

BEFORE THE SECRETARY OF AGRICULTURE, TOPEKA, KANSAS
FEDERAL NOXIOUS WEED QUARANTINE

The Secretary of the Kansas Department of Agriculture, pursuant to authority authorized by K.S.A. 2-2117, hereby determines that quarantine action is necessary to prevent the further introduction and spread of federal noxious weeds into and within the State of Kansas.

The Secretary does hereby make the following findings relevant to these federal 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 96 species of plants as noxious weeds pursuant to authority provided in the federal Plant Protection Act (Public Law 106-224).

WHEREAS, the Kansas Department of Agriculture has determined that all federal noxious weeds are plant pests as defined in K.S.A. 2-2113.

WHEREAS, federal noxious weeds have innate tendencies for invasiveness which requires that an internal and external quarantine of all federal noxious weeds be established in the State of Kansas.

THE SECRETARY DOES THEREFORE ORDER THAT:

In order to prevent and retard, suppress, and control the spread of the plant pests, the movement of federal noxious weeds **into the State of Kansas** from any other state of the United States, by any person is prohibited. Further, the movement of federal noxious 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, and all other terms used within this quarantine shall have the meanings as defined or established pursuant to K.S.A. 2-2113 *et seq.* as amended and supplemented.

REGULATED AREAS

All areas within the borders of the State of Kansas shall be subject to the restrictions of this quarantine. As established by K.S.A. 2-2115, "the Secretary shall have the right to enter and inspect any property in this state," for the purpose of enforcement of this act, except private dwellings, or to inspect any means of conveyance upon probable cause that it contains material subject to this quarantine.

REGULATED ARTICLES

For the purposes of this quarantine, "federal noxious weeds" shall mean the following plants:

FEDERAL NOXIOUS WEED LIST as of 09/08/2000

Aquatic/Wetland

Azolla pinnata (Azollaceae) (mosquito fern, water velvet)
Caulerpa taxifolia (Caulerpaceae) (Mediterranean clone of caulerpa)
Eichhornia azurea (Pontederiaceae) (anchored waterhyacinth)
Hydrilla verticillata (Hydrocharitaceae) (hydrilla)
Hygrophila polysperma (Acanthaceae) (Miramar weed)
Ipomoea aquatica (Convolvulaceae) (Chinese water spinach)
Lagarosiphon major (Hydrocharitaceae) (Oxygen weed)
Limnophila sessiliflora (Scrophulariaceae) (ambulia)
Melaleuca quinquenervia (Myrtaceae) (melaleuca)
Monochoria hastata (Pontederiaceae) (monochoria)
Monochoria vaginalis (Pontederiaceae) (pickerel weed)
Ottelia alismoides (Hydrocharitaceae) (duck-lettuce)
Sagittaria sagittifolia (Alismataceae) (arrowhead)
Salvinia auriculata (Salviniaceae) (giant salvinia)
Salvinia biloba (Salviniaceae) (giant salvinia)
Salvinia herzogii (Salviniaceae) (giant salvinia)
Salvinia molesta (Salviniaceae) (giant salvinia)
Solanum tampicense (Solanaceae) (wetland nightshade)
Sparganium erectum (Sparganiaceae) (exotic bur-reed)

Parasitic

Aeginetia spp. (Orobanchaceae)
Alectra spp. (Scrophulariaceae)
Cuscuta spp. other than native or widely distributed species (Cuscutaceae) (dodders)
Orobanche spp. other than native or widely distributed species (Orobanchaceae) (broomrapes)
Striga spp. (Scrophulariaceae) (witchweeds)

Terrestrial

Ageratina adenophora (Asteraceae) (crofton weed)
Alternanthera sessilis (Amaranthaceae) (sessile joyweed)
Asphodelus fistulosus (Liliaceae) (onionweed)
Avena sterilis L. (Poaceae) (animated or wild oat)
Spermacoce alata (Rubiaceae) (borreria)
Carthamus oxyacanthus (Asteraceae) (wild safflower)
Chrysopogon aciculatus (Poaceae) (pilipiliula)
Commelina benghalensis (Commelinaceae) (Benghal dayflower)
Crupina vulgaris (Asteraceae) (common crupina)

