

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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www.mass.gov/agr



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NOTICE OF PUBLIC HEARING

Notice is hereby given that the Department of Agricultural Resources ("MDAR"), under its authority pursuant to M.G.L. c. 128, §27 which requires the Commissioner of MDAR to hold a public hearing when prohibiting the delivery within the commonwealth of nursery stock, fruits, plants, and parts thereof from outside the commonwealth. The purpose of this hearing is to solicit input on the decision to add conditions to the listing of the following species on the state's Prohibited Plant List:

- Japanese black pine (*Pinus thunbergii*)
- Callery/Bradford pear (*Pyrus calleryana*)

Japanese Black Pine (*Pinus thunbergii*)

On November 14th, 2023, following an assessment by the Mass. Invasive Plant Advisory Group as "Likely Invasive," the Massachusetts Department of Agricultural Resources ("MDAR") determined that Japanese black pine (*Pinus thunbergii*) should be placed on the Massachusetts Prohibited Plant List. Following the announcement of this decision, MDAR was provided with information relative to the use of Japanese black pine in the bonsai industry, indicating that Japanese black pine grown as bonsai do not pose the same risk as plants grown to be planted into the ground. After reviewing this information internally, consultation with the botanist on staff, and reaching out to key members of the bonsai-growing community, MDAR is recommending that Japanese black pine may be grown, sold or held within the state provided the following conditions are met:

- The specimens have been reared as bonsai (using cultivation methods such as branch and root pruning, defoliation, or grafting) to produce small trees that mimic the appearance and style of mature trees, and are sold in designated containers, without the intent to plant into the ground.
- The specimens being sold have been grown/cultivated by the same entity that are selling them. This does not include specimens that have been shipped into Massachusetts for immediate retail sale.
- Imported plants or seedlings must either be grown/cultivated by the same entity that is selling them or be brought into Massachusetts for temporary winter storage or to be used for training purposes such as bonsai pruning instruction.
- The grower must keep records of the sale of all Japanese black pines. Records must include:
 - Name and contact information (address, phone number, email) of the individual that made the purchase.
 - Provide an MDAR-approved written guidance was provided to the purchaser at the time of sale. The written guidance must include, at a minimum:
 - A statement indicating that the bonsai plant(s) cannot be planted in the ground in Massachusetts.
 - Information about the status of Japanese black pine as a prohibited plant in Massachusetts.
 - A copy of this statement must be provided to MDAR upon request.

Callery/Bradford Pear (*Pyrus calleryana*)

On January 31, 2023, the Massachusetts Department of Agricultural Resources (“MDAR”), received a request and assessment from the Massachusetts Invasive Plant Advisory Group After to add Callery/Bradford pear (*Pyrus calleryana*) to the Massachusetts Prohibited Plant List. MDAR held a public hearing on August 22, 2023, relative to this request and also solicited written comments. All comments provided were in support of adding this species to the Prohibited Plant List.

After reviewing all information internally, MDAR has made the decision to add Callery/Bradford pear to the Prohibited Plant List with the following exception for pears being grown as a fruit crop:

- For *Pyrus calleryana* used as a grafting agent for the production of pear fruit, the grower must monitor their trees and identify any trees where the graft has failed. Since *Pyrus calleryana* used as grafted rootstock has been documented to regrow if the graft fails, the grower must remove and dispose of this plant material in a way that prevents the trees from generating new growth.

One public hearing will be held on the following date:

- **Friday April 26th, 2024 10am-11am.**

Please note that due to the COVID-19 pandemic, this hearing will be held virtually via Zoom. To join the hearing, please use either the link or the call-in telephone number below:

Topic: Additions to Massachusetts Prohibition Plant List

Time: April 26th, 2024 10am-11am

Join Zoom Meeting:

<https://us06web.zoom.us/j/85087018665?pwd=OSvNBXVTp3bLT0KpD7YCpG7KBt0Kx9.1>

Passcode: 349732

Call In: (646) 931-3860

(646) 558-8656

(312) 626-6799

Webinar ID: 850 8701 8665

Passcode: 349732

Testimony may be presented orally at the virtual hearing or in writing. Written comments will be accepted until 5:00 P.M. on April 26, 2024. Written testimony must be submitted by e-mail to taryn.lascola@mass.gov or by mail to Massachusetts Department of Agricultural Resources, 225 Turnpike Road, Suite 301, Southborough, MA, 01772 Attn: Taryn LaScola.

A summary of the species proposed to be placed on the Massachusetts Prohibited Plant list can be found at:

<https://www.mass.gov/doc/pinus-thunbergii-evaluation/download>

<https://www.mass.gov/doc/pinus-thunbergii-parl-japanese-black-pine/download>

<https://www.mass.gov/doc/pyrus-calleryana-evaluation/download>

<https://www.mass.gov/doc/pyrus-calleryana-species-information/download>

or may be obtained by calling Taryn LaScola at (617) 626-1776. For special accommodations for this event or to obtain this information in an alternative format, you may contact ADA coordinator, Donald Gomes, at 617-626-160

