail: _____
State of Michigan Regulated Article(s) Tsuga spp. (hemlock) nursery stock	
Applicable Laws/Regulations State of Michigan Hemlock Woolly Adelgid Interior Quarantine and Section 6 of Act No. 72 of the Public Acts of 1945 (Section 286.256, Compiled Laws of 1948) and Regulation No. 620 Quarantine	

I/We agree to the following:

The facility identified above, hereinafter referred to as the “Facility”, hereby enters into a Compliance Agreement with the Michigan Department of Agriculture and Rural Development (MDARD) under the provisions of the Hemlock Woolly Adelgid Interior State Quarantine and agrees to receive, grow and/or ship regulated articles only as provided for in this Compliance Agreement.

1. Hemlock nursery stock production, receiving and holding areas must have been managed under an active pest management program outlined below since the beginning of the compliance agreement period, subject to verification by MDARD.
2. The Facility must provide a detailed map to MDARD showing the location of each hemlock production area, receiving area and holding area. Holding and production areas must be at least 150 feet from any hemlock trees in the landscape; or, alternatively any hemlock trees within 150 feet of holding and production areas must be treated with one of the systemic insecticides approved by MDARD for treatment of HWA. The Facility must update the map when adding additional production areas or when moving the location of receiving and holding areas.
3. The Facility must train all staff involved in any aspect of hemlock production, receiving or shipping activities. The training will include: how to identify Hemlock Woolly Adelgid (HWA) and how to report suspects to the Facility management. The trainees’ names and the date at which the training occurred shall be recorded and is subject to verification by MDARD. The training must be repeated on an annual basis.
4. All incoming hemlock nursery stock must be held in a receiving area that is physically separated from any hemlock production area or hemlock holding area until the incoming hemlock nursery stock is inspected and found free of all life stages of HWA. The receiving area must be physically separated from production and holding areas by a distance of at least 20 yards or alternatively must be contained within an enclosed building.
5. Hemlock production areas, receiving areas and holding areas must be scouted biweekly by the Facility during the period of March 1st to October 31st to assure absence of HWA. Hemlock trees located within 100 yards of these areas must be included in the area scouted. The Facility must maintain an HWA pest scouting record and shall provide copies upon request to MDARD. Scouting records must contain the name of the field/block; scouted, date, findings and the name of person performing the scouting.

MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPEMENT
HEMLOCK WOOLLY ADELGID INTERIOR QUARANTINE
HEMLOCK WOOLLY ADELGID NURSERY PROGRAM FACILITY COMPLIANCE AGREEMENT

6. Hemlock nursery stock shipped under this compliance agreement must be treated with an approved systemic insecticide during the growing season. Approved systemic insecticides (active ingredients) are imidacloprid and dinotefuran. Either compound is acceptable.
 - a. Dinotefuran must be applied at least 15 days prior to shipment and its effective period is considered to be one year. Approved treatment application methods include basal trunk spray, soil injection, soil drench and broadcast spray to soil of plant beds.
 - b. Imidacloprid must be applied at least 6 months before shipment and its effective period is considered to be 3 years. Approved treatment application methods include soil injection and soil drench.
 - c. Foliar spray application of either compound is not an approved application method.
7. Note: Hemlock identified for export to Canada must be treated with an additional pesticide application to meet the requirements of Canada Directive D-07-05. Treatment must be done within two days of shipment during the high risk period of March 1-June 30 and within seven days the remainder of the year.
8. The Facility must maintain a pesticide application record for all hemlock nursery stock produced or held under this program and shall provide copies upon request to MDARD.
9. Hemlock nursery stock obtained from other facilities participating in the HWA Nursery Program will not require an additional initial treatment provided that the Facility inventory control and recordkeeping system clearly documents sources, date of approved systemic insecticide treatment and maintains copies of the Certificate of Quarantine Compliance (CQC) that accompanied the incoming HWA Nursery Program hemlock nursery stock. The Facility must have an inventory control system in place to trace hemlock forward and backward from the Facility. Inventory control records must show type of hemlock (i.e. liners, seedlings, B&B, containerized) and quantity. Incoming inventory control records must show date of receipt, sources and any certificates accompanying the incoming hemlock. Outgoing inventory control records must show date of the outgoing shipment, the consignee (recipient or purchaser), a copy of the certificate (CQC) accompanying the shipment and the destination address.
10. Hemlock nursery stock received from non-infested areas and safeguarded according to MDARD safeguarding criteria may qualify for an exemption from the systemic insecticide treatment. Safeguarding criteria include holding the hemlock in an enclosed shipping container or in a storage room and subsequently reshipping the stock in an enclosed truck or trailer. Safeguarding shipping containers and rooms are subject to the approval of MDARD. Hemlock received during the period of November 1 through March 1 from non-regulated counties and reshipped during the same time period are exempt from the safeguarding and treatment requirements.
11. All shipments of hemlock nursery stock made to any destination inside or outside of the regulated counties in Michigan will be inspected according to the "Inspection and Sampling Procedures" table provided by MDARD. All outgoing hemlock shipments must

**MICHIGAN DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPEMENT
HEMLOCK WOOLLY ADELGID INTERIOR QUARANTINE
HEMLOCK WOOLLY ADELGID NURSERY PROGRAM FACILITY COMPLIANCE AGREEMENT**

be examined by trained Facility personnel no more than two (2) days prior to shipping. Detection of HWA will disqualify the shipment of this material.

12. A CQC must accompany each outgoing shipment. The CQC must show the compliance agreement number, county of origin of the hemlock and invoice number. The linked invoice must show quantity and size of the hemlock nursery stock shipped and shipment date. Pre-shipment pesticide treatment information must be recorded on the CQC and must indicate the compound, concentration and date of application. A record of all CQC's utilized must be maintained for 36 months and copies shall be provided to MDARD upon request.

13. If HWA is detected during monitoring, the Facility must immediately cease shipment of hemlock and must notify MDARD by email or telephone within one (1) business day. A detection of presumptive HWA will result in suspending all hemlock shipments from the Facility until the identity of the sample has been confirmed by MDARD and corrective actions identified by MDARD have been completed to the satisfaction of MDARD.

14. Violation of any of the conditions of this compliance agreement shall be sufficient cause for an immediate revocation of this compliance agreement and the destruction of the hemlock nursery stock, or return of the hemlock nursery stock to origin at the expense of the Facility.

15. MDARD retains the right to conduct inspections of the environs of the production areas, regulated articles and examine shipment records at any time. Records must be maintained for at least 36 months. All document requests will be filled within two business days of the initial request.

16. If the above firm fails to comply with the provisions of this Compliance Agreement and/or the HWA Interior Quarantine regulations, this Compliance Agreement will be canceled. In addition, failure to comply with this agreement and/or the HWA Interior Quarantine regulations may result in prosecution. MDARD reserves the right to revise or cancel the Compliance Agreement at any time.

Name & Title of Facility Representative (Please Print)	Signature of Facility Representative
Date of Signature (Facility Representative)	Agreement Number Assigned by MDARD
MDARD Approving Official (Printed Name & Title)	MDARD Approving Official's Signature
Date of Approval (MDARD)	Compliance Agreement Expiration Date

version: March 16, 2017