10-13

Secretary of State
Certificate and Order for Filing

PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted upon filing, by the

Oregon Department of Agriculture, Plant Division		603
Agency and Division		Administrative Rules Chapter Number
Sue Gooch	635 Capitol Street NE, Salem, Oregon 97301	503-986-4583
Rules Coordinator	Address	Telephone

to become effective upon filing. Rulemaking Notice was published in the August 2011, Oregon Bulletin.**

RULE CAPTION

Approved invertebrates for pet trade, biological control, education and permit process for non-approved species

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

DOA 19-2011

RULEMAKING ACTION

List each rule number separately (000-000-0000)
Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT: 603-052-1300, 603-052-1310, 603-052-1320, 603-052-1330, 603-052-1340, 603-052-1350, 603-052-1360, and 603-052-1370

AMEND:

REPEAL:

RENUMBER:

AMEND & RENUMBER:

FILED
OCT 13 2011
ARCHIVES DIVISION
SECRETARY OF STATE

Stat. Auth.: **ORS 570.205, 570.210, 570.215**

Other Auth.: ORS 570.305, 561.190

Stats. Implemented: ORS 570.215

RULE SUMMARY

This proposed rule would create an approved list of invertebrate species that could be imported transported, sold, or released in Oregon. Two hundred and twenty-five species are proposed for non-regulated status. Including biological control agents, pets, pollinators and species used for educational purposes. Importing species not on the approved list would require a permit. Plant pests moved in violation of the rules would be considered a public nuisance. Violations could result in civil penalties.

Lisa Charpilla-Hanson	Lisa Charpilla-Hanson	10/11/11
Authorized Signer	Printed name	Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday. ARC 930-2005

Importation, Possession, and Release of Terrestrial Invertebrates
603-052-1300
Purpose and General Information
(1) The purpose of these rules is to protect Oregon's agriculture, economy, biodiversity, natural resources, and native species from harmful plant pests (ORS 570.205). These rules further this goal by regulating human activities associated with plant pests capable of causing significant economic damage in this state or capable of having a significant adverse effect on the environmental quality of Oregon.
Stat.Auth.: 570.205, 570.210, 570.215
Stats. Implemented: ORS 570.215
603-052-1310
Definitions
As used in these rules, unless the context or a specially applicable definition requires otherwise:
(1) "Approved species" means an invertebrate species that is not a plant pest that the Department has placed on the approved list.
(2) "Department" or "ODA" means the Oregon Department of Agriculture.
(3) "Import or importation" means to bring or cause live invertebrates to be transported into Oregon by any means.
(4) "Invertebrate" means an animal without a backbone.
(5) "Plant pest" is defined in ORS 570.205.
(6) "Species" means a unit of classification of animals, which are capable of interbreeding and producing fertile offspring.
(7) "Wildlife" means animals covered by Oregon Department of Fish and Wildlife rules, ORS 496.004 and OAR 635-045-002.
Stat.Auth.: 570.205, 570.210, 570.215
Stats. Implemented: ORS 570.215
603-052-1320
Approved Species (Non-Regulated)
(1) Invertebrate species listed as approved may be imported, possessed, sold, purchased, exchanged, transported, or released in Oregon without a permit from the Department. This applies only to stock collected within the continental United States. Species marked with an asterisk (*) have additional restrictions as noted below the sections in which they appear.
(2) A permit for the importation, possession, or intrastate transportation of some ODA-approved species may be required by the United States Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine: (http://www.aphis.usda.gov/plant_health/permits/organism/index.shtml).
(3)Live invertebrates not on the list of approved invertebrates in any life stage may not be imported, possessed, sold, purchased, exchanged, transported, or released in the state unless a permit is first obtained from the Department.
(4) These rules apply to all life stages, but do not apply to dead specimens.
(5) These rules do not apply to marine or aquatic invertebrates.
(6) Placement on this list does not constitute an endorsement by the Department of the efficacy of listed biological control agents, suitability of listed invertebrates as pets, or anything else except that trade in listed species does not pose a plant pest risk in Oregon.

