

DEPARTMENT OF AGRICULTURE
Amendment to Chapter 4-70
Hawaii Administrative Rules

_____, 2015

1. Chapter 4-70, Hawaii Administrative Rules, is amended by adding a new subchapter to read as follows:

“SUBCHAPTER 15

INTRODUCTION OF MYRTACEAE

§4-70-55 Notice of quarantine. The board has determined that there exists serious danger to all Ohia (*Metrosideros spp.*), the Ohia forests of Hawaii, and horticultural and agricultural industries from the introduction of new strains of the Ohia rust, *Puccinia psidii*, and other disease pathogens and insects not now established in Hawaii. [Eff _____]
(Auth: HRS §§141-2, 150A-9) (Imp: HRS §150A-5)

§4-70-56 Prohibited introduction. The introduction of any Myrtaceae (Myrtle family), plant part, or seed into Hawaii is prohibited except:

- (1) Dried non-living plant materials;
- (2) Seeds, with no other plant fragments, that have been surface-sterilized using treatments approved by the chief;
- (3) Tissue cultured plants grown in sterile media and in a completely enclosed sterile glass flask or other similar container; or
- (4) By approved permit pursuant to section 4-70-57.

[Eff _____] (Auth: HRS §§141-2, 150A-9)
(Imp: HRS §150A-5)

§4-70-57 Permits. Upon written request, a permit may be issued by the chief authorizing the importation of a limited quantity of plants in the family Myrtaceae for propagation under the branch's supervision in a strictly enforced quarantine appropriate to contain *Puccinia psidii*, and other pests pursuant to sections 4-70-3, 4-70-4, 4-70-5, and 4-70-6." [Eff _____] (Auth: HRS §§141-2, 150A-9) (Imp: HRS §150A-5)

2. Material, except source notes, to be repealed is bracketed. New material is underscored.

3. Additions to update source notes to reflect these amendments are not underscored.

4. These amendments to chapter 4-70, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on _____, and filed with the Office of the Lieutenant Governor.

Scott E. Enright
Chairperson, Board of
Agriculture

APPROVED AS TO FORM:

Deputy Attorney General