

NOTICE Order of Quarantine And Treatment

DEPARTMENT OF AGRICULTURE

ORDER OF QUARANTINE AND TREATMENT: SPOTTED LANTERNFLY

RECITALS

- A. This order rescinds and replaces all previous orders and addendums thereto.
- B. Spotted lanternfly, *Lycorma delicatula*, is a new pest to the United States and has been detected in the Commonwealth. This is a dangerous insect to forests, ornamental trees, orchards and grapes and is not native to the Commonwealth or the United States. It is not yet widely prevalent or distributed within or throughout the Commonwealth, but it has been found in numerous counties since its first appearance in the Commonwealth.
- C. The plant pest *Lycorma delicatula* (Spotted lanternfly) has been determined by the Department to be dangerous and destructive to the agriculture, horticulture and forests of this Commonwealth and is hereby declared a “public nuisance.”
- D. The Plant Pest Act (Act) (act of December 16, 1992, P.L. 1228, No. 162) (3 P. S. §§ 258.1—258.27) empowers The Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests. These powers include the authority to establish quarantines to prevent the spread of plant pests within this Commonwealth, to make surveys to determine the existence, distribution and damage caused by the plant pest, to collect samples and to prescribe treatment for control of the plant pest (act of December 16, 1992, P.L. 1228, No. 162, §§ 18, 19 and 21) (3 P.S. §§ 258.18, 258.19 and 258.21)
- E. Under the authority of section 258.20 of the Act (related to pests declared public nuisance) (act of December 16, 1992, P.L. 1228, No. 162, § 20) (3 P.S. § 258.20) the Department may declare a plant pest to be a public nuisance when the Department determines a plant pest to be dangerous or destructive to the agriculture, horticulture or forests of this Commonwealth. For the reasons set forth in Paragraphs B and C above, the Department declared and continues to declare *Lycorma delicatula* (Spotted lanternfly) to be a public nuisance.
- F. Once a plant pest is declared a nuisance, “It shall be unlawful for any person knowingly to permit any plant pest so declared to exist on his premises or to sell, offer for sale, give away or move any plants, plant products or other material capable of harboring the pest.” (act of December 16, 1992, P.L. 1228, No. 162, § 20) (3 P.S. § 258.20)

- G. When a pest or pests that have the potential to cause serious damage to agriculture are found in any geographic area, the area and any adjacent areas as the Department deems necessary shall be quarantined. (act of December 16, 1992, P.L. 1228, No. 162, § 20) (3 P.S. § 258.21(a))
- H. The areas or zone of the Commonwealth in which the plant pest, *Lycorma delicatula* (Spotted lanternfly), has been detected or confirmed and adjacent areas that are quarantined are set forth in paragraph 1 (related to Establishment of Quarantine) of this Order of Quarantine. Any new place or area of the Commonwealth in which the plant pest, *Lycorma delicatula* (Spotted lanternfly), is later detected or confirmed and adjacent areas shall be added to this Order of Quarantine through an addendum delineating the areas or zone to be added to this Order of Quarantine. Such addendum shall be published in the *Pennsylvania Bulletin* and enforcement of this Order of Quarantine with regard to that area or zone shall become effective immediately upon such publication in the *Pennsylvania Bulletin*.

ORDER

ARTICLE I

General Provisions

Under authority of section 21 of the Act (act of December 16, 1992, P.L. 1228, No. 162, § 21) (3 P. S. § 258.21), and with the Recitals previously listed incorporated into this Order of Quarantine and Treatment by reference, the Department hereby Orders the following:

- 1) ***Establishment of Quarantine.*** A quarantine is hereby established for the plant pest *Lycorma delicatula* (Spotted lanternfly), which has been declared a public nuisance. Counties under Quarantine include Allegheny, Beaver, Berks, Blair, Bucks, Cambria, Cameron, Carbon, Chester, Columbia, Cumberland, Dauphin, Delaware, Franklin, Huntington, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Philadelphia, Perry, Pike, Schuylkill, Wayne, Westmoreland and York Counties. Counties may be added to pursuant to an addendum to this Order of Quarantine as set forth in Paragraph H of the “*Recitals*” to this Order of Quarantine.
- 2) ***Purpose of Quarantine.*** The purpose of this Order of Quarantine is as follows:
 - a) To establish provisions to control and eradicate the plant pest *Lycorma delicatula* (Spotted lanternfly).
 - b) To establish requirements and parameters under which individuals and persons may move regulated articles within and from the areas and zone covered by this Order of Quarantine, and any future addendum hereto.
 - c) To establish treatment provisions for all properties within the areas and zone subject to this Order of Quarantine and any future addendum hereto.
- 3) ***Definitions.***
 - a) *Agent, inspector or deputy.* A representative of the Department of Agriculture duly appointed by the Secretary of Agriculture to carry out the provisions of the Plant Pest Act.
 - b) *Control.* The reduction or the population of a plant pest to an acceptable level as determined by the Secretary of Agriculture or his agents.
 - c) *Department.* The Department of Agriculture of the Commonwealth.
 - d) *Eradication.* The elimination or removal of a pest from a defined geographic area.
 - e) *Person.* An individual, partnership, association, firm, corporation, limited liability corporation, state agency, municipality or other governmental unit or agency or any other legal entity.
 - f) *Plant pest.* An organism, including other plants, causing or capable of causing injury or damage to plants or plant products. In this case, specifically *Lycorma delicatula* (Spotted lanternfly).
 - g) *Secretary.* The Secretary of Agriculture of the Commonwealth.
 - h) *Treatment order.* A written document specifying certain measures to be taken to control or eradicate a plant pest, including destruction of appropriate plants or plants products.
 - i) *Uninfested.* No known populations of *Lycorma delicatula* (Spotted Lanternfly) within a county.

- 4) ***Regulated Articles and Limitations Imposed.*** The plant pest established by this Order of Quarantine - *Lycorma delicatula* (Spotted Lanternfly) - along with any material or object that may carry or spread the plant pest (the plant pest and its eggs and nymphs can exist on and be spread through conveyance of any object to which it may attach), are considered regulated articles under this Order of Quarantine and may not be moved out of or within the quarantined area, unless done in accordance with Articles II - V of this Order of Quarantine. The following list of objects and materials provide examples of regulated articles, but is not an all-inclusive list. Any object capable of carrying the plant pest - *Lycorma delicatula* (Spotted lanternfly) – shall be considered a regulated article under this Order of Quarantine.
- a) Any living life stage of the Spotted lanternfly, *Lycorma delicatula*.
 - b) Brush, debris, bark and yard waste.
 - c) Logs, trees, bark, mulch and firewood.
 - d) Concrete barriers or structures, stone, quarry material, ornamental stone or concrete.
 - e) Construction, landscaping and remodeling waste.
 - f) Packing materials, such as wood crates, pallets or boxes.
 - g) All plants and plant parts. This shall include, but is not limited to, all live, dead, infected or non-infected trees, nursery stock, budwood, scionwood, green lumber, firewood, logs, perennial plants, garden plants and produce and other material living, dead, cut, fallen including stumps, roots, branches, mulch, and composted and un-composted chips.
 - h) Outdoor household articles including recreational vehicles, lawn tractors and mowers, mower decks, grills, grill and furniture covers, tarps, mobile homes, tile, stone, deck boards, mobile fire pits, any associated equipment and trucks or vehicles not stored indoors.
 - i) Outdoor industrial and construction materials and equipment.
 - j) Conveyances of any type, whether utilized for movement of the materials previously listed or personal use, and any trailers, wagons or other equipment attached thereto.
 - k) Any other article, materials or means of conveyance when it is determined by an inspector to present a risk of spread of Spotted lanternfly, *Lycorma delicatula*, in any life stage.
- 5) ***Authority of Department.*** As authorized at sections 18 and 19 of the Plant Pest Act, (act of December 16, 1992, P.L. 1228, No. 162, §§ 18 and 19(a)) (3 P. S. §§ 258.18 and 258.19(a)), the Department of Agriculture or its agents may enter onto any premises within the areas or zone established in this Order of Quarantine and Treatment, or any subsequent addendums hereto, to survey, collect samples, investigate, determine compliance and carry out eradication or control measures where necessary.