(7) The following is a list of approved invertebrates that may be imported, possessed, sold, purchased, exchanged, transported, or released in Oregon. This list provides the common name, scientific name, and common use.
(a) Snails (Gastropoda).
(A) None.
(B) For other Mollusks defined as wildlife (shellfish), e.g. clams, mussels, and oysters, see Department of Fish and Wildlife rules: ORS 506.011 and OAR 635-056-0050.
(b) Earthworms (Annelida).
(A) Grindal worm or pot worm, Enchytraeus buchholzi (pet food).
(B) Red worm, Lumbricus rubella (composter, pet food, bait).
(C) European earthworm, Lumbricus terrestris (composter, pet food, bait).
(D) Earthworm, Lumbricus variegatus (composter, pet food, bait).
(E) No common name, Stylaria spp. (education, research).
(c) Crustacea
(A) Pillbug, Armadillium spp. (education).
(B) Land hermit crab, Coenobita clypeatus (pet).
(C) Sowbug, Oniscus spp. (education).
(D) For other Crustacea defined as wildlife (shellfish), e.g. shrimp, crabs, crayfish, see Department of Fish and Wildlife rules: ORS 506.011 and OAR 635-056-0050.
(d) Millipedes (Diplopoda)
(A) Giant African millipede, Archispirostreptus gigas (pet).
(B) Giant African black millipede, Lophostreptus (= Scaphiostreptus) rutilans (education, pet).
(C) Desert millipede, Orthoporus ornatus (pet).
(D) Millipede, Spirobolus spp. (education).
(E) Giant millipede, Thyrophygus spp. (education, pet).
(e) Mites (Acari)
(A) Bindweed gall mite, Aceria malherbae (weed biocontrol agent).
(B) Tulip bulb mite, Aceria tulipae (research).
(C) Predatory mite, Amblyseius barkeri (arthropod biocontrol agent).
(D) Predatory mite, Amblyseius cucumeris (arthropod biocontrol agent).
(E) Predatory mite, Amblyseius degenerens (arthropod biocontrol agent).
(F) Spider mite predator, Amblyseius hibisci (mite biocontrol agent).
(G) Spider mite predator, Amblyseius mckenziei (arthropod biocontrol agent).
(H) Rush skeletonweed gall mite, Eriophyes chondrillae (weed biocontrol agent).
(I) Spider mite predator, Galendromus occidentalis (mite biocontrol agent).
(J) Fungus gnat larval predator, Hypoaspis aculeifer (insect biocontrol agent).
(K) Spider mite predator, Mesoseiulus longipes (mite biocontrol agent).
(L) Spider mite predator, Neoseiulus californicus (mite biocontrol agent).
(M) Spider mite predator, Neoseiulus fallacis (mite biocontrol agent).
(N) Cyclamen mite, Phytonemus pallidus (research).
(O) Spider mite predator, Phytoseiulus persimilis (mite biocontrol agent).
(P) Gorse spider mite, Tetranychus lintearius (weed biocontrol agent).
(Q) Two-spotted spider mite, Tetranychus urticae (research).
(R) Fungus gnat larval predator, Stratiolaelaps scimitus (insect biocontrol agent).
(f) Spiders (Araneae)

