

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) to ~~(A)(38)~~(A)(63) 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~~tree of heaven;

(2) *Alliaria petiolata*, garlic mustard;

(3) *Ampelopsis brevipedunculata*, porcelainberry;

(4) *Azolla pinnata*, Pinnate mosquitofern;

~~(3)~~(5) *Berberis vulgaris*, common barberry;

~~(4)~~(6) *Butomus umbellatus*, flowering rush;

~~(5)~~(7) *Celastrus orbiculatus*, ~~oriental~~Asian bittersweet;

~~(6)~~(8) *Centaurea stoebe* ssp. ~~*Micranthos*~~*micranthos*, spotted knapweed;

~~(7)~~(9) *Dipsacus fullonum*, common teasel;

~~(8)~~(10) *Dipsacus laciniatus*, cutleaf teasel;

~~(9)~~(11) *Egeria densa*, Brazilian; ~~elodea~~waterweed;

(12) *Eichhornia azurea*, anchored water hyacinth;

~~(10)~~(13) *Elaeagnus angustifolia*, ~~russian~~Russian olive;

~~(11)~~(14) *Elaeagnus umbellata*, autumn olive;

~~(12)~~(15) *Epilobium hirsutum*; hairy ~~willow herb~~willowherb;

~~(13)~~ *Frangula alnus*, ~~glossy buckthorn~~;

(16) *Fallopia japonica*, Japanese knotweed;

(17) *Ficaria verna*, lesser celandine;

~~(14)~~(18) *Heracleum mantegazzianum*, giant hogweed;

- ~~(15)~~(19) Hesperis matronlis, ~~dame's~~dames rocket;
- ~~(16)~~(20) Hydrilla verticillata, hydrilla;
- ~~(17)~~(21) Hydrocharis morsus-ranae, ~~european~~European frog-bitfrogbit;
- (22) Hygrophila polysperma, Indian swampweed;
- (23) Iris pseudacorus, yellow flag iris;
- (24) Lagarosiphon major, African oxygen weed;
- (25) Ligustrum vulgare, common privet;
- (26) Limnophila sessiliflora, Asian marshweed;
- ~~(18)~~(27) Lonicera japonica, ~~japanese~~Japanese honeysuckle;
- ~~(19)~~(28) Lonicera maackii, ~~amur~~Amur honeysuckle;
- ~~(20)~~(29) Lonicera morrowii, ~~morrow's~~Morrow's honeysuckle;
- ~~(21)~~(30) Lonicera tatarica, ~~tatarian~~Tatarian honeysuckle;
- ~~(22)~~(31) Lythrum salicaria, purple loosestrife;
- ~~(23)~~(32) Lythrum virgatum, ~~european~~European wand loosestrife;
- (33) Marsilea quadrifolia, European water-clover;
- ~~(24)~~(34) Microstegium vimineum, ~~japanese~~Japanese stiltgrass;
- (35) Monochoria hastata, arrowleaf false pickerelweed;
- (36) Monochoria vaginalis, heartshape false pickerelweed;
- (37) Morus alba, white mulberry;
- ~~(25)~~(38) Myriophyllum aquaticum, ~~parrotfeather~~parrot feather watermilfoil;
- ~~(26)~~(39) Myriophyllum spicatum, ~~eurasian~~Eurasian water-milfoilwatermilfoil;
- (40) Najas minor, brittle waternymph;
- ~~(27)~~(41) Nymphoides peltata, yellow floating heart;

- (42) Ottelia alismoides, duck lettuce;
- (43) Paulownia tomentosa, princess tree;
- (44) Persicaria perfoliata, mile-a-minute;
- (45) Phalaris arundinacea, reed canary grass;
- ~~(28)~~(46) Phragmites australis ssp. australis, common reed;
- (47) Pistia stratiotes, water lettuce;
- ~~(29)~~(48) Potamogeton crispus, curly-leaved curly pondweed;
- ~~(30)~~(49) Pueraria montana var. lobata lobata, kudzu;
- ~~(31)~~(50) Pyrus calleryana, callery Callery pear;
- ~~(32)~~ Ranunculus ficaria, fig buttercup/lesser celandine;
- ~~(33)~~(51) Rhamnus cathartica, european European buckthorn;
- ~~(34)~~(52) Rosa multiflora, multiflora rose;
- (53) Sagittaria sagittifolia, arrowhead;
- (54) Salix fragilis, crack willow;
- (55) Salvinia minima, common salvinia;
- (56) Salvinia molesta, giant salvinia;
- (57) Sparganium erectum, simple bur-reed;
- (58) Stratiotes aloides, water soldier;
- ~~(35)~~(59) Trapa natans, water chestnut;
- ~~(36)~~(60) Typha angustifolia, narrow-leaved narrowleaf cattail;
- ~~(37)~~(61) Typha x glauca, hybrid cattail; and
- (62) Ulmus pumila, Siberian elm; and
- ~~(38)~~(63) 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) of this rule ~~does~~do not apply to the following:
- ~~(1) *Lythrum virgatum*, european wand loosestrife until one year after the effective date of this rule.~~
  - ~~(2)(1) *Pyrus calleryana*, callery pear until five year after the effective date of this rule.~~January 7, 2023.
  - (2) *Ligustrum vulgare*, common privet until January 1, 2026.
  - (3) Reed canary grass that is sold for use as animal feed.
- (D) A person may conduct the following activities with the species listed in paragraphs (A)(1) to ~~(A)(38)~~(A)(63) 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~~the director's authorized representative may seize, order removed from sale, ~~or order destroyed~~or order destroyed distribution any plant described in paragraph (A) of this rule which has been found in violation of paragraph (B) of this rule.
- (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.

Effective: 2/13/2023

Five Year Review (FYR) Dates: 11/29/2022 and 02/13/2028

CERTIFIED ELECTRONICALLY

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Certification

02/03/2023

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Date

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Statutory Authority:	901.50
Rule Amplifies:	901.50
Prior Effective Dates:	01/07/2018