ARTICLE II

Requirements and Parameters for Movement of Regulated Articles Within the Quarantined Counties and Areas

- 1) ***Individuals not conducting business.*** *Movement of regulated articles within or from the Quarantine Zone.* A regulated article, including any vehicle or conveyance, delineated in Article I Paragraph 4 of this Order of Quarantine, may only be moved within or from the Quarantine Zone with a valid checklist certificate issued by the Department. The valid signed checklist certificate shall move with the regulated article(s).

- 2) ***Persons conducting business requiring the movement of any regulated article within or from the Quarantine Zone.***
 - a. ***Permit Required.*** Any person conducting business requiring the movement of any regulated article within or from the Quarantine Zone, shall be required to obtain a Permit from the Department in the manner set forth herein.
 - b. ***Movement of Regulated Articles Without a Permit Prohibited.*** A person conducting business may not move any regulated article within or from the Quarantine Zone without a permit or a Compliance Agreement or both as may be required.
 - c. ***Permitting.*** Any person conducting business requiring the movement of any regulated article within or from the Quarantine Zone shall apply to the Department for a Permit or enter into a Compliance Agreement or both as may be required.
 - i. ***Time Period of Permit.*** Permits shall be valid for one year from the date of issuance, with extension permissible upon notice by the Department. A Permit shall be valid until such time as the Quarantine Order is rescinded by the Department.
 - ii. ***Change of Information.*** A Permit holder shall, prior to or immediately upon a change of information, provide the Department with notice of and describe any change to Permit information previously submitted.
 - iii. ***General Content of Permit Application.*** The Permit application shall include at least the following information:
 1. The legal name, address, email if available and business telephone numbers of each business location of the applicant.
 2. The identifying number of the individual which successfully passed the exam.
 3. The name of any state and county in which the business is located.
 4. The number of business locations and the number of vehicles and conveyances utilized and for which a Permit certificate is needed.
 5. The name of the owner and any other manager, supervisor or other person with authority to bind the entity and that will take the required test and be responsible for training of other employees.
 6. The number of permits to be issued by the business to trained employees.
 7. An attestation that the applicant shall comply with all terms and conditions contained in the permit.
 8. Demonstration to the Department by test as to the understanding and

knowledge of the pest and quarantine.

- iv. **Additional Information.** The Secretary may request, in writing, additional information, if necessary, from the applicant after the application is received to evaluate the potential risk to the Commonwealth or fill in information specific to that applicant.
- d. **Inspection Prior to Issuance of Permit.** Prior to approval and issuance of a Permit, the Department may enter onto and inspect the land and premises, including buildings, vehicles and conveyances, that will be utilized for the purpose of engaging in an activity authorized by the Permit. The inspection may include verification of training required under the Permit. The inspection shall be limited to normal business hours.
- e. **Training and testing.** Training will be provided by the Department, Penn State Cooperative Extension or others who have participated in a Train the Trainer course approved by the Department and passed a written exam administered by the Department or its approved agent. Testing will be provided by the Department or its designee.
- f. **Permit Requirements.** A Person required to obtain a Permit for movement of regulated articles within the Quarantine Zone shall comply with the following:
 - i. The owner and any other manager, supervisor or other person with authority to bind the entity shall have taken the training and passed an examination, administered by an inspector, Deputy, employee or agent of the Department, as established in subsection e, of this paragraph 2. of Article II of this Quarantine Order.
 - ii. Any employee responsible for driving any vehicle or conveyance or handling, shipping, packaging or loading any regulated article shall have been trained by the owner or other authorized individuals, under subparagraph (i), immediately above, that has passed the training and testing requirements and been issued a permit.
 - iii. Regulated articles, including conveyances and vehicles, shall be inspected and all egg masses and other life stages of the Spotted Lanternfly shall be removed and destroyed prior to moving within or out of the Quarantine Zone. A record of such inspection shall be kept and recorded as set forth in Article V of this Quarantine Order.
 - iv. Regulated articles, other than the vehicles and conveyances themselves, shall be packaged and safeguarded sufficiently, such as within a closed container, shrink wrap, tight tarp or similar covering, to maintain isolation from the domestic environment during transportation.
 - v. Pre-notification to the Department regional inspector not less than 2 weeks or more than 4 weeks is required prior to harvest of trees. The Department may inspect trees prior to harvest. A record of such inspection shall be kept and recorded as set forth in Article V of this Quarantine Order.
- g. **Issuance of Permit.** Upon approval of the Permit application and the successful completion of the training and testing requirements of this Quarantine Order the Department will:
 - i. Issue a permit to the person that has successfully completed the training and testing.
 1. A copy is to be displayed in each business location and shall be produced by the company.
 2. A copy is to be provided in each company vehicle and shall be

