

TITLE 3. AGRICULTURE
CHAPTER 4. DEPARTMENT OF AGRICULTURE
PLANT SERVICES DIVISION

Authority: A.R.S. §§ 3-107, 3-201 et seq., 3-441 et seq., and 3-481 et seq.

Title 3, Chapter 4, Article 1, Sections R3-4-101 through R3-4-109 renumbered from Title 3, Chapter 1, Article 1, Sections R3-1-01 through R3-1-09; Title 3, Chapter 4, Article 2, Sections R3-4-201 through R3-4-248 renumbered from Title 3, Chapter 1, Article 2, Sections R3-1-50 through R3-1-77; Title 3, Chapter 4, Article 3, Sections R3-4-301 through R3-4-307 renumbered from Title 3, Chapter 1, Article 3, Sections R3-1-301 through R3-1-307; Title 3, Chapter 4, Article 4, Sections R3-4-401 through R3-4-408 renumbered from Title 3, Chapter 1, Article 4, Sections R3-1-401 through R3-1-408; Title 3, Chapter 4, Article 5, Sections R3-4-501 through R3-4-504 renumbered from Title 3, Chapter 1, Article 5, Sections R3-1-501 through R3-1-504; Title 3, Chapter 4, Article 6, Sections R3-4-601 through R3-4-633 and Appendix 1 renumbered from Title 3, Chapter 1, Article 6, Sections R3-1-601 through R3-1-633 and Appendix 1; Title 3, Chapter 4, Article 7, Sections R3-4-701 through R3-4-708 renumbered from Title 3, Chapter 7, Article 1, Sections R3-7-101 through R3-7-108; Title 3, Chapter 4, Article 8, Sections R3-4-801 through R3-4-807 renumbered from Title 3, Chapter 7, Article 2, Sections R3-7-201 through R3-7-207 (Supp. 91-4).

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 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 water hyacinth,
 - 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 water hyacinth,
 - 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 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.

Historical Note

Former Rule, Quarantine Regulation 25. Repealed effective June 19, 1978 (Supp. 78-3). Section R3-1-73 renumbered to R3-4-244 (Supp. 91-4). New Section adopted effective July 10, 1995 (Supp. 95-3). Amended effective June 4, 1998 (Supp. 98-2). Amended by final rulemaking at 5 A.A.R. 2521, effective July 15, 1999 (Supp. 99-3). Amended by final rulemaking at 6 A.A.R. 2082, effective May 15, 2000 (Supp. 00-2). Amended by final rulemaking at 11 A.A.R. 5315, effective February 4, 2006 (Supp. 05-4).