

Frequently Asked Questions about the Quarantine Rule

Why has Vermont Passed a Noxious Weed Quarantine?

In order to regulate the importation, movement, sale, possession, cultivation and/or distribution of certain invasive plants. These plants either pose a threat to the Vermont environment or are already negatively impacting waterways and natural areas in the state. Many of these plants are becoming such a problem that there is no alternate prevention method. This rule will also prevent plants not yet found in Vermont from being introduced, and will protect the state from the many environmental, agricultural, recreational, and/or economical problems associated with their presence.

What are Noxious Weeds?

As defined by the Noxious Weed Quarantine Rule, noxious weeds are: any plant in any stage of development, including parasitic plants whose presence whether direct or indirect, is detrimental to the environment, crops or other desirable plants, livestock, land, or other property, or is injurious to the public health. Noxious weeds are generally exotic, invasive species that are very good at establishing in natural areas and then out-competing native species. Once established, these weeds take over and can greatly decrease the amount of biodiversity in an area, therefore reducing the native species and altering the entire ecosystem.

What does it mean?

The quarantine makes it illegal to buy, sell, transport, cultivate, etc. the plants on the list. There are two parts of the list: Class A and Class B species. Class A plants are exotic species that are currently on the Federal Noxious Weed List and are not known to occur in Vermont. The movement, importation, sale, possession, cultivation, and/or distribution of these plants are prohibited. Class B species are exotic plants that are known to occur in Vermont and are considered to pose a serious threat to the State. The movement, sale and/or distribution of these plants are prohibited.

How was it developed?

A committee was formed in order to look into quarantine rule development. The committee was made up of representatives from: The Nature Conservancy (TNC), the Vermont Department of Environmental Conservation (VTDEC), Vermont Department of Forest and Parks (VTFPR), The Vermont Association of Professional Horticulturists (VAPH), Vermont Department of Agriculture, Food and Markets (VDAF&M), United States Department of Agriculture (USDA), and others. The proposed plants were assessed for invasiveness and risk to crops, livestock, land, and the environment of Vermont. The proposed species were evaluated against a set of criteria based upon the National Plant Boards' "Principles of Plant Quarantine." This initial evaluation narrowed down the proposed species list from 54 to 32 species.

Public comment and suggestion were sought on the proposed 32 plant species and subsequent criteria. Interested parties such as: VAPH, U.S. Fish and Wildlife Service (USFWS), American Nursery and Landscape Association, TNC, and Vermont aquarium dealers were invited to comment. Comments from these organizations changed some of the species on the list in addition to altering some of the terminology and policy of the rule. A proposed rule was published late in 2001 and was adopted by VDAF&M in April of 2002. This rule includes 6 Sections (Statement of Concerns, Definitions, Designation as a Noxious Weed, Designated Noxious Weeds, Prohibitions, and Exemptions) and 32 plant species. There are 11 plant species listed as Class A and 21 species listed as Class B.

What is the consequence of a violation?

Violation of the rule may result in the following:

1. The issuance of cease and desist order
2. A temporary or permanent injunction **and/or**
3. An administrative fine not to exceed \$1,000 per violation

Are there exceptions?

There are a few exceptions to the rule. In addition to scientific and educational exceptions, herbarium or other preserved samples are exempt, as are varieties and hybrids that have been *scientifically proven* to not be invasive. Movement and disposal may be permitted as part of a management control program. However, if you would like to use a listed plant for any of these reasons, you must first contact the VT Department of Agriculture, Food and Markets for permission.

Contact Info

For questions and comments related to Vermont's Noxious Weed Quarantine Rule contact:

VT Department of Agriculture, Food and Markets
Plant Industry Division
116 State St., Drawer 20
Montpelier, VT 05620-2901
802-828-2431
www.state.vt.us/agric/