



The Connecticut Agricultural Experiment Station

123 HUNTINGTON STREET, P.O. BOX 1106, NEW HAVEN, CONNECTICUT 06504

Founded 1875

*Putting Science to Work for Society
Protecting Agriculture, Public Health, and the Environment*

STATE OF CONNECTICUT SPOTTED LANTERNFLY NOTICE OF ORDER OF QUARANTINE

WHEREAS, the Director, The Connecticut Agricultural Experiment Station (CAES), having found that an exotic pest, known as the spotted lanternfly, *Lycorma delicatula* (White), has been detected in this state and has a limited distribution at this time; and

WHEREAS, established populations of the spotted lanternfly has been detected in Fairfield County and single individuals have been intercepted in numerous towns; and

WHEREAS, the spotted lanternfly is a new plant pest to the United States and represents a threat to Connecticut's environment, residential areas, and agricultural interests, particularly forests, orchards, vineyards, and nurseries; and

WHEREAS, the spotted lanternfly is anticipated to spread through Connecticut in one to two years; and

WHEREAS, a public hearing was held May 18, 2021 via Webex due to COVID-19 restrictions;

NOW, THEREFORE, the Director of The Connecticut Agricultural Experiment Station by the authority of Connecticut General Statute Section 22-84 does promulgate this Notice of Order of Quarantine to prevent and slow the further spread of this pest and sets forth: definitions, regulated articles, regulated areas, conditions of movement, violations and penalties, and special exemptions for research or cooperation with federal plant regulatory authorities. **This quarantine shall become effective July 1, 2021, and will remain in effect until December 31, 2021, after which the quarantine may be renewed, rescinded by the Director, or replaced by the promulgation of regulations.**

I. DEFINITIONS.

The following terms shall be construed to mean:

- (a) DIRECTOR means the Director of The Connecticut Agricultural Experiment Station (CAES).
- (b) AUTHORIZED PERSON means an inspector or other person authorized by the Director of The Connecticut Agricultural Experiment Station to examine regulated articles, implement survey, suppression, control or eradication activities, establish regulated areas, and enforce quarantine regulations, including restrictions on interstate and intrastate movement of regulated articles.
- (c) SPOTTED LANTERNFLY means the insect (planthopper) of the genus and species *Lycorma delicatula* (White) [Hemiptera: Fulgoridae]

Phone: (203) 974-8500

Fax: (203) 974-8502

Toll Free: 1-(877) 855-2237, CAES@CT.GOV

PORTAL.CT.GOV/CAES

An Affirmative Action/Equal Opportunity Employer

- (d) INFESTATION means an established, reproducing population of spotted lanternfly as determined by CAES; defined as positive confirmation of the presence of six or more live spotted lanternflies or more than one life stage at a given locality or circumstances that make it reasonable to believe that an established population of the spotted lanternfly is present.
- (e) REGULATED ARTICLE or ARTICLES means the plant pest spotted lanternfly along with any plant, plant product, storage place, packaging, conveyance, container, soil, and any other organism, object, or material capable of harboring or spreading pests and deemed to require phytosanitary measures, particularly where interstate transportation is involved.
- (f) REGULATED AREA means an establishment, business, residence, or other geographic area of the state that is designated as infested or established with spotted lanternfly, or an area adjacent to a regulated area that is determined by an authorized person to have the potential to be subject to infestation by the spotted lanternfly.
- (g) NON-REGULATED AREA means an area not designated by an authorized person as infested with spotted lanternfly.
- (h) STOP SALE means the issuance of an order by the Director that infested material may not be sold unless it is treated, meets any quarantine order issued by other state authorities for inter-state shipments, or is destroyed.
- (i) PERMIT means a document issued or authorized to be issued by the Director, including state-issued certificates of quarantine compliance, state phytosanitary certificates, and certificates by a person operating under a compliance agreement to allow the intrastate and interstate movement of regulated articles that such article is eligible for intrastate and interstate movement in accordance with this quarantine.
- (j) COMPLIANCE AGREEMENT means a written agreement between a person moving regulated articles that are moved interstate or intrastate to non-regulated areas and CAES wherein the person agrees to comply with the requirements of the agreement and any exterior spotted lanternfly quarantine requirements of other states.
- (k) PERSON means an individual, society, association, partnership, corporation, limited liability company, or other organized group of persons whether incorporated or not.
- (l) MOVED; MOVEMENT means shipped, offered for shipment, received for transportation, transported, carried, or allowed to be moved or shipped.

II. REGULATED ARTICLES

Regulated articles include, but are not limited to:

- (a) Any living life stage of the spotted lanternfly.
- (b) All plants and plant parts. This shall include, but is not limited to, all live or dead trees, nursery stock, budwood, green lumber, firewood, logs, perennial plants, garden plants and produce, stumps, roots, branches, mulch, and composted and uncomposted chips, bark, and yard waste.

