



Michigan Department of Agriculture and Rural Development
Pesticide and Plant Pest Management Division

BOX TREE MOTH QUARANTINE

Revised July 31, 2023

WHEREAS, the Director of the Michigan Department of Agriculture and Rural Development, having found that a dangerous pest, commonly known as box tree moth (*Cydalima perspectalis*) is injurious to boxwood and has become established in parts of Canada; and, that this pest is only known to exist in a limited area in Michigan; and,

WHEREAS, boxwood is an economically significant plant for the Michigan green industry, and in home gardens and landscapes; and,

WHEREAS, in order to prevent the spread of this pest across the state, and to facilitate trade with Canada, movement of host material out of the infested area must be restricted; and,

WHEREAS, once boxwood plants (*Buxus* spp.) in the landscape are infested with this pest it is difficult to eradicate.

NOW, THEREFORE, the Director of the Michigan Department of Agriculture and Rural Development, by authority of Section 6 of Act No. 72 of the Public Act of 1945 (Section 286.256, Compiled Laws of 1948) and Regulation No. 620; establishes a quarantine to prevent the further spread of box tree moth and sets forth: regulated areas, regulated articles, shipping restrictions, and violations.

I. DEFINITIONS.

The following terms shall be construed to mean:

- (A) **BOX TREE MOTH** means any living life stage of the insect known as *Cydalima perspectalis*.
- (B) **CERTIFICATE** means a State Phytosanitary Certificate, Certificate of Quarantine Compliance, or equivalent certification document issued by an authorized state agricultural official.
- (C) **DEPARTMENT** means the Michigan Department of Agriculture and Rural Development.
- (D) **DIRECTOR** means the Director of the Michigan Department of Agriculture and Rural Development or her/his authorized representative.
- (E) **INFESTATION** means the presence of the box tree moth or the existence of the circumstances that make it reasonable to believe that the box tree moth is present.
- (F) **INSPECTOR** means an employee of the Department authorized to enforce the provisions of this quarantine.

(G) **MOVED (MOVE, MOVEMENT)** means shipped, held for shipment, received for shipment, transported, carried, or allowed to be moved or shipped.

(H) **PERSON** means an individual, firm, association, partnership, corporation, governmental entity, or other legal entity.

II. PEST

Box tree moth (*Cydalima perspectalis*)

III. REGULATED AREAS

The entire counties of Clinton, Eaton, Ingham, Jackson, Lenawee, Livingston, Monroe, Oakland, Washtenaw, and Wayne.

IV. REGULATED ARTICLES

Box tree moth (*Cydalima perspectalis*), in any living form.

All species, varieties, and hybrids of *Buxus* spp., commonly called boxwood or box tree. Regulated articles include the whole plant, all plant parts, pieces, cuttings, clippings, debris, and any portion of the plant, alive or dead. A regulated article may also include any other article, commodity, item, or product that an inspector reasonably believes to be infested or susceptible to infestation by box tree moth.

V. EXEMPTIONS

1. Seeds of regulated species.
2. The Director may allow, with written approval, the movement of regulated articles from the regulated area into non-regulated areas of Michigan for research purposes.
3. The Director may allow movement of regulated articles from locations within the regulated area to destinations inside the regulated area through a written compliance agreement issued by the Director.
4. *Buxus* spp. nursery stock originating from outside the regulated area which is moved into the regulated area for the purpose of immediate installation at a landscape site in the regulated area and is shipped directly to the landscape site.
5. *Buxus* spp. nursery stock originating from outside the regulated area which is moved into the regulated area for the purpose of installation at a landscape site in the regulated area and is held in a safeguarded manner, i.e., is enclosed by a covering adequate to prevent the introduction of box tree moth (such as canvas, plastic, or closely woven cloth), until subsequent installation and is transported in an enclosed trailer body or vehicle.

VI. RESTRICTIONS

1. Movement of regulated articles from the regulated area to any destination outside the regulated area is prohibited, except for research, as described in Section V, part 2.
2. Movement of regulated articles from locations within the regulated area to any destination inside the regulated area is prohibited, except under a compliance agreement with the Department per Section V, part 3.
3. Movement of *Buxus* spp. yard waste (branches and boughs with leaves and twigs attached; or un-composted *Buxus* spp. yard waste which has been chipped) from locations within the regulated

area to any destination inside the regulated area is prohibited, unless it meets both of the following conditions:

- a. It is moved to a disposal site where there are no *Buxus* spp. within 100 yards.
 - b. During the high-risk period of March through October, said *Buxus* spp. yard waste may only be transported when enclosed by a covering adequate to prevent the spread of box tree moth (such as canvas, plastic, or closely woven cloth), or is transported in an enclosed trailer body or vehicle.
4. *Buxus* spp. nursery stock originating from outside the regulated area which is moved into the regulated area will be considered exposed to potential infestation by box tree moth and may not be subsequently moved to destinations outside the regulated area. This restriction does not apply to safeguarded articles moving through the regulated area as described in Section VII, part 2.

VII. CERTIFICATION AND SHIPPING REQUIREMENTS

1. **Certificates** – *Buxus* spp. nursery stock originating in the regulated area which is moved within the regulated area per Section V, part 3, must be accompanied by a certificate of quarantine compliance issued by the Director. The certificate must indicate the address of origin, the number and type of the regulated articles and compliance agreement number. A copy of the certificate shall accompany said nursery stock to the final destination.
2. **Transportation Requirements (Nursery Stock)** - During the high-risk period of March through October, *Buxus* spp. nursery stock originating outside the regulated area may be transported through the regulated area, provided that: a) said nursery stock is enclosed by a covering adequate to prevent the introduction of box tree moth (such as canvas, plastic, or closely woven cloth), or is transported in an enclosed trailer body or vehicle; and, b) said nursery stock was not off-loaded in the regulated area; and, c) no *Buxus* spp. nursery stock was added to the shipment in the regulated area; and d) the regulated articles are moved directly through the quarantine area without stopping, except for refueling, and as required by traffic conditions. Safeguarded *Buxus* spp. nursery stock transported through the regulated area must be accompanied by shipping documents which clearly identify the place of origin. During the low-risk period encompassing November through February, the above requirements do not apply.

VIII. RECORD KEEPING REQUIREMENTS

Persons receiving regulated articles shall retain a copy of shipping records, invoices, waybills, bills of lading, certificates of quarantine compliance, phytosanitary certificates or equivalent certification documents for a period of 36 months after receipt of the articles.

IX. VIOLATIONS

1. Any violation of this quarantine is subject to the full authority of Act No. 72, P.A. of 1945, as amended.
2. Common carriers or other carriers, persons, firms or corporations who transport or move regulated articles in violation of this quarantine and these rules may be subject to the penalties described above.



Dr. Timothy Boring, Director

July 31, 2023