



# Terrestrial invasive plants

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What plant sellers need to know

Gary Fish

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# Five-Year Review of the Do Not Sell List of Invasive Plants

- ▶ Chapter 273 was originally adopted in January of 2017
- ▶ Rule prescribes a five-year review to add new plants
- ▶ In November 2021 DACF established a new stakeholder committee
  - ▶ The committee developed a list of potential plant additions and changes to the rule
    - ▶ Committee met six times
- ▶ The changes were proposed on March 30, 2022
- ▶ A public hearing was held on April 22, 2022

MAINE DEPARTMENT OF  
AGRICULTURE, CONSERVATION & FORESTRY

**MAINE FOREST SERVICE**

**Woods Wise Wire**

## **DACF to do Five-Year Review of the Do Not Sell List of Invasive Plants**

Chapter 273, Criteria for Listing Invasive Terrestrial Plants was adopted in January of 2017. The final section of the rule prescribes a five-year review of the listed species. 2021 begins that fifth year and the DACF Horticulture Program is beginning to organize that effort.

One important task is developing the stakeholder committee that will review the rule and suggest additions and/or subtractions to the list of regulated species. The makeup of the previous stakeholder group is below. We would like feedback on this template and will be looking for volunteers to fill the slots once the stakeholder group positions are solidified.

The projected timeline is to develop a list of potential additions and/or subtractions over the winter, spring and summer and then narrow that list to the actual species that would go into the proposed rule. If necessary, proposed rule changes would be available in November or December of 2021 for public comment. As with the original rules, a one-year phase-in to allow newly listed plants to be sold out of inventory would be proposed.

Please contact Gary Fish, State Horticulturist, at [gary.fish@maine.gov](mailto:gary.fish@maine.gov) if you have ideas regarding the makeup of the stakeholder committee or if you are interested in serving.

## Invasive Terrestrial Plant Stakeholder Review Committee

**President of the Maine Landscape and Nursery Association or designee**

**Ryan Russell**, Land Plans Inc., President of the Maine Landscape and Nursery Association

**Representative from a production Nursery**

**Jake Pierson**, Pierson Nurseries

**Representative from a retail nursery**

**Randy Martin**, The King's Gardener

**Representative from a land trust/land management community**

**Amy Soper**, Androscoggin Land Trust

**Representative from the production forestry sector**

**Kyle Burdick**, Baskahegan Company

**Representative from DACF – Natural Areas Program**

**Molly Docherty**, Director, Maine Natural Areas Program (MNAP)

**Representative of a university or college with ornamental horticulture experience**

**Matt Wallhead**, Ornamental Horticulture Specialist, University of Maine Cooperative Extension

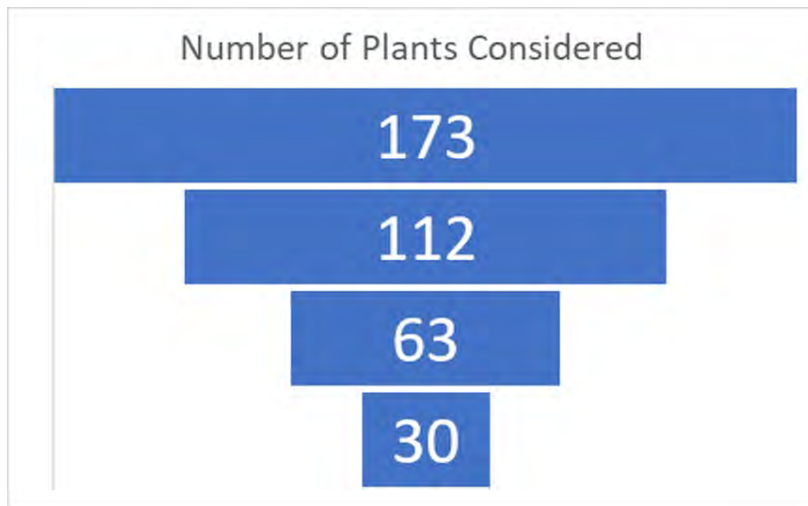
**Representative from either the Maine Department of Transportation or a municipal public works**

