BEFORE THE SECRETARY OF AGRICULTURE, MANHATTAN, KANSAS

FEDERAL NOXIOUS WEED QUARANTINE

The Secretary of the Kansas Department of Agriculture, pursuant to K.S.A. 2-2117, a provision of the Plant Pest and Agriculture Commodity Certification Act ("Act"), hereby determines that quarantine action is necessary to prevent the further introduction and spread of those weeds designated noxious by federal regulation into and within the State of Kansas.

The Secretary does hereby make the following findings relevant to such federally designated noxious weeds:

WHEREAS, the U.S. Department of Agriculture (USDA); Animal and Plant Health Inspection Service (APHIS); and Plant Protection and Quarantine (PPQ) has designated the species of plants listed in 7 CFR 360.200 as noxious weeds pursuant to the federal Plant Protection Act (7 U.S.C.A. § 7701, et seq.);

WHEREAS, the Kansas Department of Agriculture has determined that all such federally designated noxious weeds are plant pests as defined in the Act; and

WHEREAS, these federally designated noxious weeds have innate tendencies for invasiveness, which requires the establishment of an internal and external quarantine of all such weeds in the State of Kansas.

THE SECRETARY DOES THEREFORE ORDER THAT:

In order to prevent, retard, suppress, and control the spread of plant pests, the movement of all weeds identified in 7 CFR 360.200 and listed herein into the State of Kansas from any other state of the United States, by any person is prohibited. Further, the movement of all such weeds within the State of Kansas by any person is prohibited.

DEFINITIONS:

This quarantine shall apply to any "person" as defined by K.S.A. 2-2113, to include a corporation, company, society, association, partnership, governmental agency, and any individual or combination of individuals. All other terms used within this quarantine shall have the meanings given those terms in K.S.A. 2-2113 et seq., as amended.
REGULATED ARTICLES:

The weed species designated noxious by 7 CFR 360.200 and subject to the terms of this quarantine are as follows:

(a) Aquatic and wetland weeds:
Azolla pinnata R. Brown (mosquito fern, water velvet)
Caulerpa taxifolia (Vahl) C. Agardh, Mediterranean strain (killer algae)
Eichhornia azurea (Swartz) Kunth
Hydrilla verticillata (Linnaeus f.) Royle (hydrilla)
Hygrophila polysperma T. Anderson (Miramar weed)
Ipomoea aquatica Forsskal (water-spinach, swamp morning-glory)
Lagarosiphon major (Ridley) Moss
Limnophila sessiliflora (Vahl) Blume (ambulia)
Melaleuca quinquenervia (Cavanilles) S.T. Blake
Monochoria hastata (Linnaeus) Solms-Laubach
Monochoria vaginalis (Burman f.) C. Presl
Ottelia alismoides (L.) Pers.
Sagittaria sagittifolia Linnaeus (arrowhead)
Salvinia auriculata Aublet (giant salvinia)
Salvinia biloba Raddi (giant salvinia)
Salvinia herzogii de la Sota (giant salvinia)
Salvinia molesta D.S. Mitchell (giant salvinia)
Solanum tampicense Dunal (wetland nightshade)
Sparganium erectum Linnaeus (exotic bur-reed)

(b) Parasitic weeds:
Aegimeta spp.
Alectra spp.
Cuscuta spp. (dodders), other than following species:
Cuscuta americana Linnaeus
Cuscuta appplanata Engelmann
Cuscuta approximata Babington
Cuscuta attenuata Waterfall
Cuscuta boldinghii Urban
Cuscuta brachycalyx (Yuncker) Yuncker
Cuscuta californica Hooker & Arnott
Cuscuta campestris Yuncker
Cuscuta cassyoides Nees ex Engelmann
Cuscuta ceanothi Behr
Cuscuta cephalanthi Engelmann
Cuscuta compacta Jussieu
Cuscuta coryli Engelmann
Cuscuta cuspidata Engelmann
Cuscuta decipiens Yuncker
Cuscuta dentatasquamata Yuncker
Cuscuta denticulata Engelmann
Cuscuta epilinum Weihe
Cuscuta epithymum (Linnaeus) Linnaeus
Cuscuta erosa Yuncker
Cuscuta europaea Linnaeus
Cuscuta exaltata Engelmann
Cuscuta fasciculata Yuncker
Cuscuta glabrior (Engelmann) Yuncker
Cuscuta globulosa Bentham
Cuscuta glomerata Choisy
Cuscuta gracilis Willdenow
Cuscuta harperi Small
Cuscuta howelliana Rubtzeff
Cuscuta indecora Choisy
Cuscuta leptantha Engelmann
Cuscuta mitriformis Engelmann
Cuscuta obtusiflora Kunth
Cuscuta odontolepis Engelmann
Cuscuta pentagona Engelmann
Cuscuta planiflora Tenore
Cuscuta platensis A. Nelson
Cuscuta polygonorum Engelmann
Cuscuta rostrata Shuttleworth ex Engelmann & Gray
Cuscuta runyonii Yuncker
Cuscuta salina Engelmann
Cuscuta sandwichiana Choisy
Cuscuta squamata Engelmann
Cuscuta suaveolens Seringe
Cuscuta suksdorffii Yuncker
Cuscuta tuberculata Brandegee
Cuscuta umbellata Kunth
Cuscuta umbrosa Beyrich ex Hooker
Cuscuta veatchii Brandegee
Cuscuta warneri Yuncker

