



Wisconsin Department of Agriculture, Trade and Consumer Protection
 Division of Agricultural Resource Management
 Bureau of Plant Industry
 P.O. Box 8911, Madison WI 53708-8911
 Phone: (608) 224-4573 Fax: (608) 224-4656

HEMLOCK WOOLLY ADELGID COMPLIANCE AGREEMENT

1. COMPANY NAME: Johnson's Nursery, Inc.		2. CONTACT NAME: Vanessa Mueller	
3. MAILING ADDRESS: W180 N6275 Marcy Rd Menomonee, WI 53051-5557		COUNTY:	4. E-MAIL: vmueller@johnsonnursery.com
		5. TELEPHONE: 414-940-4373	6. FAX:
7. PROPERTY LOCATION and COUNTY (if different than mailing address above):			

Applicable to State Exterior Quarantines for the Hemlock Woolly Adelgid (*Adelges tsugae*) pursuant to Wisconsin Administrative Code ATCP 21.16, Wisconsin State Statutes Ch. 93.07(12) and 94.01.

This Hemlock Woolly Adelgid Compliance Agreement between the Wisconsin Department of Agriculture, Trade and Consumer Protection "DATCP" and Johnson's Nursery, Inc. "the Company" provides a limited exception for the Company to the Hemlock Woolly Adelgid (HWA) quarantine established pursuant to Wis. Admin. Code § ATCP 21.16. Based upon the results of a DATCP inspection, the limited exception granted by this Compliance Agreement "CA" authorizes the Company to transport or receive regulated articles interstate from an infested area to a non-infested area subject to the following conditions:

1. "Regulated Articles" are defined as the following:
 - a) Hemlock (*Tsuga spp.*) seedlings;
 - b) Hemlock nursery stock;
 - c) Hemlock logs with bark;
 - d) Hemlock lumber with bark;
 - e) Hemlock bark or hemlock chips with bark attached;
 - f) Any other item not listed that may be designated as a regulated item if DATCP determines that it presents a risk of spreading HWA and notifies the person in possession of the item that it is subject to the restrictions of the regulations.
2. "Infested area" means all of the following:
 - a) The states of California, Connecticut, Delaware, Georgia, Idaho, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Washington, and West Virginia; the District of Columbia; and the provinces of British Columbia, and Nova Scotia.
 - b) Any state or province, or any delineated area within a state or nation that the Wisconsin State Plant Regulatory Official has determined to be infested with HWA.
3. The Company acknowledges state regulations governing the HWA and regulated articles. When importing products from areas with HWA, the Company agrees to supply any records that may be required for inspection.
4. The Company agrees to document and notify DATCP in advance of individual shipments of Hemlock seedlings or other regulated articles from infested areas. The required pre-notification and documentation shall include all of the following elements: the name and address of the importer and import recipient, the source and destination of each shipment, the import date(s), a list and count of the items to be imported in each proposed shipment, the method of import, and a detailed description of the steps taken to ensure phytosanitary conditions, such as pesticide treatments and safeguarding.

This form is authorized under Wis. Admin. Code ATCP 21.16, Wis. Stat. §§ 93.07(12) and 94.01. Personal information you provide may be used for purposes other than that for which it was originally collected; completion of this form is voluntary (Wis. Stat. § 15.04(1)(m)).

5. DATCP will have unlimited access to holding areas for the regulated articles in order to conduct HWA detection surveys, inspect shipments or documentation, and monitor compliance.

6. The Company agrees to have their compliance agreement number included on the scale ticket, bill of lading, invoice, manifest or any other shipping document accompanying the transport of any regulated materials.

7. The Company agrees to maintain all records pertaining to the movement of regulated articles for a period of at least 36 months. To ensure compliance, DATCP retains the right to conduct audit inspections of regulated articles, to monitor inspection procedures and to examine shipment records at any time.

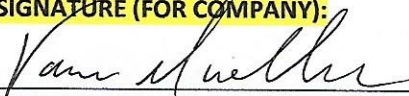

8. The Company agrees to keep its employees informed about the HWA exterior quarantine regulations. The Company also agrees to inform DATCP of any suspected HWA introductions.

9. Compliance Agreements are non-transferable. The Company must notify DATCP in the event that:

- a) The designated signatory individual in Block 8 (below) changes,
- b) The applicant/company physically relocates,
- c) The company name or ownership changes, or
- d) Any other event occurs that may affect the handling of regulated articles.

10. DATCP reserves the right to revise or cancel the CA at any time. If the Company fails to comply with the provisions of this CA, this CA shall be revoked. DATCP may pursue penalties for violations, including forfeiture, fine or imprisonment, under Wis. Stat. § 94.77. If DATCP takes an action against the Company for a violation of this CA, the Company may request a hearing under Wis. Admin. Code § ATCP 1.03(3).

This Agreement shall remain in effect for one year from the date entered in Block 10 (below). One original signed CA to be maintained at DATCP and a second original signed CA to be maintained at the Company office.

8. SIGNATURE (FOR COMPANY): 	9. TITLE: Wholesale Sales/Horticulturist	10. DATE: 1-7-2021
11. COMPLIANCE AGREEMENT NUMBER: WI-HWA-NU-0015		
12. STATE AGENCY OFFICIAL (NAME & TITLE): Timothy Allen – Forest Pest Program Coordinator	AGENCY CONTACT: Wisconsin DATCP 2811 Agriculture Drive PO Box 8911 Madison, WI 53708-8911	
13. SIGNATURE: 		

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