**Kyle Rosenberg**, Forest to Shore

**Representative of DACF- Horticulture Program**

**Gary Fish**, State Horticulturist

# Terrestrial Invasive Plant Committee



- ▶ The committee started with a list of 173 species which was reduced to (112) - 81 priority plants to evaluate and another 31 seemingly lower risk plants to evaluate if time permitted
- ▶ 49 hitchhiker plants were removed from the list because it is very difficult to detect them, reducing the list to 63
- ▶ We are doing this training partly to help address the concern for hitchhiker plants

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### Invasive Plants

[Gallery / Advisory List](#)

[Advisory List of Invasive Plants - 2019](#)

This is a list of non-native plants found to pose a threat to habitats and natural resources in Maine. The Advisory List is an informal tool for landowners, wildlife biologists, foresters, land stewards, conservation commissions, and others interested in controlling invasive plants and preventing their spread. It is intended for education and outreach, land management, and other non-regulatory uses. Please see the [2019 Official Endorsement](#).

**What is an invasive plant?**

An invasive plant is defined as a plant that is not native to a particular ecosystem, whose introduction does or is likely to cause economic or environmental harm or harm to human health. There are currently approximately 2,100 plant species recorded from Maine. Approximately one third of those are not native. Of those plants that are not native, only a small fraction are considered invasive, but these have the potential to cause great harm to our landscape. Please visit our [list of fact sheets](#) to determine if a particular species is considered invasive in Maine, and [our new invasive plant brochure](#) for a general overview including the do not call list.

**INVASIVES RESOURCES**

**REPORT IT!**

[iMapInvasives in Maine](#)  
You can help map invasives species!

**iMapInvasives**

[iMap login or sign up](#)  
Log in for registered users. Please visit our [iMap page](#) for more information and to register.

# Why those 173 plant species?

► Our pipeline for plant suggestions included:

► The MNAP Advisory List of Invasive Plants -

[https://www.maine.gov/dacf/mnap/features/invasive\\_plants/invsheets.htm](https://www.maine.gov/dacf/mnap/features/invasive_plants/invsheets.htm)

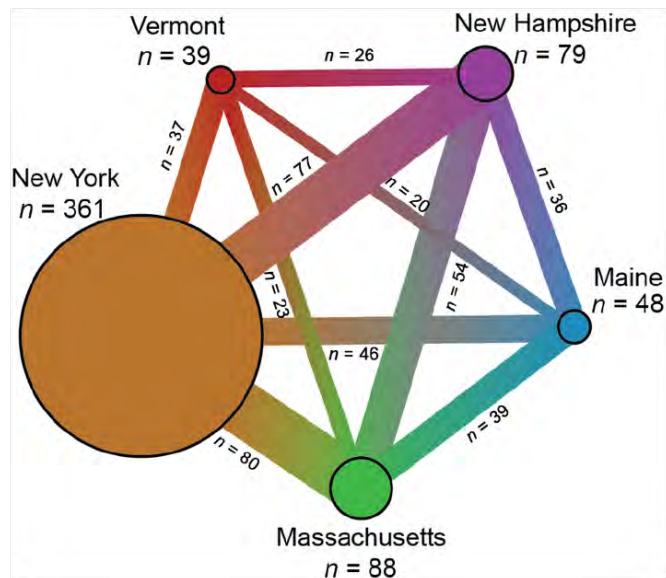
► NE RISCC Network impactful range shifting species

► <https://esajournals.onlinelibrary.wiley.com/doi/full/10.1002/ecs2.4014>

► Plants listed by other Northeast states

► Plants nominated through the online form

► [https://www.maine.gov/dacf/php/horticulture/documents/MaineInvasivePlantNominationForm\\_Dec2016.pdf](https://www.maine.gov/dacf/php/horticulture/documents/MaineInvasivePlantNominationForm_Dec2016.pdf)



# Terrestrial Invasive Plant Committee

- ▶ After a deep dive into the evaluations, the committee decided to:
  - ▶ Move forward by adding 30 species to the do-not-sell list and
  - ▶ To create a “Watch List” with 29 plants
  - ▶ The committee struggled with what to do with *Rosa rugosa* and decided to put it in its own category - Invasive Species of Special Concern
  - ▶ Recommended clarifying the requirements to petition for removal of a cultivar, hybrid, or subspecies
- ▶ The rule was adopted May 24, 2022
- ▶ As of January 1, 2024, 30 additional plants are banned from sale or import

## Have You Seen These Plants?

Wanted for crimes against nature. State horticulturalist Gary Fish on the state's newest horticultural outlaws (and a warning label for beach roses).



