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HAWAII DEPARTMENT OF AGRICULTURE

PLANT QUARANTINE INTERIM RULE 20-1

Prohibits the Intrastate Movement of Coffee Plants (*Coffea arabica*, *C. canephora* and other *Coffea* spp. Including Hybrids and Varietals) and Plant Parts Such as Green Beans, Fruits, Leaves, Stems, Twigs, Cuttings, Wood, Logs, and Mulch or Greenwaste, Used Coffee-Related Packing Materials Such as Coffee Bags, and Any Previously-Used Equipment Used to Harvest, Transport, or Process Coffee Plants or Plant Parts, All of Which Are Potential Carriers of the Fungus, Coffee Leaf Rust, *Hemileia vastatrix*, From the Island of Maui, Hawaii Island, or Any Other Island Confirmed with Coffee Leaf Rust
Except by Permit Issued by the Hawaii Department of Agriculture

Under authorization granted in Section 150-9.5, Hawaii Revised Statutes (HRS), the Hawaii Department of Agriculture (Department) hereby establishes this interim rule to impose a quarantine on the movement of coffee plants (*Coffea arabica*, *C. canephora* and other *Coffea* spp. including hybrids and varietals), plant parts such as green beans, fruits, leaves, stems, twigs, cuttings, wood, logs, and mulch or greenwaste, used coffee-related packing materials such as coffee bags, and any previously-used equipment used to harvest, transport, or process coffee plants or plant parts from the Island of Maui and Hawaii Island. These quarantine areas are established to prevent the spread of the Coffee Leaf Rust, *Hemileia vastatrix*, a fungal pathogen, from areas infested by *H. vastatrix* to uninfested areas within the State.



Movement or transportation of coffee plants (*Coffea arabica*, *C. canephora* and other *Coffea* spp. including hybrids and varietals), plant parts such as green beans, fruits, leaves, stems, twigs, cuttings, wood, logs, and mulch or greenwaste, used coffee-related packing materials such as coffee bags, and any previously-used equipment used to harvest, transport, or process coffee plants or plant parts from the Island of Maui and Hawaii Island is prohibited except by permit issued by the Department: 1) for green coffee beans for roasting, or other non-propagative plant parts, that are shipped to an approved facility located in an uninfested area that is located at least two miles from a commercial coffee growing area, or are subjected to an approved treatment; 2) for plants from Department certified nurseries, green coffee beans for roasting, or other non-propagative plant parts, that are transshipped through an uninfested area of the State with a final destination outside the State; 3) for previously-used equipment that is designed to harvest, process or transport coffee plants or plant parts; 4) for plants and plant parts for scientific studies or other diagnostic uses at approved facilities, provided the contents and packing materials used for shipping are subjected to a treatment approved by the PQB chief after the contents are unloaded; 5) coffee plants, beans for roasting, other non-propagative plant parts, used coffee bags, and previously-used coffee harvesting, processing or transporting equipment, that are shipped between infested areas; and 6) for limited quantities of coffee plants for propagation from an infested area to a non-infested area, subject to a one-year quarantine in a state-run facility, provided that the Board of Agriculture may reduce the quarantine period. All movement is subject to inspection and approved mitigation and decontamination

measures. This interim rule does not affect the movement of roasted coffee beans, or restrict the export of coffee plants and plant parts, green coffee beans, used coffee bags, or other CLR carriers, provided they are shipped directly from an infested area to a destination outside of the State.

Any person who violates this rule shall be guilty of a misdemeanor and fined not less than \$100. The provisions of HRS section 706-640 notwithstanding, the maximum fine shall be \$10,000. For a second offense committed within five years of a prior conviction, the person or organization shall be fined not less than \$500 and not more than \$25,000.

This interim rule shall become effective on Friday, November 20th, 2020 and is valid for no longer than one year from its inception.



PHYLLIS SHIMABUKURO-GEISER
Chairperson, Board of Agriculture