- produced by the company.
- ii. Authorize any owner, manager, supervisor or other person with authority to bind the business or who has taken the required training and passed the mandated test and been issued a permit, in accordance with the provisions of this Quarantine Order, to train other employees of the business or entity.
 - h. **Display of Permit and Certificate.** The Permit issued to the person, business or other entity, shall be displayed, in a visible and conspicuous place, at each business, entity or individual location to which it was issued and a copy of the permit issued by the Department shall be placed in each vehicle or conveyance when being operated.
 - i. **Subcontractors and Agents.** A person required to have a Permit, including all state agencies, municipalities or other governmental units or agencies, shall assure any subcontractor or agent of that person has also obtained the proper Permit(s) as applicable, prior to subcontracting with that person or allowing that person to act as a subcontractor or an agent within the Quarantine Zone.
- 3) **Permit in Place.** Any person having a Permit in place with the Department at the time of issuance of this Quarantine Order shall continue to operate under the parameters of that Permit.

ARTICLE III

Compliance Agreements

- 1) **Required by Other States or Countries.** To the extent required by another State or Country for the shipment of goods, the Department will require such persons to enter into a Compliance Agreement. This does not replace the Permit – it is in addition to the required Permit described in Article II (2).
- 2) **Compliance Agreement in Place.** Any person having a Compliance Agreement in place with the Department at the time of issuance of this Quarantine Order shall continue to operate under the parameters of that Compliance Agreement.

ARTICLE IV

Other Movement Provisions

- 1) **Movement of a regulated article through a Quarantine Zone without a Permit.** A regulated article, including any vehicle or conveyance, may be shipped through the Quarantine Zone without a Permit or compliance agreement if the regulated article and the vehicle and conveyance originates outside the Quarantine Zone and all of the following criteria are met:
 - a. The points of origin and destination are outside of the Quarantine Zone and are indicated on a waybill accompanying the regulated article.
 - b. The regulated article is moved into the Quarantine Zone during the period of April through December and is moved in an enclosed vehicle or conveyance or is completely covered, such as by a tarp or full shrink wrapping, to prevent exposure to Spotted lanternfly, *Lycorma delicatula*, and the tarp or shrink wrapping is kept

on the regulated article and is inspected, decontaminated, or destroyed when leaving the Quarantine Zone.

- c. The regulated article, including the vehicle and conveyance, is moved directly through the Quarantine Zone without stopping (except for refueling or for traffic conditions, such as traffic lights or stop signs), and has been stored, packed or handled at locations outside the Quarantine Zone or at locations within the Quarantine Zone approved by the Department inspector as not posing a risk of infestation by or exposure to Spotted lanternfly, *Lycorma delicatula*.
 - d. The regulated article has not been combined or commingled with other articles so as to lose its individual identity
- 2) ***Federal Requirements for Interstate Movement of Articles.*** This Order of Quarantine is distinct from, and in addition to, any Federal statute, regulation or quarantine order addressing the movement of articles from the quarantined area or this Commonwealth.
 - 3) ***Movement of Articles from other areas where spotted lanternfly is known to be established.*** If any other area inside or outside of this Commonwealth is determined by a federal or state regulatory agency to have spotted lanternfly present, movement from that area into non-quarantined areas of the Commonwealth will require equivalent safeguarding measures to those described in this Order of Quarantine.

