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## HAWAII DEPARTMENT OF AGRICULTURE

### PLANT QUARANTINE INTERIM RULE 23-1

**Prohibits the Movement of Palm Plants in the Genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; Decomposing Plant Material Such as Compost, Wood or Tree Chips, and Mulch, Plant Propagation Media; and Other Items Comprised of Decomposing Organic Plant Material Such as Landscaping Material or Erosion Control Socks, to Prevent the Movement of Coconut Rhinoceros Beetle, *Oryctes rhinoceros*, From an Area Designated to be Infested, Except by Permit Issued by the Hawaii Department of Agriculture**

Under authorization granted in Section 150A-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 coconut rhinoceros beetle (CRB) host material, including palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, except by permit issued by the Department, to prevent the spread of the CRB, *Oryctes rhinoceros*, from an area designated to be infested with CRB to non-infested areas in the State. The entire island of Oahu is designated as a CRB infested area. All other areas in the State are considered to be non-infested areas.



The interim rule is needed to prevent the further spread of the coconut rhinoceros beetle from Oahu to the rest of the State due to the transportation of large quantities of palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; decomposing plant material such as compost, wood or tree chips, and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, to restore land and soil due the wildfires on Maui and Hawaii Island, along with the continued heightened drought conditions plaguing the State of Hawaii.

The movement or transportation of CRB host material, including palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; decomposing plant material such as compost, wood or tree chips and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, from an area designated to be infested with CRB to other non-infested areas in the State is prohibited, except by permit issued by the Department. Only palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia* that have trunks not greater than 48 inches in height, measured from the soil-line to the lowest frond, are eligible for permits issued by the Department.

All movement or transportation of palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia* that have trunks not greater than 48 inches in height, measured from the soil-line to the lowest frond; decomposing plant material

such as compost, wood or tree chips and mulch; plant propagation media; and other items comprised of decomposing organic plant material such as landscaping material or erosion control socks, from an area designated to be infested with CRB to other non-infested areas in the State is subject to inspection and approved mitigation, decontamination, and/or treatment measures prior to movement; as designated by the Department.


This interim rule does not impose additional restrictions on the movement of the following: approved nursery stock material, provided it is shipped directly from an infested area to a destination outside of the State and does not pass-through any part of the State; unsprouted seeds of palm plants in the genera *Cocos*, *Livistona*, *Phoenix*, *Pritchardia*, *Roystonea*, and *Washingtonia*; plant products intended for consumption, such as coconuts, fruits, nuts, edible leaves, leaves used for cooking, and spices; plant products preserved from decay by treatment or intended use, such as lumber, woven hats, wooden posts, wood carvings, and firewood; and cut flowers and foliage for decoration, such as lei, floral bouquets, or arrangements.

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(s), companies, or organization(s) shall be responsible for clean-up and decontamination fees to remove contaminated material and to fully eradicate

any CRB that may have been caused by their violation of not following this Interim Rule.

Also, they shall be fined not less than \$500 and not more than \$25,000.

This interim rule shall become effective on October 4, 2023, and shall be effective for not more than one year from the effective date.

  
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Sharon Hurd  
Chairperson, Board of Agriculture