

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES  
PLANT INDUSTRY  
ADMINISTRATIVE CODE

CHAPTER 80-10-8  
BROWN GARDEN SNAIL QUARANTINE

TABLE OF CONTENTS

80-10-8-.01	Determination And Purpose
80-10-8-.02	Definitions
80-10-8-.03	Quarantine Imposed
80-10-8-.04	Pests And Articles Regulated
80-10-8-.05	Areas Regulated
80-10-8-.06	Treatment And Handling Of Regulated Articles
80-10-8-.07	Interchangeable Use Of Certificates Of Compliance And Inspection
80-10-8-.08	Authority Of Commission To Inspect And Seize
80-10-8-.09	Penalty For Violation

80-10-8-.01      Determination And Purpose.

(1) It has been determined that the destructive pest known as the brown garden snail, Helix aspersa Muller, defined as a plant pest under provisions of Code of Ala. 1975, §2-25-1(1), has become established in several states. It is also found and determined that this pest is extremely injurious to Alabama cultivated crops, and that a quarantine against said pest would be in the best interests of horticulture and agriculture in Alabama.

(2) The purpose of this regulation is to establish a quarantine against the brown garden snail for the protection of the horticultural and agricultural industry in Alabama.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §§2-2-16; 2-25-1, et seq.

**History:** Emergency Rule No. 80-10-2-.08 filed March 23, 1983.

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80-10-8-.02      Definitions.

For the purpose of this quarantine, the following definitions shall apply:

(1) Certificate of Quarantine Compliance. A certificate or document issued by a duly authorized official representative of the state of origin verifying compliance with the provisions of this quarantine. Such certificate shall specify pesticidal treatment applied, place where grown, name and address of distributor or consignor, tag number of truck and/or trailer and state of registration, car number if by rail, and name and address of consignee.

(2) Commissioner. The Commissioner of Agriculture and Industries or his authorized representatives.

(3) Infestation. The presence of the brown garden snail in any stage of development, or the existence of circumstances which make it reasonable to believe that the brown garden snail is present.

(4) Plants and Plant Products. Trees, shrubs, vines forage and cereal plants, and all other plants, cuttings, grafts, scions, buds and all other parts of plants and fruit, vegetables, roots, bulbs, tubers, seeds, wood, lumber, and all other products made therefrom.

(5) Regulated Area. Any county, parish, township, city or other civil division or part thereof in any state or territory listed in this quarantine as being placed under quarantine, and such other areas as may become infested or deemed to present a hazard of spread of the brown garden snail.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §§2-2-16; 2-25-1, et seq.

**History:** Emergency Rule No. 80-10-2-.08 filed March 23, 1983.

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### 80-10-8-.03      Quarantine Imposed.

Upon the findings and determinations set out in Rule 80-10-8-.01 above, it is Hereby Ordered, under the provisions of Code of Ala. 1975, §2-25-4(5), that a quarantine be imposed upon the articles and pest set out in this quarantine, subject to the conditions imposed by this quarantine.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §§2-2-16; 2-25-1, et seq.

**History:** Emergency Rule No. 80-10-2-.08 filed March 23, 1983.

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**80-10-8-.04      Pests And Articles Regulated.**

The following pest and articles shall be regulated by this quarantine:

- (1) The brown garden snail, Helix aspersa Muller, in any living stage of development;
- (2) Soil, sand or gravel, separately or with other things;
- (3) Plants and plant products, provided that grafts, scions, buds, fruit, vegetables, roots, bulbs, tubers, seeds, wood, lumber, and all other products made therefrom, shall not require certification so long as they are not exposed to conditions whereby they may become infested;
- (4) Forest products such as stump wood or timbers;
- (5) Any other articles which have become contaminated or subject to contamination.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §§2-2-16; 2-25-1, et seq.

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**80-10-8-.05      Areas Regulated.**

(1) All infested areas of the following states are hereby designated as regulated: Arizona, California, Minnesota, New Mexico, and Oregon.

(2) Other. Any other state or additional areas within currently quarantined states hereafter found to be infested with the brown garden snail.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §§2-2-16; 2-25-1, et seq.

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**80-10-8-.06      Treatment And Handling Of Regulated Articles.**

(1) Regulated articles from regulated areas will be prohibited entry into Alabama, unless each shipment is accompanied by a certificate of quarantine compliance issued by and bearing the signature of an authorized inspector of the state of origin, certifying that it has been determined by official survey that regulated articles contained in the shipment were inspected and found to be free of the brown garden snail and, further, that the pest is not known to exist in the nursery or site from which the shipment or regulated articles originated.

(2) Regulated articles originating from nurseries or sites not found to be free from brown garden snails may enter Alabama only when accompanied by a certificate of quarantine compliance issued by and bearing the signature of an authorized inspector of the state of origin, certifying that 100% of the regulated articles have been inspected and found to be free from brown garden snails.

(3) Regulated articles, other than live plant material, originating from regulated areas may also enter Alabama when accompanied by a certificate of quarantine compliance issued by and bearing the signature of an authorized inspector of the state of origin, certifying that such regulated articles have been properly treated with recommended chemicals as recommended in the USDA-APHIS-PP&Q Treatment Manual.

(4) Regulated articles from regulated areas will be rejected and returned to the shipper if found not to be accompanied by a certificate of quarantine compliance, or if found to be infested with the brown garden snail. When a rejection is made by the commissioner for brown garden snail contamination from an approved nursery or site, that nursery or site cannot be certified to ship to Alabama for a minimum of six months. Before any shipments are certified after that period, the firm must be inspected by an inspector of the state of origin and a letter must be submitted to Alabama providing details of how the snail problem has been corrected.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §§2-2-16; 2-25-1, et seq.

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**80-10-8-.07      Interchangeable Use Of Certificates Of Compliance And Inspection.**

The use of certificates of quarantine compliance shall not preclude the use of certificates of inspection (tags) as provided for in Code of Ala. 1975, §2-25-9, where applicable.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §§2-2-16; 2-25-1, et seq.

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**80-10-8-.08      Authority Of Commission To Inspect And Seize.**

Under the provisions of Code of Ala. 1975, §2-25-3 above, the commissioner may, after first displaying proper identification, stop and inspect, without a warrant, any person or means of conveyance moving into, within or from the state of Alabama upon probable cause to believe that such means of conveyance or articles are infested with the brown garden snail; and the commissioner is authorized to seize, treat, destroy, or otherwise dispose of articles found to be moving in violation of this quarantine.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §§2-2-16; 2-25-1, et seq.

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**80-10-8-.09      Penalty For Violation.**

Any person violating the provisions of this quarantine shall be subject to the penalties imposed under the provisions of Code of Ala. 1975, §2-25-22.

**Author:** Charles H. Barnes **Statutory Authority:** Code of Ala. 1975, §§2-2-16; 2-25-1, et seq.

**Statutory Authority:**

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