ARTICLE V Recordkeeping

- 1) ***General Documentation and Recordkeeping.*** Documentation of proper and required inspections for the Spotted Lanternfly and compliance measures taken when shipping regulated articles, including vehicles and conveyances within or from the Quarantine Zone, shall be kept by each permitted individual, employee or person working within the Quarantine Zone. These inspections shall include any living life stage finds and method utilized for destruction of the pest.
- 2) ***Specific Documentation and Recordkeeping.***
 - a. The Permittee shall allow the Department during normal business hours to inspect records and protocols which apply to or have a bearing on the Permittee's adherence to the Permit requirements and this Quarantine Order.
 - b. Documentation shall be kept, listing each employee of the business or entity that has been trained by the Permit holder as allowed under section 2) g. ii. of Article II of this Quarantine Order.
 - c. Incoming and outgoing shipment records are to detail the kind and quantity of regulated article shipped, shipper name, date of shipment and destination and corresponding treatment and mitigation records.
 - d. Treatment and mitigation records, including those required by the Permit requirements and this Quarantine Order, shall be kept in accordance with applicable state and federal requirements.
 - e. Records required to be maintained under the Permit requirements and this Quarantine Order are to be maintained for a minimum of two (2) years with copies provided to the Department upon request.
 - f. Records shall be made and kept of the following occurrences and shall include

the following information:

- i. Document all incoming regulated articles and other materials, including packing materials and product returns, and shall detail the quantity received and the source and origin, including customer returns.
- ii. The record of the source and origin of the regulated article and other materials shall include the name and address of the individual, person or entity from which the regulated articles (or returns thereof) was received including country, state and county.
- iii. Receiving records for regulated articles shall include date received, inspected by, rejection and acceptance documentation and where such regulated articles or other materials are located and being stored or processed on the Participant's premises.
- iv. Shipping records, which shall document the dates, quantity and destination of regulated articles, and other materials, including the name and address of the individual, person or entity to which shipped.
- v. Vehicle inspection records documenting the date of each vehicle inspection, person inspecting the vehicle and codifying whether living stage Spotted Lanternfly or egg masses were found.
- vi. Where living stage Spotted Lanternfly or egg masses are found a record documenting the mitigation practiced used.
- vii. Inspections and inspection records for vehicles used regularly within the Quarantine Zone may cease, after a final inspection documenting no living stage Spotted Lanternfly or egg masses, during the months of December 1 through March 31 but, must resume on April 1 of each calendar year. The final inspection date and verification of no living stage Spotted Lanternfly or egg masses must be documented in the records.
- viii. Documentation of pre-notification to the Department regional inspector not less than 2 weeks or more than 4 weeks prior to harvest of trees. The Department may inspect trees prior to harvest.
- ix. Documentation of adherence with the quarantine measures of this Agreement, including the documentation required by subparagraphs (a.)-(e.) above, and the Quarantine Order.
- x. Documentation of adherence with the inspection and treatment and mitigation provisions of this Order, including the dates, times, and treatment measures undertaken.

ARTICLE VI

No Preclusion of Powers

- 1) This Quarantine Order does not effect, preclude or prevent the Department from enforcement of all statutory and regulatory authority.
- 2) This Quarantine Order shall not preclude the routine inspection, sampling, and testing of regulated articles by the Department or by the proper authorities in other States and

Commonwealths, such as State Departments of Agriculture or similar authority, where the regulated articles may be shipped, nor does it preclude rejection, stop-sale or other regulatory action as a result of any positive samplings, tests or findings.

- 3) A person holding a Permit or subject to a Compliance Agreement shall allow the Department to enter Participant's premises during normal business hours for the purpose of conducting inspections and collecting samples to test for the presence of Spotted lanternfly.
- 4) A person holding a Permit or subject to a Compliance Agreement shall allow the Department during normal business hours to inspect pertinent records and protocols which apply to or have a bearing on adherence to the terms of the Permit or Compliance Agreement, the Plant Pest Act and the Quarantine Order.
- 5) A person holding a Permit or subject to a Compliance Agreement shall make available to the Department during normal business hours current employees so that the Department may inquire about training and instruction regarding Spotted lanternfly control and may conduct interviews of employees to ensure compliance with training requirements.
- 6) In cooperation with the Department, a person holding a Permit or subject to a Compliance Agreement shall undertake treatment and mitigation procedures, as the Department determines to be necessary based on available science and research, in order to slow the spread or eradicate Spotted lanternfly from the Participant's premises in a manner which minimizes the risk of spreading Spotted lanternfly in accordance with the standards established below.