Phone: (203) 974-8500 Fax: (203) 974-8502
 Toll Free: 1-(877) 855-2237, CAES@CT.GOV
PORTAL.CT.GOV/CAES
An Affirmative Action/Equal Opportunity Employer

- (c) Outdoor industrial and construction materials and equipment, concrete barriers or structures, stone, quarry material, ornamental stone or concrete, construction, landscaping and remodeling waste.
- (d) Shipping and storage containers: This shall include, but is not limited to, wood crates, pallets, boxes, personal moving containers, and barrels.
- (e) Outdoor household articles including recreational vehicles, lawn tractors and mowers, mower decks, grills, grill and furniture covers, tarps, mobile homes, tile, stone, deck boards, mobile fire pits, any equipment, trucks or vehicles not stored indoors.
- (f) Conveyances of any type, whether utilized for movement of the materials previously listed or personal use, and any trailers, wagons or other equipment attached thereto.
- (g) Agricultural equipment including, but not limited to, tractors, harvesting equipment, and rigid containers such as shipping containers, pods, and large bins.
- (h) Any other article, material or means of conveyance determined by an authorized person to be a "regulated article" that is infested, has the potential to be infested or present a risk of spread of any life stage of Spotted lanternfly.

III. REGULATED AREAS.

The State of Connecticut is quarantined and areas with established infestations are designated as regulated areas. In addition, the Director or authorized persons may designate as regulated any area where an infestation of spotted lanternfly is confirmed in the future by supplementary notice made available on CAES' website. Information on additional regulated areas not listed within this quarantine notice will be provided on The Connecticut Agricultural Experiment Station website located at <https://portal.ct.gov/CAES>. Thereafter, the movement of any regulated article an area designated as regulated will be subject to guidelines established for the movement of regulated articles. A current printed listing will also be available upon request at The Connecticut Agricultural Experiment Station, 123 Huntington Street, New Haven, Connecticut 06511, or the CAES website at www.ct.gov/CAES.

CONNECTICUT

Quarantine Boundary – the entirety of Connecticut.

Regulated Area – Greenwich, Stamford, New Canaan (established populations as determined by survey in 2020) Notification of new regulated areas added in the future will be by a "supplementary notice" made available on CAES' website at: <https://portal.ct.gov/CAES/CAPS/CAPS/Spotted-Lanternfly---SLF>

IV. CONDITIONS OF MOVEMENT OF REGULATED ARTICLES.

Movement of the regulated articles from any regulated area to any destination outside the regulated area is prohibited, except under the following conditions:

- (a) No person shall transport any regulated article within the State of Connecticut that is:
 - (1) Infested with spotted lanternfly; or
 - (2) Originates from a regulated area; or is
 - (3) Subject to stop sale orders pursuant to subsections (c) and (d) of this section.

Phone: (203) 974-8500 Fax: (203) 974-8502
 Toll Free: 1-(877) 855-2237, CAES@CT.GOV
PORTAL.CT.GOV/CAES
An Affirmative Action/Equal Opportunity Employer

- (b) Upon discovery of spotted lanternfly, authorized persons may cooperate with federal, state, and local officials and survey public and private areas surrounding the initial point of infestation to determine the extent of the insect pest's geographic distribution, establish the regulated areas in the state or any portion thereof, and stop sale of regulated articles. Approved methods of treatment of regulated areas and regulated articles will be solely at property owner's expense. Movement of regulated articles in a regulated area is restricted and shall comply with provisions established pursuant to subsection (d) of this section and applicable requirements of quarantine orders in other states.
- (c) Authorized persons shall notify persons in possession of inspected, regulated articles that such articles are restricted and that regulated articles cannot be moved anywhere without obtaining a certificate from the Director or an authorized person. The Director shall issue a certificate to ensure proper treatment, movement, or disposal of regulated articles. Regulated articles infested with spotted lanternfly shall not be moved from a regulated area or area subject to a stop sale notice within or outside Connecticut unless treated and found free of spotted lanternfly. Requests for a phytosanitary certificate or release from a stop sale to move regulated articles shall be submitted to the Director or an authorized person. Authorized persons may determine presence of an infestation, issue stop sale, or abatement orders, subject to notice by personal service, certified mail, or publication, concerning spotted lanternfly infestations. Abatement orders may require the destruction or treatment of regulated articles not less than five days from the date of issuance. When infested regulated articles are received by authorized persons and destroyed, written documentation shall be given by the Director or authorized persons to the owner of said regulated articles identifying the quantity and type of regulated materials surrendered by the owner. Copies of such certificates shall be maintained by the Office of the State Entomologist.
- (d) **REQUIREMENTS FOR COMPLIANCE AGREEMENT OR PHYTOSANITARY CERTIFICATE.**
- (1) *Compliance Agreement.* Plant products may be exported from a regulated area in compliance with a written agreement between the exporter and the CAES that includes all of the following:
- (A) The name and address of the exporter.
 - (B) The type and volume of material that may be exported under the agreement.
 - (C) The names and addresses of the persons to whom, and the locations to which the materials may be imported under the agreement.
 - (D) The locations from which the material may be shipped under the agreement.
 - (E) The method by which the material may be shipped.
 - (F) The time-period covered by the agreement.
 - (G) The compliance agreement holder's commitment to keep complete records of each export shipment and to submit those records to the CAES for inspection and copying upon request.

