

**INTERIM RULE:**

HAWAII DEPARTMENT OF AGRICULTURE

PLANT QUARANTINE INTERIM RULE 15-1

Prohibits the Intrastate Movement of *Metrosideros* (all species in genus) (Ohia)  
Plants and Plant Parts Including Flowers, Leaves, Seeds,  
Stems, Twigs, Cuttings, Untreated Wood, Logs,  
Mulch, and Greenwaste, and Frass  
From the Island of Hawaii

Except by Permit Issued by the Hawaii Department of Agriculture

Under authorization granted in Section 150-9.5, Hawaii Revised Statutes (HRS), the Hawaii Department of Agriculture (Department) hereby establishes this interim rule to impose a quarantine on the intrastate movement of *Metrosideros* (all species in genus) (Ohia) plants and plant parts, including flowers, leaves, seeds, stems, twigs, cuttings, untreated wood, logs, mulch, and greenwaste, and frass, from the island of Hawaii. This quarantine area is established to prevent the spread of the recently discovered disease called Ohia Wilt or Rapid Ohia Death caused by a new strain of a fungal pathogen, *Ceratocystis fimbriata*, from areas infested by the new *C. fimbriata* strain to uninfested areas within the State.

Movement or transportation of *Metrosideros* (all species in genus) (Ohia) plants and plant parts including flowers, leaves, seeds, stems, twigs, cuttings, untreated wood, logs, mulch, and greenwaste, and frass, from the island of Hawaii is prohibited except by permit issued by the Department for research, commercial and private use including not for profit use.

Any person who violates this rule shall be guilty of a misdemeanor and fined not less than \$100. The provisions of HRS section 706-640 notwithstanding, the maximum fine shall be \$10,000. For a second offense committed within 5 years of a prior conviction under this rule, the person or organization shall be fined not less than \$500 and not more than \$25,000.

This interim rule shall become effective on August 25, 2015 and is valid for no longer than one year.

Effective January 1, 2016, soil will be included in the quarantine on the intrastate movement of *Metrosideros* (all species in genus) (Ohia) from the island of Hawaii, except by permit.