(A) Chilean rose-haired tarantula, Gramastola rosea (education, pet).
(B) Texan brown tarantula, Aphonopelma hentzi (education, pet).
(C) Cellar spider, Pholcus phalangioides (education).
(D) Wolf spider (Family Lycosidae) (education)*.
(E) Orb weaver spider, (Family Araneidae) (education)*.
*only from stock collected in the Pacific Northwest
(g) Scorpions
(A) Emperor scorpion, Pandinus imperator (education, pet).
(h) Dragonflies and Damselflies (Odonata)
(A) Dragonfly, Aeschna spp. (education).
(i) Roaches (Blattaria)
(A) Giant cockroach, Blaberus spp. (education, pet).
(B) Oriental cockroach, Blatta orientalis (education, research).
(C) German cockroach, Blattella germanica (education, research).
(D) Madagascar hissing cockroach, Gromphadorhina portentosa (education, pet).
(E) American cockroach, Periplaneta americana (education, research).
(j) Isoptera (Termites)
(A) Western subterranean termite, Reticulitermes hesperus (education).
(B) Western dampwood termite, Zootermopsis angusticollis (education).
(k) Crickets and Grasshoppers (Orthoptera)
(A) House cricket, Acheta domesticus (education, pet food).
(B) Tropical house cricket, Gryllodes sigillatus (education, pet food)
(l) Mantids (Mantodea)
(A) European mantis, Mantis religiosa (education, insect biocontrol agent).
(B) Chinese mantis, Tenodera aridifolia sinensis (education, insect biocontrol agent).
(m) True Bugs (Hemiptera)
(A) Western boxelder bug, Boisea rubrolineata (education).
(B) Western tarnished plant bug, Lygus hesperus (education).
(C) Tarnished plant bug, Lygus lineolaris (education).
(D) Large milkweed bug, Oncopeltus fasciatus (education).
(E) Insidious flower bug, Orius insidiosus (insect biocontrol agent).
(n) Plant Lice, Mealybugs, Scales, and Whiteflies (Homoptera)
(A) Bluegreen aphid, Acyrthosiphon kondoi (research).
(B) Pea aphid, Acyrthosiphon pisum (research).
(C) Cowpea aphid, Aphis craccivora (research).
(D) Bean aphid, Aphis fabae (research).
(E) Melon or cotton aphid, Aphis gossypii (research).
(F) Corn root aphid, Aphis maidiradicis (research).
(G) Oleander aphid, Aphis nerii (research).
(H) Rose scale, Aulacaspis rosae (research).
(I) Foxglove aphid, Aulacorthum solani (research).
(J) Cabbage aphid, Brevicoryne brassicae (research).
(K) Artichoke aphid, Capitophorus elaeagni (research).
(L) Carrot aphid, Cavariella aegopodii (research).
(M) Wooly apple aphid, Eriosoma lanigerum (research).
(N) Boat gall aphid, Hayhurstia atriplicis (research).

