

Pennsylvania Department of Agriculture

Order of Quarantine; Firewood

Recitals

A. The Plant Pest Act (act) (3 P. S. §§ 258.1--258.27) empowers the Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests in this Commonwealth.

B. The powers granted the Department under section 21 of the act (3 P. S. § 258.21) include the power to establish quarantines to prevent the spread of plant pests within this Commonwealth.

C. Pursuant to its responsibilities under the act, the Department issued an Order of Quarantine on July 2, 2007 (published in the July 20, 2007 edition of the *Pennsylvania Bulletin*, at 37 Pa.B. 3454), placing restrictions on the circumstances under which firewood may be imported into this Commonwealth.

D. The July 2, 2007 Quarantine Order exempted kiln-dried, packaged firewood clearly marked with the producer's name and address and labeled as "Kiln Dried" and/or USDA Certified are exempt from the firewood importation prohibition.

E. The Department believes it is reasonable to *expand* the exemption allowing the importation of certain kinds of packaged firewood to include heat-treated or fumigated firewood, as well.

F. The reasons for this Quarantine Order remain the same as set forth in the referenced July 2, 2007 Quarantine Order.

Order

Under authority of section 21 of the Plant Pest Act (3 P. S. § 258.21) the Department hereby orders the following:

1. The July 2, 2007 Quarantine Order, published in the July 20, 2007 edition of the *Pennsylvania Bulletin* at 37 Pa.B. 3454, is hereby rescinded and supplanted by this Order. This Order is substantively identical to that earlier order, except for the expansion of the exemption allowing the importation of certain types of packaged firewood described in Paragraph No. 3, below.

2. The movement of firewood of all types and species into this Commonwealth is prohibited. Firewood includes all wood, processed or unprocessed, coniferous or hardwood, meant for use in a campfire or other outdoor or indoor fire. This prohibition does not apply to the transportation of sawlogs, pulpwood or wood chips to facilities for processing into lumber, paper or manufactured wood products.

Examples of circumstances under which firewood from out-of-State is brought into this Commonwealth include instances where firewood is transported to public and private campgrounds by campers, or to sporting events and other events where travelers camp outdoors; or to activities such as Civil War reenactments where wood is used for cooking and evening campfires; or as bulk firewood sold by the truckload or some other volume of measure (cord, face cord, rick, and the like), or as firewood purchased for indoor residential use.

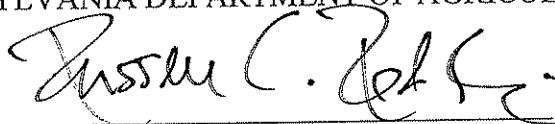
3. Kiln-dried, heat treated or fumigated, packaged firewood clearly marked with the producer's name and address and labeled as Kiln-dried, Heat Treated, Fumigated and/or USDA certified is exempt from the provisions of this quarantine order.

4. Persons found in violation of this quarantine order will face the potential of summary criminal prosecution and a fine of not more than \$300 for each offense, or a civil penalty of up to \$20,000, or both.

5. The Department will consult with USDA, other state agencies and the Pennsylvania State University Cooperative Extension with respect to the most efficacious measures to survey for and detect ALB, EAB and other wood-feeding insects to slow the spread or eradicate these pests.

6. This quarantine is effective as of December __, 2009, and shall remain in effect until repealed by subsequent order.

BY THE PENNSYLVANIA DEPARTMENT OF AGRICULTURE



Russell C. Redding, *Secretary*