ABOVE Beach roses, which have been given the ominous designation, “Invasive Terrestrial Plant of Special Concern.” Photograph by Benjamin Williamson.

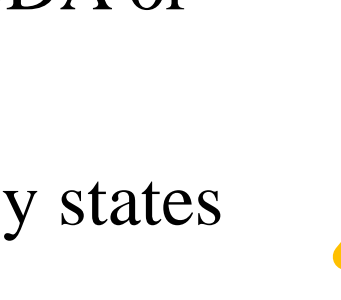
TEXT BY AURELIA C. SCOTT  
PHOTOGRAPHS COURTESY OF THE MAINE NATURAL AREAS PROGRAM

<https://mainehomes.com/have-you-seen-these-plants/>

A large orange circle is positioned on the left side of the slide, partially overlapping the text area.

## Change to the variance section

C. Varieties, cultivars, hybrids and/or subspecies that have been shown not to be invasive through scientific research and analysis may be considered exempt from this rule after review by a committee established by the Department.

1. Data submitted must include sources with no financial interest in the species, such as universities, agricultural experiment stations, cooperative extension, USDA or botanical gardens; and
  2. Regulatory status in nearby states shall also be considered.
- 
- A decorative yellow dashed line is located in the bottom right corner of the slide.

# What about hybrids, cultivars, varieties, subspecies, or grafted plants?

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- We all need to do our best to watch for and identify plants that are hybrids, cultivars, varieties, or subspecies of prohibited plants
  - As written, the rule does not allow any percentage of genetics from a prohibited plant
  - If you have any questions about a specific plant, please ask
  - In the future, we hope to provide additional guidance on this issue

*Acer truncatum* x *Acer platanoides*



<https://landscapeplants.oregonstate.edu/plants/acer-pacific-sunset>



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## What about hybrids, cultivars, varieties, subspecies, or grafted plants?

- Selling rootstocks of prohibited plants for people grafting their own plants is prohibited
- If you sell grafted plants that are labeled or generally known or advertised as being grafted onto a rootstock of a prohibited plant that is prohibited
- If you sell grafted plants that are on unknown rootstocks, you don't need to spend much time trying to figure out what you've got; just be aware that if you discover they are grafted onto a prohibited plant, you cannot legally sell them anymore

91-100%



Bartlett seedling  
Horner 4  
Winter Nelis seedling  
*P. calleryana* D6  
*P. calleryana* seedling

# Invasive Plants Prohibited from Sale or Import in Maine What you need to Know



CMR 01-001 Chapter 273: Criteria for Listing Invasive Terrestrial Plants makes it illegal to sell, import, export, buy or intentionally propagate for sale the 33 plant species listed below.

