

The Minister of Agriculture and Agri-Food, pursuant to paragraphs 15(3)(a), (d), and (e) of the *Plant Protection Act**, hereby makes the annexed Order declaring a certain place to be infested with the Asian Long-horned Beetle and prohibiting or restricting the movement of the pest or nursery stock, trees, leaves, logs, lumber, wood, wood chips or bark chips from broad-leaf deciduous trees including, but not limited to, the genera *Acer*, *Aesculus*, *Betula*, *Celtis*, *Platanus*, *Populus*, *Salix*, *Sorbus* and *Ulmus*, firewood of all species that has not been treated in a manner to eliminate the pest, and certain conveyances out of this infested place, and supersedes the Asian Long-horned Beetle Infested Place Order made on February 13, 2004.

Ottawa, Ontario

FEB 27 2004



Robert Speller
Minister of Agriculture and Agri-Food

*S.C. 1990, c. 22

ORDER DECLARING A CERTAIN PLACE TO BE INFESTED WITH THE ASIAN LONG HORNED BEETLE AND PROHIBITING OR RESTRICTING THE MOVEMENT OF THE PEST OR NURSERY STOCK, TREES, LEAVES, LOGS, LUMBER, WOOD, WOOD CHIPS OR BARK CHIPS FROM BROAD-LEAF DECIDUOUS TREES INCLUDING, BUT NOT LIMITED TO, THE GENERA *ACER*, *AESCULUS*, *BETULA*, *CELTIS*, *PLATANUS*, *POPULUS*, *SALIX*, *SORBUS* AND *ULMUS*, FIREWOOD OF ALL SPECIES THAT HAS NOT BE TREATED IN A MANNER TO ELIMINATE THE PEST, AND CERTAIN CONVEYANCES OUT OF THIS INFESTED PLACE

Short Title

1. This Order may be cited as the *Asian Long-horned Beetle Infested Place Order*.

Declaration

2. The place set out in the Schedule attached hereto and forming part of this Order is declared to be infested with Asian Long-horned Beetle (*Anoplophora glabripennis*).

Interpretation

3. In this Order,

“broad-leaf deciduous tree” means any tree that has wide leaves, rather than leaves that are like needles, and sheds them annually.

“conveyance” means any aircraft, carriage, motor vehicle, trailer, railway car, vessel, cargo, container or other contrivance used to move persons or things;

“inspector” means a person designated as an inspector pursuant to section 21 of the *Plant Protection Act*, S.C. 1990, c. 22;

“Movement Certificate” means a document, issued pursuant to the *Plant Protection Act*, S.C. 1990, c. 22, and signed by an inspector, that authorizes the movement of things within Canada or from Canada to a foreign destination;

“pest” means the Asian Long-horned Beetle (*Anoplophora glabripennis*) in all its life stages, being an insect that is injurious or potentially injurious, whether directly or indirectly, to plants or to products or by-products of plants.

“regulated area” means the place set out in the Schedule attached hereto and forming part of this Order.

“regulated article” means the pest or any nursery stock, trees, leaves, logs, lumber, wood, wood chips or bark chips from broad-leaf deciduous trees including, but not limited to, the genera *Acer*, *Aesculus*, *Betula*, *Celtis*, *Platanus*, *Populus*, *Salix*, *Sorbus* and *Ulmus*, and firewood of all species that has not been treated in a manner to eliminate the pest.

Prohibitions or Restrictions of Movement

4. (1) No person, except an inspector, shall move the pest or any regulated article out of the regulated area, unless authorized to do so in writing by an inspector under and in accordance with a Movement Certificate.
- (2) No person, except an inspector, shall move any conveyance that carries or has carried the pest or any regulated article out of the regulated area, unless authorized to do so in writing by an inspector under and in accordance with a Movement Certificate.
- (3) Subject to subsection (4), no person, except an inspector, shall move any regulated article originating outside of the regulated area out of the regulated area, unless authorized to do so in writing by an inspector under and in accordance with a Movement Certificate.
- (4) No person shall move the pest or any regulated article through the regulated area, unless
 - (a) it is in a container that is sealed or closed in a manner that prevents the escape from, access to, removal or release of the pest or the regulated article; and
 - (b) it is conveyed through the regulated area without stopping, unless so authorized in writing by an inspector under and in accordance with a Movement Certificate.

SCHEDULE
(Section 2)

INFESTED PLACE

All that part of the City of Toronto and City of Vaughan in the Province of Ontario within the area commencing at the point of intersection between Provincial Highway (“Hwy.”) 409 and (Formerly) Provincial Hwy. 27 and proceeding northward along the east side of (Formerly) Provincial Hwy. 27 / York Regional Road 27, as the case may be, to Rutherford Road / York Regional Road 73;

Thence proceeding eastward along the south side of Rutherford Road / York Regional Road 73 to Dufferin Street / York Regional Road 53;

Thence proceeding southward along the west side of Dufferin Street / York Regional Road 53 / William R. Allen Road / William R. Allen Expressway to Provincial Hwy. 401;

Thence proceeding westward along the north side of Provincial Hwy. 401 to a point of intersection with Provincial Hwy. 409; and

Thence continuing westward along the north side of Provincial Hwy. 409 to the initial point of intersection with (Formerly) Provincial Hwy. 27.
