

RULE NUMBER	DESCRIPTION OF REGULATORY RESTRICTION	STATUTE UNDER WHICH THE REGULATORY RESTRICTION WAS ADOPTED	IS THE REGULATORY RESTRICTION EXPRESSLY OR SPECIFICALLY REQUIRED BY STATE OR FEDERAL LAW?	IS A LAW CHANGE REQUIRED IN ORDER TO REMOVE THE RESTRICTION?
901:5-30-01(B)	Except as provided in paragraphs (C) and (D) of this rule, no person shall sell, offer for sale, propagate, distribute, import or intentionally cause the dissemination of any invasive plant as defined in paragraph (A) of this rule in the state of Ohio.	901.50	No, general rulemaking authority	No, general rulemaking authority
901:5-30-02(B)	The advisory committee shall be considered a part of the department of agriculture for the purposes of providing advice to the director on matters regarding invasive plants, including but not limited to the identification of invasive plant species and cultivars and the establishment of prohibited activities regarding those species and cultivars.	901.50	No, general rulemaking authority	No, general rulemaking authority
901:5-30-02(C)	The advisory committee shall consist of the following members:	901.50	No, general rulemaking authority	No, general rulemaking authority
901:5-30-02(C)(1)	The director of the department of agriculture or his designee, who shall be the chairperson of the advisory committee;	901.50	No, general rulemaking authority	No, general rulemaking authority
901:5-30-02(D)	The advisory committee shall hold at least one regular meeting each year and may hold additional meetings at times that the chairperson or a majority of the advisory committee members considers appropriate.	901.50	No, general rulemaking authority	No, general rulemaking authority
901:5-30-02(F)	Members of the advisory committee shall receive no compensation for their services and may be removed from the advisory committee at anytime by the director.	901.50	No, general rulemaking authority	No, general rulemaking authority
901:5-35-02(B)	The term of a compliance agreement shall not exceed one year.	927.52; 927.67	No, general rulemaking authority	No, general rulemaking authority
901:5-39-01(A)(2)	When the planting has been twice inspected during the growing season, the first inspection to be completed before June twentieth, with an interval of at least thirty days before the second inspection which must be completed by September fifteenth.		No, general rulemaking authority	No, general rulemaking authority
901:5-39-01(A)(9)	When no infected plantings occur within two hundred fifty feet of those certified, provided, that orange rust or streak within two hundred fift feet shall not disqualify red raspberries from certification.	927.52	No, general rulemaking authority	No, general rulemaking authority
901:5-39-01(B)	No raspberry plants shall be sold or consigned to points within the state of Ohio which originated in source plantings in states wherein a less rigid standard of inspection pertains in reference to maximum percentages of virus diseases on two inspections, than those prescribed in paragraph (A)(7) of this rule.	927.52	No, general rulemaking authority	No, general rulemaking authority
901:5-39-01(C)	No person shall offer for sale, distribute or cause to be distributed within this state any raspberry plants represented by means of labeling or advertising to be "disease-free," or "virus-free" or "produced from 'virus-free' stock," or "registered" or "foundation" stock, unless such stock is so classified by a legally constituted agency designated for such purpose.	927.52	No, general rulemaking authority	No, general rulemaking authority
901:5-41-01(A)	A request for inspection of strawberry plantings must be filed with the Ohio department of agriculture on or before April fifteenth of the year in which inspection is requested.	927.52	No, general rulemaking authority	No, general rulemaking authority
901:5-41-01(B)(2)(a)	When the plantings have been twice inspected: (a) The first inspection must be completed before June first; and	927.52	No, general rulemaking authority	No, general rulemaking authority
901:5-41-01(B)(2)(b)	The second inspection shall be completed at least ninety days after the first inspection but before November fifteenth.	927.52	No, general rulemaking authority	No, general rulemaking authority
901:5-41-01(C)	No strawberry plants which originated in source plantings in states where a less rigid standard of inspection prevails, or where two comparably timed inspections are not made, shall be sold or consigned to points within the state of Ohio.	927.52	No, general rulemaking authority	No, general rulemaking authority
901:5-41-01(D)	No person shall offer for sale, distribute or cause to be distributed within this state any strawberry plants represented by means of labeling or advertising to be "disease free," or "virus-free," or "produced from 'virus-free stock,'" or "registered" or "foundation" stock, unless such stock is so classified by a legally constituted agency designated for such purpose.	927.52	No, general rulemaking authority	No, general rulemaking authority
901:5-42-01(B)	Except as provided in paragraph (C) of this rule, no person shall knowingly permit any plant pest designated as destructive or dangerously harmful in paragraph (A) of this rule to exist in or on his premises or infest any article or commodity in his possession.	927.52; 927.69; 927.70	Yes, state law	Yes, state law
901:5-42-01(E)	The expense of any such preventive or remedial measures shall be assessed, collected, and enforced, as taxes are assessed, collected, and enforced, against the premises upon which such expense was incurred.	927.52; 927.69; 927.70	No, general rulemaking authority	No, general rulemaking authority

