

DEPARTMENT OF AGRICULTURE
PESTICIDE AND PLANT PESTICIDE MANAGEMENT DIVISION
REGULATION NO. 613. DUTCH ELM DISEASE

(By authority conferred on the commission of agriculture by section 6 of Act No. 72 of the Public Acts of 1945, section 1 of Act No. 13 of the Public Acts of 1921, as amended, and section 178 of the Act No. 380 of the Public Acts of 1965, being SS286.256, 285.1, and 16.278 of the Michigan Compiled Laws)

R 285.613.1 Definition of control area.

Rule 1. "Control area," as used in these rules, means an area in the state in which a political subdivision of the state or an organization representing a majority of the resident property owners in an unincorporated subdivision or like area is conducting a program for the control of the Dutch elm disease consisting of both sanitation and spraying for vector control in accordance with the recommendations of the Michigan agricultural experiment station.

History: 1979 AC.

R 285.613.2 Infected trees.

Rule 2. (1) Trees of all species and varieties of *Ulmus*, *Zelkova* and *Planera* infected with the fungus *Ceratocystis ulmi* in control areas are declared to be a public nuisance and all above ground portions shall be destroyed by burning or by burying under a minimum of 2 feet of earth within 10 days after discovery of such infection.

(2) It is unlawful to possess, sell, give away or transport into or within a control area all or any parts of trees infected with such fungus, except that wood, branches and roots of such trees may be transported to a safe place for burning or burial.

History: 1979 AC.

R 285.613.3 Dead and dying trees as breeding places.

Rule 3. Trees, or parts thereof with bark attached, of *Ulmus*, *Zelkova* or *Planera* in a dead or dying condition that may serve as breeding places for the small European elm bark beetle (*Scolytus multistriatus*) or the native elm bark beetle (*Hylurgopinus rufipes*) are declared public nuisances in control areas. Transportation into or within a control area or possession within a control area of such trees or parts thereof, except for immediate burning or burial as provided in R 285.613.2 shall be unlawful unless the bark has been completely removed.

History: 1979 AC.

R 285.613.4 Transportation of live trees.

Rule 4. Live trees of *Ulmus*, *Zelkova* or *Planera* with roots attached shipped or otherwise transported into or within the state shall first have been inspected while in full leaf by a state or federal plant regulatory officer and determined to be free of the symptoms of the Dutch elm disease and infestation by such bark beetles.

History: 1979 AC.