<i>Acer ginnala</i> (amur maple)	<i>Impatiens glandulifera</i> (ornamental jewelweed)
<i>Acer platanoides</i> (Norway maple)	<i>Iris pseudacorus</i> (yellow iris)
<i>Aegopodium podagraria</i> (bishop's weed)	<i>Ligustrum vulgare</i> (common privet)
<i>Ailanthus altissima</i> (tree of heaven)	<i>Lonicera japonica</i> (Japanese honeysuckle)
<i>Alliaria petiolata</i> (garlic mustard)	<i>Lonicera maackii</i> (amur or bush honeysuckle)
<i>Amorpha fruticosa</i> (false indigo bush)	<i>Lonicera morrowii</i> (Morrow's honeysuckle)
<i>Ampelopsis glandulosa</i> (porcelain berry)	<i>Lonicera tatarica</i> (Tatarian honeysuckle)
<i>Artemisia vulgaris</i> (common mugwort)	<i>Lythrum salicaria</i> (purple loosestrife)
<i>Berberis thunbergii</i> (Japanese barberry)	<i>Microstegium vimineum</i> (Japanese stilt grass)
<i>Berberis vulgaris</i> (common barberry)	<i>Paulownia tomentosa</i> (paulownia, princess tree)
<i>Celastrus orbiculatus</i> (Asiatic bittersweet)	<i>Pericaria perfoliata</i> (mile-a-minute)
<i>Elaeagnus umbellata</i> (Autumn olive)	<i>Phellodendron amurense</i> (amur cork tree)
<i>Euonymus alatus</i> (winged euonymus)	<i>Populus alba</i> (white cottonwood)
<i>Euphorbia cyparissias</i> (cypress spurge)	<i>Robinia pseudoacacia</i> (black locust)
<i>Fallopia baldschuanica</i> (Chinese bindweed)	<i>Rosa multiflora</i> (multiflora rose)
<i>Fallopia japonica</i> (Japanese knotweed)	
<i>Frangula alnus</i> (glossy buckthorn)	
<i>Hesperis matronalis</i> (dame's rocket)	

## Quick Facts

- The sale/import ban includes the listed species and all cultivars, varieties and hybrids.
- Variations may be applied for and granted for scientific research and for varieties, cultivars or hybrids that have been shown to not be invasive through peer reviewed scientific research.
- The invasive plant rule and included prohibited plant list will be reviewed every 5 years.
- Recent changes to the rule will prohibit the sale of an additional 30 species starting January 1, 2024 (see back).
- Find more information at [www.maine.gov/dacf/plphorticulture/ma-sic-plants.shtml](http://www.maine.gov/dacf/plphorticulture/ma-sic-plants.shtml)



**FOR MORE INFORMATION:**  
MAINE DEPARTMENT OF AGRICULTURE,  
CONSERVATION AND FORESTRY  
DIVISION OF ANIMAL AND PLANT HEALTH  
28 STATE HOUSE STATION  
AUGUSTA, ME 04333  
207-287-3891  
[HORTICULTURE@MAINE.GOV](mailto:HORTICULTURE@MAINE.GOV)  
[WWW.MAINE.GOV/HORT](http://WWW.MAINE.GOV/HORT)

Scientific name	Common name	Effective Date
<i>Alnus glutinosa</i>	European alder	1/1/2024
<i>Angelica sylvestris</i>	Woodland angelica	1/1/2024
<i>Anthriscus sylvestris</i>	Wild chervil, raven's wing	1/1/2024
<i>Aralia elata</i>	Japanese angelica tree	1/1/2024
<i>Butomus umbellatus</i>	Flowering rush	1/1/2024
<i>Elaeagnus angustifolia</i>	Russian olive	1/1/2024
<i>Euonymus fortunei</i>	Wintercreeper, climbing spindle tree	1/1/2024
<i>Festuca filiformis</i>	Fine-leaved sheep fescue	1/1/2024
<i>Ficaria verna</i>	Lesser celandine	1/1/2024
<i>Glaucium flavum</i>	Yellow hornpoppy	1/1/2024
<i>Glechoma hederacea</i>	Ground ivy, creeping charlie	1/1/2024
<i>Glyceria maxima</i>	Great manna grass, reed manna grass	1/1/2024
<i>Hippophae rhamnoides</i>	Sea buckthorn	1/1/2024
<i>Ligustrum obtusifolium</i>	Border privet	1/1/2024
<i>Lonicera xylosteum</i>	Dwarf honeysuckle	1/1/2024
<i>Lythrum virgatum</i>	European wand loosestrife	1/1/2024
<i>Miscanthus sacchariflorus</i>	Amur silvergrass	1/1/2024
<i>Petasites japonicus</i>	Fuki, butterbur, giant butterbur	1/1/2024
<i>Phalaris arundinacea</i>	Reed canary grass, variegated ribbon grass	1/1/2024
<i>Photinia villosa</i>	Photinia, Christmas berry	1/1/2024
<i>Phragmites australis</i>	Common reed	1/1/2024
<i>Phyllostachys aurea</i>	Golden bamboo	1/1/2024
<i>Phyllostachys aureosulcata</i>	Yellow groove bamboo	1/1/2024
<i>Pyrus calleryana</i>	Callery ("Bradford") pear	1/1/2024
<i>Ranunculus repens</i>	Creeping buttercup	1/1/2024
<i>Rubus phoenicolasius</i>	Wineberry	1/1/2024
<i>Silphium perfoliatum</i>	Cup plant	1/1/2024
<i>Sorbus aucuparia</i>	European mountain-ash	1/1/2024
<i>Tussilago farfara</i>	Coltsfoot	1/1/2024
<i>Valeriana officinalis</i>	Common valerian	1/1/2024

