## 18G.09 SHIPMENT OF PLANT PESTS AND BIOLOGICAL CONTROL AGENTS.

(a) A person may not sell, offer for sale, move, convey, transport, deliver, ship, or offer for shipment any plant pest, noxious weed, or biological control agent without a permit from the United States Department of Agriculture, Animal and Plant Health Inspection Service or its state equivalent. A permit may be issued only after the commissioner determines that the proposed shipment or use will not create a hazard to the agricultural, forest, or horticultural interests of this state or the state's general environmental quality. For interstate movement, the permit must be affixed conspicuously to the exterior of each shipping container, box, package, or appliance; accompany each shipping container, box, package, or appliance; or comply with other directions of the commissioner. Shipping containers must be escape-proof and the commissioner shall specify labeling and shipping protocols.

(b) This section does not apply to:

(1) intrastate shipments of federal- or state-approved biological control agents used in this state for control of plant pests; and

(2) interstate shipments of organisms that the United States Department of Agriculture has specifically identified as not needing a permit for movement.

**History:** *2003 c 128 art 4 s 8; 2020 c 89 art 4 s 6*