ARTICLE VII

Surveys, Order of Treatment and Monitoring

- 1) **Surveys.** The Plant Pest Act (Act) (act of December 16, 1992, P. L. 1228, No. 162) (3 P. S. §§ 258.1-258.27) empowers the Department to take various measures to detect, contain and eradicate plant pests. These powers include the authority, under section 18 of the Act, to conduct surveys to determine the existence, distribution and severity of damage caused by a plant pest. (act of December 16, 1992, P. L. 1228, No. 162, § 18) (3 P. S. § 258.18). Pursuant to that authority the Department has been conducting and will continue to conduct surveys within the Commonwealth for the plant pest *Lycorma delicatula* (Spotted lanternfly).
- 2) **Treatment Requirements.** As set forth in the Recitals to this Order of Quarantine and Treatment the plant pest *Lycorma delicatula* (Spotted lanternfly) has been declared a public nuisance. Once a plant pest is declared a nuisance, "It shall be unlawful for any person knowingly to permit any plant pest so declared to exist on his premises...." (act of December 16, 1992, P.L. 1228, No. 162, § 20)(3 P.S. § 258.20) Furthermore, under section 19 of the Plant Pest Act, "If the secretary determines that a serious pest situation exists in any part of this Commonwealth, any necessary eradication or control measures may be taken. Prior to carrying out any treatment procedure, the department shall notify the property owner in writing. Any agent of the department is authorized to enter the premises during reasonable hours to carry out the eradication or control measures." (act of December 16, 1992, P. L. 1228, No. 162, § 19(a)) (3 P. S. § 258.19(a)) Pursuant thereto, the Department issues this Order of Treatment as written notice of the Department's requirement that property owners, within the areas and zone established in this Order of Quarantine and Treatment and any future

addendums hereto, are required to take the following treatment actions.

a) Property Owner Responsibilities and Requirements:

- i) The property owner or a contractor hired by the property owner shall perform trapping, pesticide application, or removal of *Ailanthus altissima* trees or any combination thereof to reduce the available host of the Spotted Lanternfly and to decrease the population of spotted lanternfly.
- ii) Where a contractor is hired the contractor shall be a fully insured, properly licensed pesticide applicator.

b) Removal and Treatment of *Ailanthus altissima* trees. The property owner or a contractor hired by the property owner shall cut or treat *Ailanthus altissima* trees on their property as recommended by the Department and in accordance with the pesticide label directions of the approved pesticide utilized. The pesticide utilized shall be a pesticide approved by the Department for such use. If disposal of *Ailanthus* waste is required, the property owner or contractor may choose from a disposal method listed below, if that method also adheres to any other state and municipal/township ordinances related to removal of the *Ailanthus altissima* trees and debris:

- i) **Incineration:** Identify an area on the premises which will allow for incineration. Incineration must meet all state, municipal/township ordinances related to burning.
- ii) **Chipping:** Identify an area on the premises which will allow for the chipping of tree material. Chips must remain on the property and may be used for mulch on the property after composting for a minimum of three weeks.

c) Treatment and Reporting of *Lycorma delicatula*. The property owner or a contractor hired by the property owner shall treat and report *Lycorma delicatula* on their property. The following treatment and reporting measures shall be implemented:

i) Treatment. Treatment shall be accomplished in the following manner:

- (aa) By the homeowner or a contracted licensed pesticide applicator; and
- (bb) Shall be undertaken in a manner as directed by the Department and in accordance with the pesticide label directions of the approved pesticide utilized.
- (cc) An alternative treatment method approved by the Department may be implemented for control of *Lycorma delicatula* by the property owner or a contracted licensed pesticide applicator.

ii) Reporting. The following reporting requirements shall apply when *Lycorma delicatula* is found on a property:

(aa) The property owner shall file a report notifying the Department of the presence of *Lycorma delicatula* on their property. Such report shall include all information required on the Department's reporting website or telephone call-in. Such report shall be filed no less than one time per year so long as *Lycorma delicatula* is found or suspected on the property.

