

BEFORE THE SECRETARY OF AGRICULTURE, MANHATTAN, KANSAS

CALLERY PEAR QUARANTINE

The Secretary of the Kansas Department of Agriculture, pursuant to authority provided by K.S.A. 2-2117, hereby determines that quarantine action is necessary to prevent the further introduction and spread of Callery pear (*Pyrus calleryana* Decaisne) into the State of Kansas and within the State of Kansas.

The Secretary does hereby make the following findings relevant to the Callery Pear:

WHEREAS, the Kansas Department of Agriculture has determined that Callery pear, is a plant pest as defined in K.S.A. 2-2113.

WHEREAS, Callery pear does grow, reproduce, spread, and survive in Kansas.

WHEREAS, the Callery pear will readily spread beyond areas into which it was planted as an ornamental.

WHEREAS, Callery pear will reproduce by both sexually by seed and vegetatively by sprouting from its shallow root system, and cultivars developed to be sterile can cross-pollinate and produce viable seed.

WHEREAS, Callery pear trees are used as the rootstock for other pear tree cultivars.

WHEREAS, Callery pear are terrestrial plants known to have innate tendencies for invasiveness which requires that an exterior and interior quarantine of Callery pear be established in the State of Kansas.

THE SECRETARY DOES THEREFORE ORDER THAT:

In order to prevent, retard, suppress and control the spread of these plant pests, the movement of Callery pear **into the state of Kansas** from any other state of the United States, by any person, will be forbidden as of January 1, 2027. Further, the movement of Callery pear **within the State of Kansas**, by any person, will be prohibited as of January 1, 2027.

DEFINITIONS

This quarantine shall apply to any "person" as defined by K.S.A. 2-2113, and all other terms used within this quarantine shall have the meanings as defined or established in K.S.A. 2-2113 *et seq.* as amended and supplemented.

REGULATED ARTICLES

For the purposes of this quarantine, "Callery pear" shall mean all hybrids, varieties and cultivars of (*Pyrus calleryana* Decaisne). Callery pear plants and all reproductive plant parts are

prohibited. Any trees that are the result of grafting another species, hybrid, variety or cultivar onto a Callery pear rootstock are prohibited.

QUARANTINED AREAS

All area within the borders of the State of Kansas shall be subject to the restrictions of this quarantine. As established by K.S.A. 2-2115, for the purpose of enforcement of the Plant Pest and Agriculture Commodity Certification Act, "the Secretary shall have the right to enter and inspect any property in the state," for the purpose of enforcement of this act, except private residences, or to inspect any means of conveyance, upon probable cause that it contains material subject to this quarantine.

EFFECTIVE DATE OF QUARANTINE

This Order of Quarantine shall become effective on January 1, 2027, and shall remain in effect until rescinded or modified by further order of the Secretary.

VIOLATION OF THIS QUARANTINE

Any person who knowingly moves an article in violation of this quarantine may be subject to criminal prosecution pursuant to K.S.A. 2-2124 and 2-2125.

**IT IS SO ORDERED THIS ____ DAY OF _____, 20__ IN
MANHATTAN, RILEY COUNTY, KANSAS.**

Michael M. Beam, Secretary
Kansas Department of Agriculture