- (H) Specific export terms and conditions approved in writing by CAES that will effectively ensure that materials exported pursuant to the agreement will not introduce the spotted lanternfly into destination states.
 - (I) A provision authorizing the CAES to terminate the agreement, without prior notice, for any reason.
 - (J) A shipping certificate must accompany each shipment indicating that the product is under a compliance agreement.
- (2) *Phytosanitary Certificate.* Regulated articles from regulated areas may only leave this state if they are inspected by an authorized person and a phytosanitary certificate is issued for the article. The phytosanitary certificate must state that no spotted lanternfly was found on the regulated articles and the certificate must accompany the regulated article from origin to destination. The phytosanitary certificate does not exempt the means of conveyance or vehicle, which may require a permit.
- (e) CHECKLIST REQUIRED FOR INDIVIDUALS NOT ENGAGED IN COMMERCIAL ACTIVITY MOVING REGULATED ARTICLES FROM AREAS WHERE SPOTTED LANTERNFLY IS KNOWN TO BE ESTABLISHED.

A regulated article, including any vehicle or conveyance, covered by this regulation may be moved from a regulated area if accompanied by a checklist completed by the individual transporting the regulated article(s). The completed checklist must be signed by the individual and shall accompany them. The checklist certificate is a form available from the CAES website at [link].

V. VIOLATIONS AND PENALTIES.

- (a) Any regulated article from a regulated area, moved within Connecticut in violation of this quarantine shall be removed from the non-regulated area immediately, treated, or destroyed at the expense of the owner or owners, under the direction of the Director.
- (b) Any permit or compliance agreement may be canceled orally or in writing by an inspector whenever an inspector determines that the person who has entered into the compliance agreement has not complied with the conditions of the quarantine or compliance agreement. If the cancellation is oral, the cancellation will be effective immediately and the cancellation and reasons for the cancellation will be confirmed in writing. Any person whose compliance agreement has been cancelled may appeal the decision to the Director within 10 days after receiving the written cancellation notice.
- (c) Any violation of this quarantine is subject to Connecticut General Statutes Section 22-84, as amended.

VI. SPECIAL EXEMPTIONS AND COOPERATION WITH FEDERAL REGULATORY ENFORCEMENT.

- (a) The Director may allow, via a permit, the movement of live spotted lanternfly into or within Connecticut for research purposes.

Phone: (203) 974-8500 Fax: (203) 974-8502
Toll Free: 1-(877) 855-2237, CAES@CT.GOV
PORTAL.CT.GOV/CAES
An Affirmative Action/Equal Opportunity Employer

- (b) Inspectors or other authorized persons may encounter violations of a quarantine or compliance agreement that involves interstate shipment of regulated articles. State regulatory officials will take action to safeguard regulated articles.

VII. PURPOSE OF QUARANTINE.

The purpose of this quarantine is to slow the spread of the spotted lanternfly within the state and provide for certification of Connecticut businesses for movement of regulated articles out of state and help protect the economic interests of the state's agricultural industries by suppressing, controlling or eradicating infestations of Spotted Lanternfly in regulated areas, and by prohibiting or restricting the movement of these insect pests or the movement of infested plants and plant parts or other regulated articles, and provide by inspection or compliance agreement methods to permit the movement of regulated articles not infested with spotted lanternfly. This insect pest can impact or destroy a wide range of plant forms, including grapes, hops, orchard species, trees, and other agricultural materials and constitute a public nuisance because of excretions called honeydew and development of sooty mold. The quarantine program for this pest will serve to suppress, slow, and/or control its spread and allow for proper movement of goods. Specific guidelines or factsheets providing procedures for the management of pest infestations under the authority of Section 22-84 of the Connecticut General Statutes are available on the CAES spotted lanternfly webpage: <https://portal.ct.gov/CAES/CAPS/CAPS/Spotted-Lanternfly---SLF> .

SO ORDERED:

**THE CONNECTICUT AGRICULTURAL
EXPERIMENT STATION**

By: 

Jason C. White, Director

Dated: May 25, 2021