

### 301.45 SPONGY MOTH

Federal Domestic Quarantine

A. **Pest.** Spongy moth (*Lymantria dispar*).

B. **Regulated Areas.**

Spong moth is currently found in Connecticut, Delaware, District of Columbia, Illinois\*, Indiana\*, Maine, Maryland, Massachusetts, Michigan, Minnesota\*, New Hampshire, New Jersey, New York, North Carolina\*, Ohio\*, Pennsylvania, Rhode Island, Vermont, Virginia\*, West Virginia\*, and Wisconsin\*.

To view a USDA updated Regulated Areas text and map for spong moth (*Lymantria dispar*), please visit

[Text of Spong Moth Regulated Areas](#)

[Map of Spong Moth Regulated Areas](#)

Spong moth regulated areas. (Also see Appendix B).

C. **Regulated Articles.**

1. **Trees without and with roots, and shrubs with roots and persistent woody stems**, unless they are greenhouse grown throughout the year.
2. **Logs, pulpwood and bark products.**
3. **Mobile homes and associated equipment.**
4. **Any other products, articles, or means of conveyance**, of any character whatsoever, when it is determined by an inspector that any life stage of spong moth is in proximity to such articles and the articles present a high risk of artificial spread of spong moth infestation and the person in possession thereof has been so notified.

D. **Restrictions.**

1. **Interstate movement of regulated articles** and outdoor household articles (OHA) from generally infested areas.
  - a. Regulated articles and OHAs from generally infested areas.
    1. Regulated articles, except as provided, shall not be moved interstate from any generally infested area into or through any area that is not generally infested without a certificate or permit.
    2. OHAs shall not be moved interstate from any generally infested area into or through any area that is generally infested without a certificate or OHA document.
2. **A regulated article originating outside of any generally infested area** may be moved interstate directly through any generally infested area without a certificate or permit if the point of origin of the article is clearly indicated by shipping documents, its identity has been maintained, and it has been safeguarded against infestation while in any generally infested area during the months of April through August. To be safeguarded, the article must be in an enclosed vehicle, or completely enclosed by a covering adequate to prevent access by spong moths, such as canvas, plastic, or closely woven cloth.

3. **A regulated article originating in a generally infested area** may be moved interstate from a generally infested area without a certificate if it is moved by the U.S.D.A. under and is accompanied by a permit issued by the Administrator.

4. **The article is logs, pulpwood, or bark and bark products**, and the person moving the article has attached a signed accurate statement to the waybill or other shipping documents accompanying the article stating that he or she has inspected the article in accordance with the Spong Moth Program Manual no more than 5 days prior to the date of movement and has found no life stages of spong moth on the article.

E. **Issuance and cancellation of certificates, limited permits, and outdoor household article documents.**

1. **A certificate may be issued by an inspector for the movement of a regulated article** or an OHA if the inspector determines that it is eligible for certification for movement to any destination under all federal domestic plant quarantines applicable to such article and;

- a. It has originated in noninfested premises in a generally infested area and has not been exposed to the spong moth while within the generally infested area; or
- b. The inspector inspects the article no more than 5 days prior to the date of movement during the months of April through August (14 days prior to the date of movement from September through March) and finds it to be free of the spong moth; or
- c. It has been treated under the direction of an inspector to destroy the spong moth in accordance with the treatment manual; or
- d. It has been grown, produced, manufactured, stored, or handled in such a manner that no infestation would be transmitted thereby as determined by an inspector.

2. **Limited permits may be issued by an inspector to allow interstate movement** of any regulated article when the Administrator has determined that such movement will not result in the spread of spong moth and the requirements of all other applicable federal domestic plant quarantines have been met.

3. **Certificate and limited permit forms may be issued by an inspector** to any person operating under a compliance agreement. That person may then issue and reproduce such forms for the interstate movement of regulated articles moved under a compliance agreement and found in compliance with all other applicable federal domestic plant quarantines.

4. **A certificate may be issued** by a qualified certified applicator for the interstate movement of any OHA or mobile home if such qualified certified applicator determines the following:

- a. That the article has been inspected by the qualified certified applicator and found to be free of any life stage of the spong moth; or
- b. That the article has been treated by or treated under the direct supervision of the qualified certified applicator to destroy any life stage of the spong moth in accordance with methods and procedures prescribed in Section III of the Spong Moth Program Manual.