(O) Oystershell scale, Lepidosaphes ulmi (research).
(P) Turnip aphid, Lipaphis pseudobrassicae (research).
(Q) Potato aphid, Macrosiphum euphorbiae (research).
(R) Rose aphid, Macrosiphum rosae (research).
(S) Green peach aphid, Myzus persicae (research).
(T) European fruit lecanium, Parthenolecanium corni (research).
(U) Longtailed mealybug, Pseudococcus longispinus (research).
(V) European fruit scale, Quadraspidiotus ostreaeformis (research).
(W) Greenbug, Schizaphis graminum (research).
(X) Spotted alfalfa aphid, Therioaphis trifolii (research).
(Y) Greenhouse whitefly, Trialeurodes vaporariorum (research).
(o) Thrips (Thysanoptera)
(A) Tobacco thrips, Frankliniella fusca (research).
(B) Western flower thrips, Frankliniella occidentalis (research).
(C) Predatory six-spotted thrips, Scolothrips sexmaculatus (mite biocontrol agent)*.
(D) Gladiolus thrips, Thrips simplex (research).
(E) Onion thrips, Thrips tabaci (research).
(p) Lacewings (Neuroptera)
(A) Common green lacewing, Chrysopa carnea (insect biocontrol agent).
(B) Green lacewing, Chrysopa rufilabris (insect biocontrol agent).
(q) Beetles (Coleoptera)
(A) St. Johnswort borer, Agrilus hyperici (weed biocontrol agent).
(B) Brown dot leafy spurge flea beetle, Apthona cyparissiae (weed biocontrol agent).
(C) Black dot leafy spurge flea beetle, Apthona czwalinae (weed biocontrol agent).
(D) Copper or amber leafy spurge flea beetle, Apthona flava (weed biocontrol agent).
(E) Brown-legged leafy spurge flea beetle, Apthona lacertosa (weed biocontrol agent).
(F) Black dot leafy spurge flea beetle, Apthona nigriscutis (weed biocontrol agent).
(G) Broad-nosed seed head weevil, Bangasternus fausti (weed biocontrol agent).
(H) Yellow star thistle bud weevil, Bangasternus orientalis (weed biocontrol agent).
(I) Scotch broom bruchid, Bruchidius villosus (weed biocontrol agent).
(J) Pea weevil, Bruchus pisorum (education, research).
(K) Cowpea weevil, Callosobruchus maculatus (education, research).
(L) Histerid beetle, Carcinops pumilio (insect biocontrol agent).
(M) Corn sap beetle, Carpophilus dimidiatus (education, research).
(N) Dried fruit beetle, Carpophilus hemipterus (education, research).
(O) Canada thistle stem weevil, Ceutorhynchus litura (weed biocontrol agent).
(P) Klamathweed beetle, Chrysolina hyperici (weed biocontrol agent).
(Q) Klamathweed beetle, Chrysolina quadrigemina (weed biocontrol agent).
(R) Mealybug destroyer, Crytolaemus montrouzieri (insect biocontrol agent).
(S) Knapweed root weevil, Cyphlocleonus achates (weed biocontrol agent).
(T) Dermestid beetle, Dermestes spp. (education, museum specimen preparation).
(U) Yellow star thistle hairy weevil, Eustenopus villosus (weed biocontrol agent).
(V) Scotch broom seed weevil, Exapion fuscirostre (weed biocontrol agent).
(W) Gorse seed weevil, Exapion ulicis (weed biocontrol agent).
(X) Black-margined loosestrife beetle, Galerucella calmariensis (weed biocontrol agent).
(Y) Golden loosestrife beetle, Galerucella pusilla (weed biocontrol agent).