Digitaria abyssinica (= *D. scalarum*) (Poaceae) (African couch grass)
Digitaria velutina (Poaceae) (velvet fingergrass)
Drymaria arenarioides (Caryophyllaceae) (lightening weed, alfombrilla)
Emex australis (Polygonaceae) (three-cornered jack)
Emex spinosa (Polygonaceae) (devil's thorn)
Galega officinalis (Fabaceae) (goatsrue)
Heracleum mantegazzianum (Apiaceae) (giant hogweed)
Homeria spp. (Iridaceae) (Cape tulip)
Imperata brasiliensis (Poaceae) (Brazilian satintail)
Imperata cylindrica (Poaceae) (cogongrass)
Ischaemum rugosum (Poaceae) (muraingrass)
Leptochloa chinensis (Poaceae) (Asian sprangletop)
Lycium ferocissimum (Solanaceae) (African boxthorn)
Melastoma malabathricum (Melastomataceae) (no common name)
Mikania cordata (Asteraceae) (mile-a-minute)
Mikania micrantha (Asteraceae) (mile-a-minute)
Mimosa invisa (Fabaceae) (giant sensitive plant)
Mimosa pigra (Fabaceae) (catclaw mimosa)
Nassella trichotoma (Poaceae) (serrated tussock)
Opuntia aurantiaca (Cactaceae) (jointed prickly pear)
Oryza longistaminata (Poaceae) (red rice)
Oryza punctata (Poaceae) (red rice)
Oryza rufipogon (Poaceae) (red rice)
Paspalum scrobiculatum (Poaceae) (Kodo-millet)
Pennisetum clandestinum (Poaceae) (kikuyugrass)
Pennisetum macrourum (Poaceae) (African feathergrass)
Pennisetum pedicellatum (Poaceae) (kyasuma-grass)
Pennisetum polystachion (Poaceae) (missiongrass)
Prosopis alapataco (Fabaceae) (*Prosopis* spp. are mesquites)
Prosopis argentina
Prosopis articulata
Prosopis burkartii
Prosopis caldenia
Prosopis calingastana
Prosopis campestris
Prosopis castellanosii
Prosopis denudans
Prosopis elata
Prosopis farcta
Prosopis ferox
Prosopis fiebrigii
Prosopis hassleri
Prosopis humilis

Prosopis kuntzei
Prosopis pallida
Prosopis palmeri
Prosopis reptans
Prosopis rojasiana
Prosopis ruizlealii
Prosopis ruscifolia
Prosopis sericantha
Prosopis strombulifera
Prosopis torquata
Rottboellia cochinchinensis (Poaceae) (itchgrass)
Rubus fruticosus (Rosaceae) (wild blackberry complex)

Rubus moluccanus (Rosaceae) (wild blackberry)
Saccharum spontaneum (Poaceae) (wild sugarcane)
Salsola vermiculata (Chenopodiaceae) (wormleaf salsola).
Setaria pallide-fusca (Poaceae) (cattail grass)
Solanum torvum (Solanaceae) (turkeyberry)
Solanum viarum (Solanaceae) (tropical soda apple)
Tridax procumbens (Asteraceae) (coat buttons)
Urochloa panicoides (Poaceae) (liverseed grass)

Entire plants or parts of plants capable of growing or propagating are prohibited. Forage, hay, or any other commodity containing any federal noxious weed plants or parts of plants shall be subject to this quarantine.

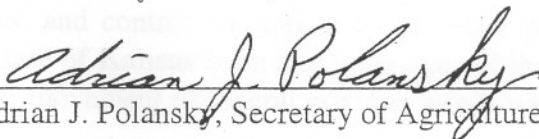
EFFECTIVE DATE OF QUARANTINE

This Order of Quarantine shall become effective on the date of signature and shall remain in effect until rescinded or modified by order of the Secretary.

VIOLATION OF THIS QUARANTINE

Any person who knowingly moves a regulated article in violation of this quarantine may be subject to criminal prosecution or civil penalty pursuant to K.S.A. 2-2124 and 2-2125.

Dated and signed this 22nd day of January, 2004.


Adrian J. Polansky, Secretary of Agriculture