Ohio | **Department of Agriculture**

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REQUEST FOR PUBLIC COMMENT
Invasive Plants - Rule Review

The rules in this package have been reviewed pursuant to Chapter 119 of the Revised Code and are being proposed as follows. The comment period will remain open through July 7, 2017. Comments may be emailed to ecomments@agri.ohio.gov or mailed to Legal Section, Ohio Department of Agriculture, 8995 E. Main St., Reynoldsburg, Ohio 43068.

The rules contained in this chapter establish a list of invasive plants in the state of Ohio. Invasive plants are plant species that are not native to Ohio whose introduction causes or is likely to cause economic or environmental harm or harm to human health as determined by scientific studies. Invasive plants do not include cultivated plants grown as food or livestock feed in accordance with generally accepted agricultural practices, including all plants authorized by the Animal and Plant Health Inspection Service in the U.S. Department of Agriculture.

Am. Sub S.B. 192 of the 130th General Assembly granted the Ohio Department of Agriculture (Department) the exclusive authority to regulate invasive plant species including identification of species and establishment of prohibited activities, and authorizes the Department to adopt rules for that purpose.

After nearly two years of stakeholder outreach, the rules proposed establish a list of invasive plants for sale in the state of Ohio is prohibited. Further, the rules establish an Ohio Invasive Plant Advisory Committee which will provide advice to the Director on matters regarding invasive plants, including but not limited to the identification of invasive plants and the establishment of prohibited activities regarding those species.

In order to allow businesses which may have invested time and resources into growing some of these plants, the Department has built in a grace period for the prohibition to take effect. This will allow these businesses time to recoup costs that were already invested and to develop alternative plants to market as replacements.