(Z) Toadflax seed capsule weevil, Gymnetron antirrhini (weed biocontrol agent).
(AA) Convergent ladybeetle, Hippodamia convergens (insect biocontrol agent).
(BB) Loosestrife root weevil, Hylobius transversovittatus (weed biocontrol agent).
(CC) Yellow star thistle flower weevil, Larinus curtus (weed biocontrol agent).
(DD) Lesser knapweed flower weevil, Larinus minutus (weed biocontrol agent).
(EE) Blunt knapweed flower weevil, Larinus obtusus (weed biocontrol agent).
(FF) Cigarette beetle, Lasioderma serricorne (education, research).
(GG) Tansy ragwort flea beetle, Longitarsus jacobaeae (weed biocontrol agent).
(HH) Toadflax stem weevil, Mecinus janthinus (weed biocontrol agent).
(II) Puncturevine seed weevil, Microlarinus lareynii (weed biocontrol agent).
(JJ) Puncturevine stem weevil, Microlarinus lypriformis (weed biocontrol agent).
(KK) Loosestrife seed weevil, Nanophyes marmoratus (weed biocontrol agent).
(LL) Red-necked leafy spurge stem borer, Oberea erythrocephala (weed biocontrol agent).
(MM) Bess beetle, Odontotaeniu disjunctus (education).
(NN) Merchant grain beetle, Orzaephilus mercator (education).
(OO) Sawtoothed grain beetle, Orzaephilus surinamensis (education).
(PP) Mediterranean sage root weevil, Phrydiuchus tau (weed biocontrol agent).
(QQ) Lesser grain borer, Rhyzopertha dominica (education).
(RR) Granary weevil, Sitophilus granaria (education).
(SS) Granary weevil, Sitophilus oryzae (education).
(TT) Bronze knapweed root borer, Sphenoptera jugoslavica (weed biocontrol agent).
(UU) Drugstore beetle, Stegobium paniceum (education).
(VV) Yellow mealworm, Tenebrio molitor (education, pet food).
(WW) Yellow mealworm, Tenebrio obscurus (education, pet food).
(XX) Cadelle, Tenebroides mauritanicus (education).
(YY) Red flour beetle, Tribolium castaneum (education, research).
(ZZ) Confused flour beetle, Tribolium confusum (education, research).
(AAA) Giant mealworm, Zophobas morio (education, pet food).
(r) Butterflies and Moths (Lepidoptera)
(A) Luna moth, Actias luna (education).
(B) Sulfur knapweed moth, Agapeta zoegana (weed biocontrol agent).
(C) Polyphemus moth, Anthereae polyphemus (education)*.
(D) St. Johnswort moth, Aplocera plagiata (weed biocontrol agent).
(E) Silkworm, Bombyx mori (education, research).
(F) Almond moth, Cadra cautella (research).
(G) Raisin moth, Cadra figulilella (research).
(H) Toadflax moth, Calophasia lunula (weed biocontrol agent).
(I) Russian thistle or tumbleweed casebearer, Coleophora klimeschiella (weed .biocontrol agent).
(J) Russian thistle stem-mining moth or tumbleweed stem moth, Coleophora .parthenica (weed biocontrol agent).
(K) Orange sulfur or alfalfa caterpillar, Colias eurytheme (education, releases).
(L) Mexican jumping bean, Cydia deshaisiana (education, pet).
(M) Monarch butterfly, Danaus plexippus (education, releases)*.
(N) Mediterranean meal moth, Ephestia kuehniella (education).
(O) Saltmarsh caterpillar, Estigmene acrea (education)*.

(P) Greater wax moth, Galleria mellonella (education, pet food, research).
(Q) Corn earworm/cotton bollworm/tomato fruitworm, Helicoverpa zea (research).
(R) Tobacco budworm, Heliothis virescens (research).
(S) Brown house moth, Hofmannophila pseudospretella (research).
(T) Ceanothus silk moth, Hylaphora euryalus (education, release)*.
(U) Whitelined sphinx moth, Hyles lineata (education).
(V) Scotch broom twig miner, Leucoptera spartifoliella (weed biocontrol agent).
(W) Tomato hornworm, Manduca quinquemaculata (education, research).
(X) Tomato hornworm, Manduca sexta (education, research).
(Y) Spotted knapweed seedhead moth, Metzneria paucipunctella (weed biocontrol agent).
(Z) Mourning cloak, Nymphalis antiopa (education, release).
(AA) Rusty tussock moth, Orgyia antigua (research).
(BB)Western tiger swallowtail butterfly, Papilio rutulus (education, release).
(CC) Anise swallowtail butterfly, Papilio zelicaon (education, release).
(DD) Cabbage white or imported cabbageworm, Pieris rapae (education).
(EE) Indian meal moth, Plodia interpunctella (education, pet food, research).
(FF) Meal moth, Pyralis farinalis (education, pet food, research).
(GG) Wooly bear, Pyrrarctia isabella (education)*.
(HH) Cabbage looper, Trichoplusia ni (research).
(II) Cinnabar moth, Tyria jacobaeae (weed biocontrol agent).
(JJ) Mourning cloak, Vanessa antiopa (education, release).
(KK) Red admiral, Vanessa atlanta (education, release).
(LL) Painted ladies, Vanessa cardui, V. virginiensis (education, release).
*only from stock collected in the western U.S.
(s) Diptera (Flies)
(A)Aphid predator midge, Aphidoletes aphidimyza (insect biocontrol agent).
(B) Ragwort seed head fly, Botanophila seneciella (weed biocontrol agent).
(C) Darkwinged fungus gnats, Bradysia spp. (research).
(D) Blow and bottle flies, Calliphora spp. (education).
(E) Knapweed peacock fly, Chaetorellia acrolophi (weed biocontrol agent).
(F) Yellow star thistle peacock fly, Chaetorellia australis (weed biocontrol agent).
(G) Mosquito, Culex spp. (education, research).
(H) Rush skeletonweed gall midge, Cystiphora schmidti (weed biocontrol agent).
(I) Seedcorn maggot, Delia platura (research).
(J) Vinegar fly, Drosophila melanogaster (education, pet food, research).
(K)Vinegar fly, Drosophila mohavensis (education, research).
(L) Vinegar fly, Drosophila hydei (education, research).
(M)Vinegar fly, Drosophila virilis (education, research).
(N) Black soldier fly, Hermetia illucens (composter).
(O) Serpentine leafminer, Liriomyza brassicae (research).
(P) Filth fly parasitoid, Musciidifurax zaraptor (insect biocontrol agent).
(Q) Filth fly parasitoid, Nasonia vitripennis (insect biocontrol agent).
(R) Grey flesh fly, Sarcophaga bullata (education, research).
(S) Filth fly parasitoid, Spalangia cameroni (insect biocontrol agent).
(T) Filth fly parasitoid, Spalangia endius (insect biocontrol agent).
(U) Green clearwing fly, Terellia virens (seed biocontrol agent).

