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## HAWAII DEPARTMENT OF AGRICULTURE

### PLANT QUARANTINE INTERIM RULE 24-1

**Prohibits the Intraisland Movement of Agricultural Commodities, Including But Not Limited to Live Plants, Propagative Plant Parts, Cut Flowers, Fruits, Vegetables, Green Waste, and Plant Propagation Media on the Island of Oahu, From any Little Fire Ant Quarantined Area Designated by the Hawaii Department of Agriculture to Non-Quarantined Areas to Prevent the Movement of the Little Fire Ant, *Wasmannia auropunctata*, Unless Subjected to a Treatment Witnessed and Approved 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 intraisland movement of agricultural commodities, including, but not limited to live plants, propagative plant parts, cut flowers, fruits, vegetables, green waste, and plant propagation media, unless subjected to a treatment witnessed and approved by the Department, from a little fire ant (LFA) quarantined area on the island of Oahu, to or through non-quarantined areas on Oahu to prevent the spread of the LFA, *Wasmannia auropunctata*. The Department may designate a LFA quarantined area upon the determination that the area, or the agricultural commodities therein, are infested with LFA. All other areas on the island of Oahu are considered to be non-quarantined areas.



The interim rule is needed to prevent the further in-aisland spread of LFA within the island of Oahu to enable the continued implementation of control and/or eradication projects for LFA.

The in-aisland movement or transportation of agricultural commodities, including, but not limited to live plants, propagative plant parts, cut flowers, fruits, vegetables, green waste, and plant propagation media from a LFA quarantined area to a non-quarantined area within the island of Oahu is prohibited, except if the agricultural commodities including, but not limited to live plants, propagative plant parts, cut flowers, fruits, vegetables, green waste, and plant propagation media are subjected to a treatment witnessed and approved by the Department.

This interim rule does not impose additional restrictions on the movement of the following: approved nursery stock material originating from a Department certified nursery; unsprouted seeds with no other plant parts attached or planting medium; unrooted plant cuttings with no foliage or planting medium; processed plant products intended for consumption, such as fruits, nuts, edible leaves, leaves used for cooking, and spices, provided the plant products have been subjected to a process such as washing, cutting, drying, or peeling prior to movement and have been stored in such a way to prevent subsequent LFA infestation; and for agricultural products used for research, scientific studies, or other diagnostic purposes, at facilities approved by the Department, provided the containers used for transportation of these agricultural products meet containment measures determined by the Department.

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

This interim rule shall become effective on March 26, 2024, and shall be effective for not more than one year from the effective date.



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Sharon Hurd  
Chairperson, Board of Agriculture