



New Mexico Department of Agriculture
 Division of Agricultural and Environmental Services
 MSC 3AQ, PO Box 30005
 Las Cruces, NM 88003
 575-646-3207

2025 JAPANESE BEETLE REGULATED ARTICLE COMPLIANCE AGREEMENT

BETWEEN: New Mexico Department of Agriculture (NMDA)
 1050 Stewart St
 Las Cruces, NM 88001
 Office: (575) 646-3207

AND: Nursery Name: _____
 Contact Name: _____
 Phone Number: _____
 E-Mail Address: _____
 Growing Location Coordinates: _____
 Growing Location Acreage: _____
 Growing Location Address: _____

 Mailing Address: _____

AGREEMENT PERIOD: May 10, 2025 through December 31, 2025

REGULATED ARTICLES: Gramineous plants of any size or any nursery stock shipped in containers with a surface area greater than 113 square inches containing soil or soilless media.

AGREEMENT PURPOSE: Japanese beetle is periodically introduced into the state through infested nursery stock and turf originating from Japanese beetle infested regions of the country. This compliance agreement states requirements for plant nurseries in Japanese beetle infested states to ship regulated nursery material into New Mexico during the agreement period stated above. Violations to the stated requirements of this agreement or the intent of this agreement may result in destruction of non-compliant nursery stock, return of nursery stock, and/or revocation of current and future compliance agreements.



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I. EXPORTING NURSERY OBLIGATIONS:

- A. Allow Oregon Department of Agriculture access to relevant data and property for purposes related to this compliance agreement;
- B. Comply with New Mexico Department of Agriculture requests for documents and information related to this agreement including lists of New Mexico businesses receiving stock and description of stock;
- C. Immediately notify New Mexico Department of Agriculture and Oregon Department of Agriculture of any Japanese beetle findings associated with the nursery location identified in this agreement;
- D. Understand gramineous plants in containers of any size planted in soilless or soil media are prohibited from shipping into New Mexico under this agreement;
- E. Understand nursery stock shipped into New Mexico after May 15, 2025 that has not been addressed under this compliance agreement or nursery stock shipped into New Mexico after December 31, 2025 and is not addressed in a subsequent compliance agreement will be considered non-compliant and subject to destruction or return and may impact issuance of future compliance agreements;
- F. Only ship non-gramineous nursery stock into New Mexico under one or more of the following restrictions:
 - 1. Regulated articles grown entirely at the growing location identified in this compliance agreement; or
 - 2. Regulated articles received bareroot at the growing location identified in this compliance agreement; or
 - 3. Regulated articles maintained at a growing location identified in this compliance agreement for a period of no less than 12 months prior to shipping to New Mexico; or
 - 4. Regulated articles received from a nursery with a current Japanese Beetle Regulated Article Compliance Agreement with New Mexico Department of Agriculture; or
 - 5. Regulated articles received from a nursery approved by New Mexico Department of Agriculture.
- G. Ensure each shipment covered under this agreement is accompanied with a fully signed copy of this agreement, to be provided to the New Mexico importing nursery for their records.
- H. Prior to shipping regulated articles to New Mexico, notify New Mexico Department of Agriculture at nursery.notification@nmda.nmsu.edu with the following information:
 - 1. Name and address of New Mexico nurseries receiving shipments; and
 - 2. Expected date New Mexico nurseries will receive shipments; and
 - 3. Description of shipment contents, to include common name of each species shipped, numbers shipped for each species, and their container or root ball size; and



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4. Declaration of which condition the regulated articles qualify for shipment to New Mexico under (Section I. Subsection F.).
- I. For each shipment, obtain from Oregon Department of Agriculture a State Phytosanitary Certificate stating that the shipment complies with the requirements stated in this compliance agreement.

II. OREGON DEPARTMENT OF AGRICULTURE OBLIGATIONS:

- A. Carry out a trapping program at the location identified in this compliance agreement to consist of Japanese beetle traps with “dual” lures (flower scent + pheromone) placed prior to flight period and to locations to maximize trapping efficacy. Minimum number of traps for various growing location sizes follow:
 1. For sites consisting of less than 5 contiguous acres in size, 3 traps will be used per site;
 2. For sites of 5 to 30 contiguous acres in size, one trap will be used for each 5 acres above the 5-acre base rate of 3 traps;
Example: a 12-acre field would require $3 + 1 = 4$ traps;
 3. For sites 30 to 160 contiguous acres in size, 1 trap will be used for each 10 acres above the 30-acre base rate of 8 traps;
Example: a 42-acre site would require $8 + 2 = 10$ traps;
 4. Sites greater than 160 contiguous acres, 8 traps will be used for each 100 acres above the 160-acre base rate of 21 traps;
Example: a 175-acre site would require $21 + 8 = 29$ traps;
- B. Immediately notify New Mexico Department of Agriculture of any evidence of Japanese beetle within 10 miles of, or associated with plant material related to the growing location identified in this agreement;
- C. For each shipment to New Mexico, issue and State Phytosanitary Certificate declaring the shipment is free of Japanese Beetle and the shipment complies with the requirements stated in this agreement;
- D. Prior to agreement renewal and upon request, provide New Mexico Department of Agriculture current trapping results for the growing sites listed in Box 3 and for the surrounding area (to include all data from the county);
- E. Work with New Mexico Department of Agriculture to ensure nursery stock shipped to New Mexico is free of Japanese beetle;

III. NEW MEXICO DEPARTMENT OF AGRICULTURE OBLIGATIONS:

- A. Consider amendments to this compliance agreement provided by Oregon Department of Agriculture or the nursery covered in this agreement;
- B. Upon inspection of regulated plant material covered in this agreement:



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1. Ensure a valid agreement and Oregon Department of Agriculture issued State Phytosanitary Certificate or similar document is available at the importing nursery;
 2. Examine plant material covered in this agreement for the possible presence of Japanese beetle or other plant pests of concern.
- C. Ensure compliance with other regulations associated with additional plant pests;
- D. Establish survey programs at the New Mexico receiving nurseries to monitor for Japanese beetle as deemed necessary;
- E. Retain the ability to pause or discontinue shipment under this agreement at any time.

This agreement may be revised or revoked as necessary.

_____	_____	_____
Nursery (Signature by Responsible Party)	Title	Date
_____	_____	_____
Oregon Department of Agriculture	Title	Date
_____	_____	_____
New Mexico Department of Agriculture	Title	Date