Orobanche spp. (broomrapes), other than the following species:
  Orobanche bulbosa (Gray) G. Beck
  Orobanche californica Schlechtendal & Chamisso
  Orobanche cooperi (Gray) Heller
  Orobanche corymbosa (Rydberg) Ferris
  Orobanche dugesii (S. Watson) Munz
  Orobanche fasciculata Nuttall
  Orobanche ludoviciana Nuttall
  Orobanche multicaulis Brandegee
  Orobanche parishii (Jepson) Heckard
  Orobanche pinorum Geyer ex Hooker
  Orobanche uniflora Linnaeus
  Orobanche valida Jepson
  Orobanche vallicola (Jepson) Heckard

Striga spp. (witchweeds)

(c) Terrestrial weeds:
  Acacia nilotica (Linnaeus) Wildenow ex Delile (gum arabic tree, thorny acacia)
  Ageratina adenophora (Sprengel) King & Robinson (croton weed)
  Ageratina riparia (Regel) R.M. King and H. Robinson (creeping crotonweed, mistflower)
*Alternanthera sessilis* (Linnaeus) R. Brown ex de Candolle (sessile joyweed)
*Arctotheca calendula* (Linnaeus) Levyns (capeweed)
*Asphodelus fistulosus* Linnaeus (onionweed)
*Avena sterilis* Linnaeus (including *Avena ludoviciana* Durieu) (animated oat, wild oat)
*Carthamus oxyacantha* M. Bieberstein (wild safflower)
*Chrysopogon aciculatus* (Retzius) Trinius (pilipiliula)
*Commelina benghalensis* Linnaeus (Benghal dayflower)
*Crupina vulgaris* Cassini (common crupina)
*Digitaria abyssinica* (Hochstetter ex A. Richard) Stapf (African couchgrass, fingergrass)
*Digitaria velutina* (Forsskal) Palisot de Beauvois (velvet fingergrass, annual couchgrass)
*Drynaria arenarioides* Humboldt & Bonpland ex J.A. Schultes (lightning weed)
*Emex australis* Steinheil (three-cornered jack)
*Emex spinosa* (Linnaeus) Campdera (devil's thorn)
*Euphorbia terracina* Linnaeus (false caper, Geraldton carnation weed)
*Galega officinalis* Linnaeus (goatsrue)
*Heracleum mantegazzianum* Sommier & Levier (giant hogweed)
*Imperata brasilienis* Trinius (Brazilian satintail)
*Imperata cylindrica* (Linnaeus) Palisot de Beauvois (cogongrass)
*Inula britannica* Linnaeus (British elecampane, British yellowhead)
*Ischaemum rugosum* Salisbury (murainograss)
*Leptochloa chinensis* (Linnaeus) Nees (Asian sprangletop)
*Lycium feroxissimum* Miers (African boxthorn)
*Lygodium flexuosum* (Linnaeus) Swartz (maidenhair creeper)
*Lygodium microphyllum* (Cavanilles) R. Brown (Old World climbing fern)
*Melastoma malabathricum* Linnaeus
*Mikania cordata* (Burman f.) B. L. Robinson (mile-a-minute)
*Mikania micrantha* Kunth
*Mimosa diplotricha* C. Wright (giant sensitive-plant)
*Mimosa pigra* Linnaeus var. *pigra* (catclaw mimosa)
*Moraea collina* Thunberg (apricot Cape-tulip)
*Moraea flaccida* (Sweet) Steudel (one-leaf Cape-tulip)
*Moraea miniata* Andrews (two-leaf Cape-tulip)
*Moraea ochroleuca* (Salisbury) Drapiez (red Cape-tulip)
*Moraea pallida* (Baker) Goldblatt (yellow Cape-tulip)
*Nassella trichotoma* (Nees) Hackel ex Arechavaleta (serrated tussock)
*Onopordum acaulon* Linnaeus (stemless thistle)
*Onopordum illyricum* Linnaeus (Illyrian thistle)
*Opuntia aurantiaca* Lindley (jointed prickly pear)
*Oryza longistaminata* A. Chevalier & Roehriech (red rice)
*Oryza punctata* Kotschy ex Steudel (red rice)
*Oryza rufipogon* Griffith (red rice)
*Paspalum scrobiculatum* Linnaeus (Kodo-millet)
*Pennisetum clandestinum* Hochstetter ex Chiovenda (kikuyugrass)
*Pennisetum macrourum* Trinius (African feathergrass)
*Pennisetum pedicellatum* Trinius (kyasumagrass)
*Pennisetum polystachion* (Linnaeus) Schultes (missiongrass, thin napiergrass)
*Prosopis alpataco* R. A. Philippi
Prosopis argentina Burkart
Prosopis articulata S. Watson
Prosopis burkartii Munoz
Prosopis caldenia Burkart
Prosopis calingastana Burkart
Prosopis campestris Grisebach
Prosopis castellanosii Burkart
Prosopis demudans Bentham
Prosopis elata (Burkart) Burkart
Prosopis farcta (Banks & Solander) J.F. Macbride
Prosopis ferox Grisebach
Prosopis fiebrigii Harms
Prosopis hassleri Harms
Prosopis humilis Gillies ex Hooker & Arnott
Prosopis kuntzei Harms
Prosopis pallida (Humboldt & Bonpland ex Willdenow) Kunth
Prosopis palmeri S. Watson
Prosopis reptans Bentham var. reptans
Prosopis rojasiana Burkart
Prosopis ruizlealii Burkart
Prosopis ruscifolia Grisebach
Prosopis sericantha Gillies ex Hooker & Arnott
Prosopis strombulifera (Lamarck) Bentham
Prosopis torquata (Cavanilles ex Lagasca y Segura) de Candolle
Rottboellia cochinchinensis (Lour.) W. Clayton
Rubus fruticosus Linnaeus (complex) (wild blackberry)
Rubus moluccanus Linnaeus (wild raspberry)
Saccharum spontaneum Linnaeus (wild sugarcane)
Salsola vermiculata Linnaeus (wormleaf salsola)
Senecio inaequidens DC. (South African ragwort)
Senecio madagascariensis Poir. (Madagascar ragwort)
Setaria pumila (Poir.) Roem. & Schult. subsp. pallidefusca (Schumach.) B.K. Simon (cattail grass)
Solanum torvum Swartz (turkeyberry)
Solanum viarum Dunal (tropical soda apple)
Spermacoece alata Aublet
Tridax procumbens Linnaeus (coat buttons)
Urochloa panicoides Beauvois (liverseed grass)

