

## 330 CMR 9.00: PLANT QUARANTINES

## Section

- 9.01: Purpose
- 9.02: Black Currant Quarantine
- 9.03: Currant and Gooseberry Quarantine
- 9.04: Revocation of Licenses or Certificates

9.01: Purpose

The purpose of 330 CMR 9.00 is to prevent the spread of white pine blister rust, *Cronartium ribicola*, a disease affecting white pine trees.

9.02: Black Currant Quarantine

No person shall transport into or within the Commonwealth any black currant (*Ribes nigrum*) plant, root, scion, seed or cutting. This prohibition shall not apply to the transport, delivery, or possession of the fruit of black currant for the sole purpose of processing the fruit. In no event, however, shall the fruit of black currant be transported, delivered, or used for the purpose of extracting seed for planting.

9.03: Currant and Gooseberry Quarantine

(1) No person shall transport into or within the Commonwealth any currant or gooseberry (*Ribes spp.*) plant, root, scion, seed or cutting unless a control area permit has been issued by the Department of Agricultural Resources. This prohibition shall not apply to the transport, delivery, or possession of the fruit of any currant or gooseberry for the sole purpose of processing the fruit. In no event, however, shall the fruit of red currants or gooseberries be transported, delivered, or used for the purpose of extracting seed for planting without a control area permit.

(2) Control area permits will not be issued for any shipment with a destination in any of the following municipalities:

Acton	Cummington	Haverhill	Newburyport
Alford	Deerfield	Hawley	Norfolk
Amesbury	Dover	Heath	North Andover
Andover	Dracut	Hubbardston	North Reading
Ashburnham	Dunstable	Huntington	Northfield
Ashby	Duxbury	Ipswich	Norton
Ashfield	East Bridgewater	Kingston	Norwell
Athol	Easton	Lakeville	Orange
Ayer	Egremont	Lancaster	Otis
Barre	Erving	Lee	Pembroke
Becket	Essex	Lenox	Pepperell
Berkley	Foxboro	Leverett	Petersham
Bernardston	Freetown	Leyden	Phillipston
Billerica	Gardner	Littleton	Plainfield
Blandford	Georgetown	Manchester	Plymouth
Bolton	Gill	Mansfield	Plympton
Boxboro	Gloucester	Marshfield	Princeton
Boxford	Goshen	Medfield	Raynham
Bridgewater	Granville	Merrimac	Rochester
Buckland	Great Barrington	Methuen	Rowley
Canton	Greenfield	Middleboro	Royalston
Carlisle	Groton	Middlefield	Salisbury
Carver	Groveland	Middleton	Sandisfield
Charlemont	Halifax	Millis	Sharon
Chelmsford	Hamilton	Montague	Sheffield
Chester	Hanover	Monterey	Shelburne
Chesterfield	Hanson	New Marlboro	Shirley
Colrain	Hardwick	New Salem	Shutesbury
Conway	Harvard	Newbury	Southampton

330 CMR: DEPARTMENT OF AGRICULTURAL RESOURCES

9.03: continued

Stockbridge	Tolland	Warwick	Westminster
Stoughton	Topsfield	Wendell	Whately
Stow	Townsend	Wenham	Williamsburg
Sunderland	Tyngsboro	West Bridgewater	Wilmington
Taunton	Tyringham	West Newbury	Winchendon
Templeton	Walpole	Westford	Worthington
Tewksbury	Wareham	Westhampton	Wrentham

(3) If necessary, the Department of Agricultural Resources, in its sole discretion, shall amend this list following a review, which at a minimum shall occur every ten years. This review shall include, but not be limited to: consultation with the Department of Conservation and Recreation to determine whether the impact to significant stands of white pine (*Pinus strobus*) has changed; any mutations or other changes in the white pine blister rust fungus (*Cronartium ribicola*) that infects both currants and white pine; availability of rust-resistant varieties, cultivars, or hybrids of currants (*Ribes spp.*).

9.04: Revocation of Licenses or Certificates

The Department of Agricultural Resources, through its Commissioner or his or her designee (Commissioner), shall at any time have the power to withhold, suspend or revoke any Agent's License or Grower's Certificate for sufficient cause. Before withholding, suspending or revoking any License or Certificate, the Commissioner shall give written notice of a scheduled hearing, which shall be held under the informal rules of adjudicatory proceedings pursuant to M.G.L. c. 30A, to the applicant for, or holder of, such License or Certificate and give reasons for the intended adverse action. Said notice shall appoint a time of hearing before the Commissioner and shall be sent by registered or certified mail to the applicant for, or holder of, such License or Certificate. At the hearing, the applicant for, or the holder of, such License or Certificate may present evidence to the Commissioner. After hearing all the testimony, the Commissioner shall make a just and proper determination on withholding, suspending and/or revoking a License or Certificate.

REGULATORY AUTHORITY

330 CMR 9.00: M.G.L. c. 128, § 27.

(PAGES 71 THROUGH 74 ARE RESERVED FOR FUTURE USE)