## Invasive Terrestrial Plant Species of Special Concern

Scientific Name	Common Name
<i>Rosa rugosa</i>	Rugosa rose, beach rose



[https://arthropodafotos.de/db\\_plants.php?lang=eng&sc=0&sci=Alnus&scisp=glutinosa](https://arthropodafotos.de/db_plants.php?lang=eng&sc=0&sci=Alnus&scisp=glutinosa)

Commonly  
Sold Species  
Banned  
1/1/2024

*Alnus glutinosa*

European alder



<https://www.houseofbeautifulgardens.com/>

# Commonly Sold Species Banned 1/1/2024

*Elaeagnus angustifolia*

**Russian Olive**



EddMapS Photo

Commonly  
Sold Species  
Banned  
1/1/2024

Euonymus fortunei

Wintercreeper



Sarah Scally, Maine DACF

# Commonly Sold Species Banned 1/1/2024

*Glechoma hederacea*

**Creeping Charlie**



Leslie Mehrhoff, University of Connecticut

Commonly  
Sold Species  
Banned  
1/1/2024

Ligustrum obtusifolium

**Border Privet**



<https://www.minnesotawildflowers.info/grass-sedge-rush/amur-silvergrass>

Commonly  
Sold Species  
Banned  
1/1/2024

Miscanthus sacchariflorus

**Amur silvergrass**





Pat Grover, Mason County, Invasive Control Board

# Commonly Sold Species Banned 1/1/2024

*Petasites japonicus*

**Giant butterbur, Fuki**



Phish Photography - Coastal Maine Botanical Gardens

# Commonly Sold Species Banned 1/1/2024

*Phalaris arundinacea*

**Variegated ribbon grass**



John Rutter, University of Georgia

Commonly  
Sold Species  
Banned  
1/1/2024

*Photinia villosa*

Christmas berry



Britt Slattery, US FWS

# Commonly Sold Species Banned 1/1/2024

*Pyrus calleryana*

Callery "Bradford" Pear



Gary Fish, Maine DACF

# Commonly Sold Species Banned 1/1/2024

*Sorbus aucuparia*

**European Mountain-ash**



Leslie Mehrhoff, University of Connecticut

Commonly  
Sold Species  
Banned  
1/1/2024

*Valeriana officinalis*  
Common valerian

## Other plants banned on 1/1/2024

- ▶ *Angelica sylvestris*
- ▶ *Anthriscus sylvestris*
- ▶ *Aralia elata*
- ▶ *Butomus umbellatus*
- ▶ *Festuca filiformis*
- ▶ *Ficaria verna*
- ▶ *Glaucium flavum*
- ▶ *Glyceria maxima*
- ▶ *Hippophae rhamnoides*
- ▶ *Lonicera xylosteum*
- ▶ *Lythrum vigatum*
- ▶ *Phalaris arundinacea*
- ▶ *Phyllostachys aurea*
- ▶ *Phyllostachys aureosulcata*
- ▶ *Phragmites australis*

# Other plants banned on 1/1/2024

- ▶ *Ranunculus repens*
- ▶ *Rubus phoenicolasius*
- ▶ *Silphium perfoliatum*
- ▶ *Tussilago farfara*