Entire plants and all parts of plants of any federally designated noxious weed identified in the foregoing list that are capable of growing or propagating, as well as forage, hay, or any other commodity containing the same shall be subject to the terms of this quarantine.

7 CFR 360.200 can be viewed in its entirety at https://www.ecfr.gov/cgi-bin/text-idx?SID=c6eb5da29e23932c7e6adb87f8d90fe412&me=true&node=se7.5.360_1200&rgn=div8.
One or more of the common names of the weeds listed above are given in parentheses after most scientific names to aid in identifying the weeds represented by such scientific names.
QUARANTINED AREAS:

All areas within the borders of the State of Kansas shall be subject to the restrictions of this quarantine. Pursuant to K.S.A. 2-2115, for the purpose of enforcement of the Plant Pest and Agriculture Commodity Certification Act, the Secretary shall have the right to enter and inspect any property in the state, except private dwellings, or to stop and inspect any means of conveyance moving within the state, upon reasonable suspicion that it contains or carries regulated articles subject to this quarantine.

EFFECTIVE DATE OF QUARANTINE:

This Permanent Quarantine shall become effective on the date of signature and shall remain in effect until rescinded or modified by further order of the Secretary. This Quarantine rescinds the following prior Quarantine:


VIOLATION OF THIS QUARANTINE:

Any person who knowingly moves an article in violation of this quarantine may be subject to any civil or criminal penalty provided for in K.S.A. 2-2124 or K.S.A. 2-2125.

IT IS SO ORDERED THIS 1st DAY OF July 2021 IN MANHATTAN, RILEY COUNTY, KANSAS.

Michael M. Beam, Secretary
Kansas Department of Agriculture