(V) Banded gall fly, Urophora affinis (seed biocontrol agent).
(W) Canada thistle stem gall fly, Urophora cardui (weed biocontrol agent).
(X) UV knapweed seed head fly, Urophora quadrifasciata (weed biocontrol agent).
(Y) Yellow star thistle gall fly, Urophora sirunaseva (weed biocontrol agent).
(Z) Bull thistle seed head gall fly, Urophora stylata (weed biocontrol agent).
(t) Ants, Bees, and Wasps (Hymenoptera)
(A) Weevil larva parasitoid, Anisopteromalus calandrae (insect biocontrol agent).
(B) Aphid parasitoid, Aphidius colemani (insect biocontrol agent).
(C) Aphid parasitoid, Aphidius ervi (insect biocontrol agent).
(D) Aphid parasitoid, Aphidius matricariae (Insect biocontrol agent).
(E) Italian honeybee, Apis mellifera ligustica (pollinator).
(F) European honeybee, Apis mellifera mellifera (pollinator).
(G) Bumblees native to Oregon, e.g. Bombus vosnesenkii, B. appositus, B. bifarius, B. californicus, B. griseocolis, B. melanopygus, B. mixtus, B. nevadensis, B. sitkensis (pollinators).
(H) Egg and larval parasitoid of stored product pests, Bracon hebeter (insect biocontrol agent).
(I) Egg and larval parasitoid of stored product pests, Cotesia plutellae (insect biocontrol agent).
(J) Whitefly parasitoid, Encarsia formosa (insect biocontrol agent).
(K) Whitefly parasitoid, Eretmocerus californicus (insect biocontrol agent).
(L) Aphid parasitoid, Lysiphlebus testaceipes (insect biocontrol agent).
(M) Alfalfa leafcutter bee, Megachile rotundata (pollinator).
(N) Parasitoid of fly pupae, Melittobia digitata.
(O) Alkali bee, Nomia melanderi (pollinator).
(P) Blue orchard bee or mason bee, Osmia lignaria (pollinator).
(Q) Harvester ant, Pogonomyrmex owyheei (education).
(R) Harvester ant, Pogonomyrmex salinus (education).
(S) Parasitoid of Lepidoptera eggs, Trichogramma minutum (insect biocontrol agent).
(T) Parasitoid of Lepidoptera eggs, Trichogramma pretiosum (insect biocontrol agent).
(U) Parasitoid of Lepidoptera eggs, Trichogramma platneri (insect biocontrol agent).
(V) Aphid parasitoid, Trioxys pallidus (insect biocontrol agent).
Stat.Auth.: 570.205, 570.210, 570.215
Stats. Implemented: ORS 570.215