(bb) All reports shall be filed by utilizing the Department's designated reporting webpage or call-in number (<https://extension.psu.edu/spotted-lanternfly> or 1-888-422-3359).

- d) Continuing Obligation. The obligation of the property owner to remove, treat and report shall continue so long as the plant pest *Lycorma delicatula* (Spotted lanternfly) exists on the property.
- e) Monitoring by the Department. The Department will continue to survey and monitor all properties within the areas and zone of Quarantine or areas identified as having Spotted Lanternfly, including any added hereto by Addendum, until such time as the Order of Quarantine and Treatment for an area or zone is rescinded. During such time, as authorized by sections 18 and 19 of the Plant Pest Act, (act of December 16, 1992, P. L. 1228, No. 162, §§ 18, 19(a)) (3 P. S. §§ 258.18 and 258.19(a)) the Department of Agriculture or its agents may enter onto any premises within the areas or zone established in this Order of Quarantine and Treatment, or any subsequent addendums hereto, to survey, collect samples, investigate, determine compliance and carry out eradication or control measures where necessary.
- f) Noncompliance. If the property owner or person in charge does not comply with the treatment provisions of this Order, the Department may carry out the control measures, and all expenses associated with the treatment shall be paid to the Department by the person failing to comply. (act of December 16, 1992, P. L. 1228, No. 162, §19) (3 P. S. §258.19)

ARTICLE VIII

Penalties, Cooperation, Effective Date

- 1) **Violations**. In accordance with the provisions of section 258.22 of the Act (act of December 16, 1992, P.L. 1228, No. 162, § 22) (3 P.S. § 258.22) it shall be unlawful to violate or fail to comply with any provision of the Act, regulations or this Order of Quarantine.
- 2) **Criminal and Civil Penalties**. In accordance with the provisions of the Act, at sections 258.23 and 258.24 (act of December 16, 1992, P.L. 1228, No. 162, §§ 258.23, 258.24) (3 P.S. §§258.23 and 258.24), a person who violates this Order of Quarantine may face summary criminal prosecution carrying up to 90 days imprisonment and a fine of up to \$300 with respect to each violation. In addition, a person who violates this Order of Quarantine may be assessed a civil penalty of up to \$20,000 with respect to each violation.
- 3) **Revocation**. Revocation of a Permit or Compliance Agreement. Any Permit and certificates or any Compliance Agreement may be canceled orally or in writing by the Department whenever the Department determines that the holder of the Certificate, Permit or Compliance Agreement has not complied with a provision of the Act, regulations, Permit, Compliance Agreement or this Order of Quarantine. If the cancellation is oral, the cancellation will become effective immediately, and the cancellation and the reasons for the cancellation will be confirmed in writing as soon as circumstances permit.
- 4) **Unauthorized duplication/production of Permit or Compliance Agreement**. Any unauthorized duplication or reproduction of any Permit or Compliance Agreement issued

by the Department is a violation of this Order of Quarantine and will be subject to Criminal and Civil Penalties as stated in Article VIII Paragraph 2.

- 5) ***Cooperation with other agencies.*** As authorized by section 258.26 of the Act (act of December 16, 1992, P.L. 1228, No. 162, § 258.26)(3 P.S. § 258.26), the Department will consult with other State agencies, Federal agencies, The Pennsylvania State University, and the Pennsylvania State University Cooperative Extension with respect to the most efficacious measures to survey for and treat Spotted lanternfly, *Lycorma delicatula* to slow the spread or eradicate these plant pests.
- 6) ***Effective Date.*** This quarantine is effective upon signature and shall be published in the *Pennsylvania Bulletin* and shall remain in effect until rescinded by subsequent order.