## Plants on the “Watch List”

- ▶ *Actinidia argula*
- ▶ *Akebia quinata*
- ▶ *Arum italicum*
- ▶ *Broussonetia papyrifera*
- ▶ *Buddleja davidii*
- ▶ *Clematis ternifolia*
- ▶ *Dioscorea oppositifolia*
- ▶ *Dioscorea polystachya*
- ▶ *Eragrostis curvula*
- ▶ *Filipendula ulmaria*
- ▶ *Lespedeza bicolor*
- ▶ *Ligustrum ovalifolium*
- ▶ *Lonicera caerulea*
- ▶ *Lychnis flos-cuculi*
- ▶ *Morus alba*
- ▶ *Quercus acutissima*

# Plants on the “Watch List”

- ▶ *Rosa rugosa*
- ▶ *Saccharum ravennae*
- ▶ *Salvia glutinosa*
- ▶ *Silybum marianum*
- ▶ *Spiraea japonica*
- ▶ *Symplocos paniculate*
- ▶ *Syringa japonica*
- ▶ *Toona sinensis*
- ▶ *Ulmus pumila*
- ▶ *Viburnum dilatatum*
- ▶ *Viburnum sieboldii*
- ▶ *Wisteria floribunda*
- ▶ *Wisteria sinensis*

# Rosa rugosa - invasive species of special concern starting 1/1/2024



1. Must provide signage or plant tags (next slide)
  - A. The plant vendor must provide species specific guidance at the time of sale to notify the purchaser about the invasive potential of the species and what habitat types to avoid when installing the plant.
  - B. No person selling or offering for sale an invasive terrestrial plant species of special concern shall conceal, detach, alter, deface, or destroy any label, sign, or notice required under this section.

# New requirements for *Rosa rugosa*



Rosa rugosa

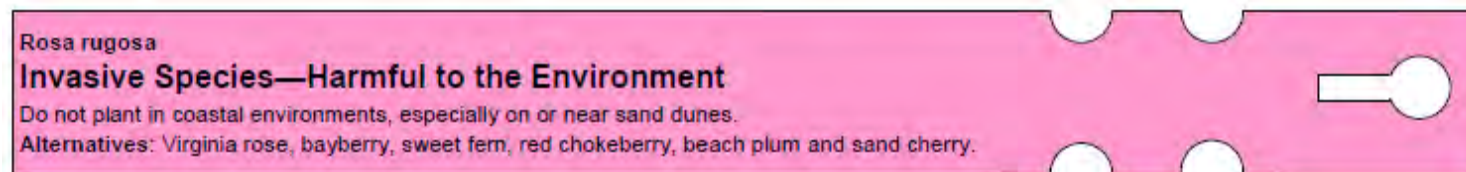
## Invasive Species – Harmful to the Environment

### Ask About Alternative Plants

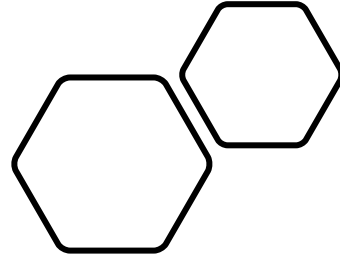
### Follow Species Specific Instructions Provided by the Vendor

Protect native species; do not plant in coastal areas, especially on or near sand dunes.

**Alternative plants include:** virginia rose and other roses, bayberry, sweet fern, red chokeberry, beach plum and sand cherry.



What you can  
do!



## Report invasive species

- [bugwatch@maine.gov](mailto:bugwatch@maine.gov)
- <https://appengine.egov.com/apps/me/dacf/mfs-tree-ailment>
- [invasives.mnap@maine.gov](mailto:invasives.mnap@maine.gov)
- [milfoil@maine.gov](mailto:milfoil@maine.gov)
- <https://survey123.arcgis.com/share/da099be43ba642799f9c359345257b2f>



# Questions?

Gary Fish

Maine State Horticulturist

[gary.fish@maine.gov](mailto:gary.fish@maine.gov)

207-287-7545

