

DEPARTMENT OF AGRICULTURE

Amendment of Chapter 4-70, Subchapter 3  
Hawaii Administrative Rules

October 25, 2001

SUMMARY

1. §4-70-12 is amended.
2. §4-70-13 is amended.
3. §4-70-14 is amended.
4. §4-70-15 is amended.

§4-70-12 Notice of quarantine. The board has determined that there exists serious danger to the pineapple industry of Hawaii from the introduction of thrips (Frankliniella moultoni Hood), pineapple borers (Metamasius spp. and Strymon basilides (Geyer)), mealybugs (Dysmicoccus spp.), and other insects, and diseases of pineapple and bromeliaceous plants, that are not now established in Hawaii. [Eff 7/13/81; am 11/13/01] (Auth: HRS §§141-2, 150A-9) (Imp: HRS §150A-6.1)

§4-70-13 Prohibited introductions. (a) The introduction into Hawaii of any pineapple plant (any species in the genus Ananas), seed, or other plant part thereof, is prohibited except by approved permit in accordance with section 4-70-14.

(b) The introduction of plant and plant parts of all other genera than Ananas in the family Bromeliaceae is prohibited except:

- (1) Seeds;
- (2) Tissue cultured plants in a completely enclosed sterile container;
- (3) Dried non-living materials; and
- (4) By approved permit in accordance with section

4-70-14. [Eff 7/13/81; am 11/13/01] (Auth: HRS §§141-2, 150A-9) (Imp: HRS §150A-6.1)

§4-70-14 Permits. (a) Upon written request, a permit may be issued by the chief authorizing the introduction of pineapple plants or other plants in the family Bromeliaceae for propagation under the branch's supervision in a strictly enforced quarantine pursuant to sections 4-70-3, 4-70-4, 4-70-5, and 4-70-15, unless otherwise provided in section 4-70-15.

(b) Upon written request, a permit may be issued by the chief authorizing the introduction of plant and plant parts of pineapple for processing, manufacturing, or other non-propagative purposes when the conditions for the importation satisfy the chief

that the introduction can be made with a reasonable degree of safety relative to the risk of insect, pest, or disease introduction.

(c) Upon written request, a permit may be issued by the chief authorizing the introduction of plants and plant parts in the Bromeliaceae family other than the genus Ananas for processing, manufacturing, or other non-propagative purposes provided the importation is accompanied by a certificate of treatment indicating an approved treatment procedure.

[Eff 7/13/81;

am 11/13/01] (Auth: HRS §§141-2, 150A-9) (Imp: HRA §§150A-5, 150A-6.1)

§4-70-15 Duration of quarantine. (a) The quarantine period for pineapple plants and plant species in the genus Ananas imported pursuant to section 4-70-14 shall be one year provided that the board may exempt from quarantine or shorten the quarantine period for plants imported for manufacturing, processing, or propagative purposes under certain conditions of importation or propagation procedure that the board determines are appropriate to prevent the introduction of insects, pests, and diseases.

(b) The quarantine period for plants in all other genera than Ananas in the family Bromeliaceae imported pursuant to section 4-70-14 shall be as follows:

- (1) One year for plants from Mexico, South and Central America, and nearby island countries;
- (2) One year for any shipment of plant or plants without an official certificate of origin;
- (3) Quarantine requirements may be waived by the chief for any bromeliad plant other than the genus Ananas that is entering under permit and that has been inspected and found free of any signs of pest infestation or symptoms of disease provided that the shipment meets one of the following conditions:

- (A) The plants are accompanied by an official certificate of origin certifying that the plants were grown in the continental United States or;
- (B) The plants are accompanied by an official certificate of origin certifying that the plants were grown in a foreign country other than Mexico, South and Central America or nearby island countries. [Eff 7/13/81; am 11/13/01] (Auth: HRS §§141-2, 150A-9) (Imp: HRS §150A-6.1)

DEPARTMENT OF AGRICULTURE

Amendments to chapter 4-70, Hawaii Administrative Rules, on the Summary Page dated October 25, 2001, were adopted on October 25, 2001, following public hearings held on October 18, 2001, after public notice was given in the Honolulu Star Bulletin, a newspaper of statewide circulation, on September 18, 2001.

These amendments shall take effect ten days after filing with the Office of the Lieutenant Governor.

/S/  
JAMES J. NAKATANI  
Chairperson, Board of Agriculture

/S/  
BENJAMIN J. CAYETANO  
Governor, State of Hawaii

Dated: 11/02/01

APPROVED AS TO FORM:

/S/ Haunani Burns  
Deputy Attorney General