

JAPANESE BEETLE EXTERIOR QUARANTINE CHANGE CONSIDERATION

June 1, 2026

NEW MEXICO DEPARTMENT OF AGRICULTURE POINT OF VIEW:

- 1) Japanese beetle continues to be introduced and established into western states, primary through the movement of infested nursery and turf stocks.
- 2) Movement from infested to uninfested areas is believed primarily due to:
 - a) Inappropriate or lack of required pesticide applications by exporting nurseries
 - b) Disregard for uninfested states' import quarantines
 - c) Insufficient oversight of exported nursery stock by originating state departments of agriculture
 - d) Loss of identity of nursery stock origin and treatment requirements (transshipped stock).
- 3) Japanese beetle has been introduced into New Mexico on several occasions through the import of non-compliant infested nursery and turf.
- 4) Periodic and isolated Japanese beetle introductions into New Mexico have been eradicated with the support of nurseries, universities, and city parks.
- 5) It is unlikely New Mexico will expend state funds to address eradication of widespread established Japanese beetle infestations (Utah \$400,000 ongoing; Oregon \$2.8 million ongoing).
- 6) New Mexico places a priority on preventing the introduction of JB into the state.
- 7) Japanese beetle establishment in the state will increase pesticide use to maintain aesthetics and viability of turf and landscape plants; profitability of specific agricultural crops.
- 8) USDA estimates annual US control costs of Japanese beetle exceeds \$460 million.
- 9) New Mexico does not follow all elements of the Japanese Beetle Harmonization plan (not proved to be particularly effective in preventing spread).
- 10) Approximately 42 states have established populations of Japanese beetle in one or more locations (several states have ongoing eradication programs).
- 11) New Mexico is considered a high-risk state for introductions.

PRIMARY PROPOSED RULE ELEMENTS:

The department has elected to use the repeal and replace option for enacting rule changes to the Japanese Beetle Exterior Quarantine. Primary points in the proposed replacement Japanese Beetle Exterior Quarantine rule follows:

I. All nursery stock imported into New Mexico will be required to be shipped under either an Individual Compliance Agreement or Area Wide Compliance Agreement. Areawide Compliance Agreements, signed by origin state department of agriculture, on behalf of nurseries within a defined area, are available for those areas with extensive trapping programs with negative or incidental trapping results. Compliance Agreements state specific requirements that nurseries shall comply with prior to movement of stock into New Mexico. Primary requirements for each of three general types of compliance agreements follow:

A. Individual exporting nurseries in Japanese beetle free locations will have to demonstrate their Japanese beetle free status through annual on-site trapping programs, in collaboration with their state department of agriculture. Both gramineous and non-gramineous stock will be allowed without treatment. **Transshipment requirements will be addressed in each Single-Nursery Compliance Agreement. Approved transshipments may be allowed based on whether the origin is approved by NMDA, treatment, etc.**

B. Multiple nurseries exporting regulated nursery stock originating from a Japanese beetle-free county, state, or area may ship under a single Areawide Compliance Agreement, requested by the origin state department of agriculture. Status of Japanese beetle in a designated defined area shall be demonstrated through the establishment of an extensive annual trapping program approved by NMDA. Treatment requirements and ability to ship gramineous stock shall be dependent on trapping results and eradication efforts, as addressed in Area Wide Compliance Agreement requirements. The agreement will also address requirements to keep non-gramineous stock weed-free during the entire flight period, and ability to transship nursery stock. **Transshipment requirements will be addressed on an individual Areawide Compliance Agreement basis. Approved transshipments may be allowed based on whether the origin is approved by NMDA, treatment, etc.**

C. Individual nurseries exporting nongramineous nursery stock from a known Japanese beetle infested location or from areas where Japanese beetle status is unknown will be required to ship in compliance with Single-Nursery Compliance Agreement requirements. Requirements will include properly timed treatments and may include an NMDA-approved annual trapping program in the area to determine first Japanese beetle emergence to ensure proper treatment timing. Oversight of insecticide applications by origin state department of agriculture is required. Non-gramineous stock to be kept weed-free during the entire Japanese beetle flight period. Gramineous stock will be prohibited from entry under this option, regardless of treatment. See option D for gramineous stock grown in exclusionary facilities.

D. Individual nurseries exporting nursery stock including gramineous plants maintained in certified exclusionary facilities in infested location or areas where Japanese beetle status is unknown will be required to ship in compliance with Single-Nursery Compliance Agreement requirements. Requirements will include stock being maintained for a minimum of 12 months in premises certified by origin state's department of agriculture as meeting requirements to exclude Japanese beetle. Inspections shall be made annually by the origin state's department of agriculture. Requirements for insecticide treatments will be based on current and previous Japanese beetle trapping data and shall be addressed within the compliance agreement. Treatment will be required for gramineous plants imported under this option. Oversight of insecticide applications by origin state department of agriculture is required.

II. Regulated nursery stock imported into New Mexico under a compliance agreement requiring chemical treatment must adhere to the following requirements:

- A. Active ingredients must be approved by NMDA.
- B. Applications must be applied to kill hatching Japanese beetle larvae prior to the flight season.
- C. Nursery stock originating in Japanese beetle infested areas and treated exclusively during or following flight period is prohibited from entering New Mexico.
- D. Method of application must be approved by NMDA and may include surface applications and drench treatments, depending on propagation method (i.e., field grown vs. containerized).
- E. Treatments must be overseen by the origin state department of agriculture.

III. Nongramineous plants growing in containers that have a horizontal diameter less than 78.5 square inches (i.e. 10 inch diameter pot) or shipped as “ball and burlap” with rootballs less than 10 inches in diameter can be shipped without a compliance agreement if they have been treated to destroy Japanese beetle infestations and are accompanied by a phytosanitary certificate stating timing and method of application and active ingredient.

IV. Houseplants maintained in the home and not for sale are exempt from requirements in this rule.