5. **An OHA document may be issued** by the owner of an OHA for the interstate movement of the article if such person has inspected the OHA and has found it to be free of any life stage of spong moth

## F. Compliance Agreements.

1. **Any person engaged in the business of growing handling or moving regulated articles** may enter into a compliance agreement to facilitate movement. Qualified applicators may also enter into compliance agreements. Compliance agreements shall specify safeguards necessary to prevent the spread of spongy moth.

2. **Compliance agreements can be canceled** by an inspector when the inspector finds that such person has failed to comply with the conditions of the agreement.

## G. Assembly and Inspection of Regulated Articles and OHAs.

Persons desiring to move interstate a regulated article which must be accompanied by a certificate or permit shall, at least 7 days in advance, request an inspector to examine the article prior to movement. Persons desiring to move interstate an OHA accompanied by a certificate shall request the services of an inspector at least 14 days in advance. Persons desiring to move an OHA or a mobile home accompanied by a certificate issued by a qualified certified applicator shall request the services of the applicator prior to movement and shall assemble such articles as designated by the applicator

## H. Attachment and disposition of certificates, limited permits, and outdoor household article documents.

1. **A certificate, limited permit, or OHA document** required for the interstate movement of a regulated article or OHA must at all times during such movement be securely attached to the outside of the container containing the regulated article or OHA, securely attached to the article itself if not in a container, or securely attached to the consignee's copy of the waybill or other shipping document: provided, however, that the requirements of this section may be met by attaching the certificate, limited permit, or OHA document to the consignee's copy of the waybill or other shipping document only if the regulated article or OHA is sufficiently described on the certificate, limited permit, OHA document or shipping document to identify such article.

2. **The certificate, limited permit, or OHA document** for the movement of a regulated article or OHA shall be furnished by the carrier to the consignee at the destination of the shipment.

3. **Any qualified certified applicator who issues a certificate** or OHA document shall at the time of issuance send a copy of the certificate or OHA document to the APHIS officer in charge for the state in which the document is issued.

## I. Inspection and Disposal of Regulated Articles and Pests.

Any properly identified inspector is authorized to stop and inspect, and to seize, destroy, or otherwise dispose of, or require disposal of regulated articles, OHAs, and spongy moths as provided by the Plant Quarantine Act and Federal Plant Pest Act.

J. **Movement of Live Spongy Moths.** Regulations governing the interstate movement of live spongy moths in interstate or foreign commerce are contained within the Federal Plant Pest Regulations.

## K. Disqualification of Qualified Certified Applicators.

Any qualified certified applicator may be disqualified from issuing certificates: if such person is not a commercial certificated applicator, for noncompliance, or failure to obtain recertification as required.

## SPONGY MOTH - ADDITIONAL INFESTED AREAS APPENDIX A

04-11-2023

**Regulated articles from the following areas do not require certification and may only be rejected for spongy moth if a spongy moth life stage is detected upon inspection. The following areas are considered to be infested with spongy moth. Shipments from these areas which contain regulated articles should be issued a Warning-Hold Notice and inspected at destination.**

### ALABAMA

1. Limestone County
2. Madison County

### ARKANSAS

1. Newton County
2. Pope County

### COLORADO

1. Boulder County  
Boulder  
Longmont
2. El Paso County
3. Colorado Springs
4. Jefferson County
5. Lakewood/Wheat Ridge
6. Larimer County
7. Ft. Collins

### INDIANA

1. Johnson County - Edinburg
2. Kosciusko County

### MINNESOTA

1. Anoka County
2. Carver County
3. Dakota County
4. Fillmore County
5. Hennepin County
6. Houston County
7. Ramsey County
8. Scott County
9. Stearns County
10. Winona County

### MISSISSIPPI

1. Rankin County

### MISSOURI

1. Jackson County  
Lees Summit
2. St Louis County  
Florissant

### NEW MEXICO

1. Bernalillo County

### NORTH CAROLINA

1. Alamance County
2. Beaufort County
3. Bertie County
4. Brunswick County  
Southport
5. Camden County
6. Carter 205.3
7. Cherokee 08-09-12  
(Sout
8. Chowan County
9. Clay County
10. Fires Creek area Craven County
11. Davidson County
12. Davie County

