

By virtue of the authority invested in me as Commissioner of Agriculture by Article 12D, Chapter 19 of the Code of West Virginia as amended, I, Gus R. Douglass, Commissioner of Agriculture, do hereby promulgate the following rules and regulations governing the control and suppression of noxious weeds and do declare certain plant species to be noxious as determined by surveys.

SECTION 3 - DEFINITIONS

3.01 For the purpose of these regulations, the definitions shall be the same as those appearing in the West Virginia Noxious Weed Act of 1976, with the following additions:

a. The term "Cooperative suppression or control agreement" means a written agreement entered into by the Commissioner and one or more other person which defines the responsibilities of each party and may include, but not be limited to, suppression or control procedures and methods, cost sharing, tenure of agreement and conditions.

SECTION 4 - COOPERATIVE SUPPRESSION AND CONTROL

A. When it has been determined that an infestation of a noxious weed exists for which suppression and control activities are practical, the Commissioner may:

1. Declare a quarantine if necessary.
2. Enter into cooperative suppression or control agreements with any person, or,
3. Proceed with suppression or control activities under authority of §19-12D-7(c).

SECTION 5 - DECLARATION OF NOXIOUS WEEDS

5.01 a. Surveys have shown that the following plants are a detriment to agriculture in West Virginia and are hereby declared to be a Noxious Weed; Sorghum halepense (L) or johnson grass; Carduus acanthoides L. or plumeless thistle; C. crispus L. or curled thistle, and C. nutans L. or Musk thistle.

5.02 a. The plant known as Kudzu or Pueraria thunbergiana (S and Z) Benth. has become or threatens to become a detriment to agriculture in West Virginia and is hereby declared to be noxious.

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