901:5-42-01(E)	The amount of such expense when collected shall be paid to the director and by him deposited with the treasurer of state.	927.52; 927.69; 927.70	No, general rulemaking authority	No, general rulemaking authority
901:5-43-01(B)	In order to suppress and control the spread of this pest, it shall be unlawful for any person to possess, transport, plant, propagate, sell, or offer for sale, plants, roots, scions, seeds, or cuttings of European blackcurrant (<i>Ribes nigrum</i>) or any variety of the species in or into this state	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-48-02(A)	The term of a compliance agreement shall not exceed one year.	927.52; 927.70; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-48-04(A)	No person shall transport into or within Ohio any regulated article listed in rule 901:5-48-03 of the Administrative Code, which originates in a quarantined state except as covered in paragraphs (B), (C), and (D) of this rule .	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-48-04(B(1))	Hemlock seedlings and nursery stock may be imported into Ohio from a non-regulated area of a quarantined state if the following requirements are met: (1) Each lot of hemlock seedlings and hemlock nursery stock shall only be shipped if the articles are accompanied by a certificate signed by an authorized agricultural inspection official of the state of origin affirming that:	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-48-04(B(2))	Upon issuance, a copy of the certificate specified in paragraph (B)(1) of this rule must be faxed to the Ohio department of agriculture, division of plant health, at 614-728-6453 or such fax number as the division may publish, or emailed to plantpest@agri.ohio.gov, or mailed to the "Division of Plant Health, 8995 E. Main Street, Reynoldsburg, OH, 43068."	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-48-04(C)	Hemlock logs with bark and hemlock lumber with bark shall only be shipped if the articles are accompanied by a certificate signed by an authorized agricultural inspection official of the state of origin affirming that:	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-01(B)	Except as provided in rule 901:5-52-05 of the Administrative Code, no person shall transport any regulated articles as defined in rule 901:5-52-03 of the Administrative Code, from a regulated area as defined in rule 901:5-52-04 of the Administrative Code into or through a non-regulated area in the state of Ohio.	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-05	As stated in rule 901:5-52-01 of the Administrative Code, no person shall move from any regulated area as defined by rule 901:5-52-04 of the Administrative Code any regulated article as defined by rule 901:5-52-03 of the Administrative Code except in accordance with the conditions specified herein.	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-05(A)	A certificate must accompany the movement of regulated articles from any regulated area into or through any non-regulated area in Ohio.	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-05(A)	A copy of the certificate must be forwarded to the Ohio department of agriculture within seven calendar days of movement. Certificates may be issued by an inspector if the regulated articles:	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-07	When feasible, areas found to be infested, or which are so situated as to be subject to infestation, such as campgrounds and roadside rests, shall be treated to eradicate or otherwise suppress the infestation to whatever extent possible.	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-08(C)(1)	The application must contain the following information in order to be deemed complete :	927.52; 927.701; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-08(C)(2)	(2) A map detailing the boundaries of the block to be included in the suppression program. This map shall:	927.52; 927.701; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-08(C)(2)(c)	This scale shall be one of the following:	927.52; 927.701; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-08(C)(2)(c)(i)	For blocks less than two hundred acres in size, the scale shall be one inch equals two hundred feet; or	927.52; 927.701; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-08(C)(2)(c)(ii)	For blocks greater than or equal to two hundred acres, the scale shall be one inch equals four hundred feet.	927.52; 927.701; 927.71		
901:5-52-08(D)	When calculating the total cost to be assessed to a landowner, the department shall:	927.52; 927.701; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-08(D)(6)	In no case shall the total cost to be assessed to a landowner exceed fifty per cent of the department's cost to treat the block in which the landowner's property is located.	927.52; 927.701; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-08(E)	A landowner whose block has been approved for inclusion in the gypsy moth suppression program shall sign an agreement provided by the department , and submit the signed agreement with payment equal to the total cost assessed to the landowner as calculated under paragraph (D) of this rule to the department on or before the first day of March of the calendar year in which the treatment is sought.	927.52; 927.701; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-52-08(E)	If the agreement and payment equal to the total cost assessed to the landowner are not received on or before the first day of March, the treatment may not be scheduled.	927.52; 927.701; 927.71	No, general rulemaking authority	No, general rulemaking authority

901:5-57-01(A)	"Compliance agreement" means a written accord between the Ohio department of agriculture and a person subject to a quarantine, containing the requirements the person must comply with in order to move regulated articles from, into, through, or within a regulated or quarantined area.	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-57-02(B)	Except as provided in rule 901:5-57-03 of the Administrative Code, no person shall move or cause to be moved any regulated article, as defined in rule 901:5-57-04 of the Administrative Code, from or within a regulated area, as defined in rule 901:5-57-05 of the Administrative Code, into or through a non-regulated area in the state of Ohio.	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-57-03(A)	As stated in rule 901:5-57-02 of the Administrative Code, no person shall move from any regulated area as defined by rule 901:5-57-04 of the Administrative Code any regulated article as defined by rule 901:5-57-05 of the Administrative Code except in accordance with the conditions specified herein:	927.52, 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-57-03(B)	As stated in rule 901:5-57-02 of the Administrative Code, no person shall move within any regulated area as defined by rule 901:5-57-04 of the Administrative Code any regulated article as defined by rule 901:5-57-05 of the Administrative Code except in accordance with the conditions specified herein:	927.52, 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-58-01(B)	Except as provided in rule 901:5-58-05 of the Administrative Code, no person shall transport any regulated articles as defined in rule 901:5-58-03 of the Administrative Code from a regulated area as defined in rule 901:5-58-04 of the Administrative Code into or through a non-regulated area in the state of Ohio.	927.52; 927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-58-05(A)	(A) No person shall move from any regulated area as defined by rule 901:5-58-04 of the Administrative Code any regulated article as defined by rule 901:5-58-03 of the Administrative Code unless the person has first entered into a compliance agreement and has been issued a certificate from either the department or the regulated article's state of origin.	927.51;927.71	No, general rulemaking authority	No, general rulemaking authority
901:5-58-05(B)	(B) Persons receiving regulated articles from sources outside of Ohio shall retain a copy of shipping records, invoices, waybills, bills of lading, certificates of origin and/or quarantine compliance and/or certificates for a period of thirty-six months.	927.51;927.71	No, general rulemaking authority	No, general rulemaking authority