603-052-1330

Changes to List of Approved Invertebrates

(1) Interested persons may petition the Department to make changes or additions to the list of approved invertebrates by following the procedures in the Administrative Procedures Act, ORS 183.390.
(a) The agency must either deny the petition or initiate rulemaking within 90 days of receiving the petition. In deciding whether to grant or deny a petition the Department may request additional information from the petitioner necessary for completing a determination of whether the invertebrate is capable of having a significant adverse effect on the environmental quality of this state or causing significant level of economic damage in Oregon.

(b) The Department may deny a petition if information provided by the petitioner is insufficient to allow the Department to make a science-based assessment of whether an invertebrate poses a significant risk of adverse effect to the environmental quality of this state or a significant level of economic damage in Oregon.
Stat.Auth.: 570.205, 570.210, 570.215
Stats. Implemented: ORS 570.215

603-052-1340

Permits

(1) The Department may issue a permit allowing the possession or movement of a plant pest within this state only if the Department determines that the proposed possession or movement will not create a hazard to agricultural, forest or horticultural interests within the state or to the environmental quality of the state or upon conditions the Department may specify in any permit.
(2) Person requesting a permit shall petition the Department in writing and include any additional information the Department determines is necessary for review of such application.
(3) The Director of the Department of Agriculture retains the final authority to approve or deny special permit requests. Any action under a permit obtained from the Department shall be subject to any conditions or restrictions set forth in the permit. Permit conditions and restrictions may vary depending on the proposed action and its potential risk as determined by the Department.
(4) Any permit holder who does not comply with the conditions of a permit issued by the Department may be deemed in violation of ORS 570.205 and ORS 570.215 and these rules.
Stat.Auth.: 570.205, 570.210, 570.215
Stats. Implemented: ORS 570.215

603-052-1350

Premises and Permit Accessible to Department Officials

(1) Department officials shall have access to the premises where the invertebrates are housed and to the permit during normal business hours. The permit holder must keep a copy of the permit until it expires, the invertebrates are no longer alive, or for one year after release if release is allowable under the permit.
Stat.Auth.: 570.205, 570.210, 570.215
Stats. Implemented: ORS 570.215

603-052-1360

Violations

(1) A plant pest, other than a plant pest possessed or moved in compliance with these rules is a public nuisance.
(2) The Department may abate a public nuisance as described in ORS 570.105 – 570.190 including the summary processes described in ORS 570.170 and 570.180.
(3) Any and all invertebrates possessed or moved in violation of these rules must be returned immediately to the point of origin by the Oregon receiver. The owner or person possessing or moving invertebrates in violation of these rules shall return such invertebrates to the point of origin under the direction of the Department and at the expense of the possessor, owner, or agent of the owner.

(4) If the owner or person possessing or moving invertebrates in violation of these rules fails to ship such invertebrates to the point of origin, or at the discretion of the Department, such invertebrates may be treated or destroyed under supervision of the Department at the expense of the possessor, owner, or agent of the owner.
(5) As provided in ORS 570.225(3), the Department is not required to compensate a person for any loss incurred by the possessor, owner, or agent of the owner under these rules.
Stat.Auth.: 570.205, 570.210, 570.215
Stats. Implemented: ORS 570.215

603-052-1370

Civil Penalties

(1) In addition to any applicable fine or other penalty, the Department may impose a civil penalty not to exceed $10,000 if a person violates these rules or the conditions of a permit obtained from the Department pursuant to OAR 603-052-1340 above. See OAR 603-054-0070 for the civil penalty matrix.
Stat.Auth.: 570.205, 570.210, 570.215
Stats. Implemented: ORS 570.215