

RULE 43: Benghal Dayflower (*Commelina benghalensis*) Quarantine .

Under the authority of the Mississippi Plant Act, Sections 69-25-1 through 69-25-49 and Rule 41 adopted there under, this rule serves to prevent new introductions into Mississippi and spread of benghal dayflower/tropical spiderwort (*Commelina benghalensis*) within Mississippi to major agricultural lands. The Mississippi Department of Agriculture and Commerce, Bureau of Plant Industry hereby declares *Commelina benghalensis* to be a noxious weed. This rule also establishes procedures to prevent further introduction and spread of benghal dayflower from infested counties.

I. Notice is hereby given that the movement of regulated articles listed below into or within the state of Mississippi in any stage is hereby prohibited:

- A. All live stages of *Commelina benghalensis*, including seeds, vegetative growth, roots and stolons.
- B. Soil from known infested fields, whether on commodities, seed or equipment.
- C. Farming equipment, excavation equipment and vehicles containing or holding soil or vegetative plant material coming from a known infested field, including but not limited to peanut harvesters, combines, tillage equipment, cotton pickers, bulldozers, backhoes, excavators, dump trucks, etc.
- D. Hay harvested from infested fields, including peanut hay.

II. Quarantined Area

- A. Fields or premises located in George, Jackson or other Mississippi counties wherein detections of *Commelina benghalensis* have been detected and/or declared infested by the State Entomologist.
- B. The entire state of Georgia, known infested counties in Alabama, North Carolina and Florida and counties known to be infested in other states as determined by the State Entomologist.

III. Conditions governing transport or shipment of regulated articles:

- A. Equipment listed in Section I(C) may be certified to be moved out of a regulated/quarantine area from an infested premises or field by one of the following means: (1) once inspected and found to be free of soil and all live stages of *Commelina benghalensis* by an official inspector of the Bureau of Plant Industry (2) or after all the lands on which the piece of equipment has been operating during the last twelve months have been surveyed and found to be apparently free of *Commelina benghalensis*.
- B. Live stages listed in I(A) may not be moved from an infested premises or field except for research purposes and only with a written permit issued by the Bureau of Plant Industry.
- C. Soil may only be moved from an infested field or premises after being fumigated with an approved chemical to kill all life stages of *Commelina benghalensis*.

- D. Farmers harvesting hay who are not under a compliance agreement must have a field inspection prior to cutting hay, or in the case of peanuts prior to digging, in order to ship hay out of the regulated area.
 - E. A copy of certificate or permit issued by an official of the Bureau of Plant Industry or official of the issuing state must accompany each regulated item when moved from a regulated field.
- IV. Infested or non-certified shipments of regulated articles from a regulated area will be held under quarantine, until certification can be documented, or returned to the shipper at his expense unless live stages of *Commelina benghalensis* are detected in which case it shall be destroyed or fumigated at the owner's expense. If fumigation is required, the Bureau of Plant Industry nor its employees or agents, shall in any way be held responsible for injury to regulated articles which might result from such fumigation.
- V. The Bureau of Plant Industry hereby has authority to enter into compliance agreements with affected parties in order to effectively carry out the provisions of this rule.