

**\*\*\*DRAFT - NOT FOR FILING\*\*\***

**901:5-30-01**      **Invasive Plant Species.**

(A) In order to protect native plant species and thwart the growth of invasive plant species, the director of the Ohio department of agriculture pursuant to section 901.50 of the Revised Code hereby declares the plants listed in paragraphs (A)(1) through (A)(38) of this rule as invasive plants. The invasive plants are first designated by the plant's botanical name and then by the plants common name. The botanical name is the official designation for the plant.

- (1) *Ailanthus altissima*, Tree-of-Heaven;
- (2) *Alliaria petiolata*, Garlic Mustard
- (3) *Berberis vulgaris*, Common Barberry;
- (4) *Butomus umbellatus*, Flowering Rush;
- (5) *Celastrus orbiculatus*, Oriental Bittersweet;
- (6) *Centaurea stoebe* ssp. *Micranthos*, Spotted Knapweed;
- (7) *Dipsacus fullonum*, Common Teasel;
- (8) *Dipsacus laciniatus*, Cutleaf Teasel;
- (9) *Egeria densa* Brazilian, Elodea;
- (10) *Elaeagnus angustifolia*, Russian olive;
- (11) *Elaeagnus umbellata*, Autumn Olive;
- (12) *Epilobium hirsutum*; Hairy willow herb;
- (13) *Frangula alnus*, Glossy Buckthorn;
- (14) *Heracleum mantegazzianum*, Giant Hogweed;
- (15) *Hesperis matronlis*, Dame's Rocket;
- (16) *Hydrilla verticillata*, Hydrilla;
- (17) *Hydrocharis morsus-ranae*, European frog-bit;
- (18) *Lonicera japonica*, Japanese honeysuckle;
- (19) *Lonicera maackii*, Amur honeysuckle;
- (20) *Lonicera morrowii*, Morrow's honeysuckle;
- (21) *Lonicera tatarica*, Tatarian honeysuckle;
- (22) *Lythrum salicaria*, Purple Loosestrife;
- (23) *Lythrum virgatum*, European Wand Loosestrife;

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(24) *Microstegium vimineum*, Japanese stiltgrass;

(25) *Myriophyllum aquaticum*, Parrotfeather;

(26) *Myriophyllum spicatum*, Eurasian water-milfoil;

(27) *Nymphoides peltata*, Yellow Floating Heart;

(28) *Phragmites australis*, Common Reed;

(29) *Potamogeton crispus*, Curly-Leaved Pondweed;

(30) *Pueraria montana* var. *lobata*, Kudzu;

(31) *Pyrus calleryana*, Callery Pear;

(32) *Ranunculus ficaria*, Fig Buttercup/Lesser celandine;

(33) *Rhamnus cathartica*, European buckthorn;

(34) *Rosa multiflora*; Multiflora Rose

(35) *Trapa natans*, Water Chestnut;

(36) *Typha angustifolia*, Narrow-Leaved Cattail;

(37) *Typha x glauca*, Hybrid Cattail; and

(38) *Vincetoxicum nigrum*, Black dog-strangling vine, black swallowwort.

(B) Except as provided in paragraphs (C) and (D) of this rule, no person shall sell, offer for sale, propagate, distribute, import or intentionally cause the dissemination of any invasive plant as defined in paragraph (A) of this rule in the state of Ohio.

(C) The prohibitions listed in paragraph (B) does not apply to the following:

(1) *Lythrum virgatum*, European Wand Loosestrife until one year after the effective date of this rule.

(2) *Pyrus calleryana*, Callery Pear until five year after the effective date of this rule.

(D) A person may conduct the following activities with the species listed in paragraphs (A)(1) through (A)(38) of this rule in a manner that does not result in the further spread of those species:

(1) Dispose of the plant;

(2) Controlling the plant; and

(3) Using the plant for research or educational purposes pursuant to a compliance agreement issued by the department.

(E) The director of the Ohio department of agriculture or his authorized representative may seize, order removed from sale, or order destroyed any plant described in paragraph (A) of this rule which has been found in violation of paragraph (B) of this rule.

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(F) The director may exempt a cultivar of any invasive plant species defined in paragraph (A) of this rule if scientific evidence is presented that the cultivar is not invasive.