13. Durham County
14. Edgecombe County  
Heartease
15. Franklin County
16. Gates County  
Winton
17. Granville County
18. Guilford County  
Greensboro
19. Halifax County  
Moonlight
20. Harnett County
21. Hertford County
22. Hyde County
23. McDowell County
24. Martin County
25. Mecklenburg County
26. Nash County
27. New Hanover County  
Carolina Beach
28. Northampton County
29. Onslow County
30. Orange County
31. Pasquotank County
32. Pender County
33. Perquimans County
34. Person County
35. Rockingham County
36. Rowan County
37. Tyrrell County
38. Union County
39. Vance County
40. Wake County
41. Warren County  
Norlina

**OHIO**

All counties except the following areas should be considered infested with spongy moth:

1. Auglaize County
2. Brown County
3. Champaign County
4. Clark County
5. Fayette County
6. Highland County
7. Lawrence County
8. Madison Coun
9. Mercer County
10. Miami County
11. Paulding County
12. Pickawag County
13. Pike County
14. Preble County
15. Putnam County
16. Ross County

**OREGON**

1. Lincoln County

**SOUTH CAROLINA**

1. Horry County  
Surfside Beach

**SOUTH DAKOTA**

1. Pennington County  
Mount Rushmore area

**TENNESSEE**

1. Davidson County
2. Greene County
3. Jefferson County
4. Johnson County
5. Knox County

6. Loudon County
7. Sevier County
8. Sequatchie County
9. Sullivan County
10. Washington County
11. Wilson County

**TEXAS**

1. Aransas County  
Aransas Pass
2. Bexar County
3. Dallas County
4. Orange County
5. Tarrant County

**UTAH**

1. Salt Lake County
2. Utah County Provo

**VIRGINIA**

1. Henry County

**WASHINGTON**

1. Clark County  
Vancouver Port
2. King County  
Ballard  
Bellevue  
Des Moines  
Factoria  
Mercer Island  
Newport  
Sahalee
3. Kitsap County  
Bainbridge Island
4. Lewis County  
Napavine  
Vader
5. Pierce County  
Greater Tacoma Area
6. Whatcom County  
Bellingham  
Ferndale

**WEST VIRGINIA**

1. Clay County

**ONTARIO, CANADA**

- Brant  
Dufferin  
Dundas  
Durham  
Frontena  
Glengarry  
Greenville  
Haliburton  
Halimon-Norfolk  
Hastings  
Lanark  
Leeds  
Lennox & Addington  
Muskoka  
Niagra  
Northunberlan  
Ottawa-Carleton  
Oxford  
Peel  
Peterborough  
Prescott  
Renfrew  
Russell  
Stormont

Stormont Victoria

Victoria  
Waterloo  
Wellington  
York

**QUEBEC, CANADA**

Arthaska  
Argenteuil  
Bagot  
Beauce  
Berthier\*  
Brome  
Champlain\*  
Compton  
Dorchester  
Drummond  
Gatineau\*  
Lotbiniere  
Maskinon\*  
Magantic  
Mirabel  
Missisquoi  
Montcalm\*  
Nicolet  
Oliette\*  
Papineau  
Portneuf\*  
Richmond  
Shefford  
Sherbrooke  
St. Maurice\*  
Stanstead  
Terrebonne  
Wolfe  
Yamaska

**NEW BRUNSWICK, CANADA**

Charlotte

**NOVA SCOTIA, CANADA**

Annapolis  
Digby  
Halifax\*  
Hants\*  
Lunenburg  
Queens  
Shelburne  
Yarmouth

**SPECIAL NOTE:** Spongy moth egg masses have been found on foreign cargo ship containers. The spongy moth is known to occur in the Mediterranean, North Africa, Western and Eastern Europe, Northern Japan and many Pacific Rim countries. In addition, there have been finds of Russian strain spongy moth egg masses on the superstructures of Soviet grain ships.

**WREATHS AND CUTTINGS**  
**APPENDIX B 12-12-11**

The USDA has clarified that wreaths and tree cuttings are not a regulated article under CFR 301.45 and do not require certification.

\* Portion of State