UTAH ADMINISTRATIVE CODE

**R68. Agriculture and Food, Plant Industry.**

**Rule R68-9. Utah Noxious Weed Act.**

R68-9-1. Authority.

Promulgated under authority of 4-2-2 and 4-17-3.

R68-9-2.

Designation and Publication of State Noxious Weeds.

A. The following weeds are hereby officially designated and published as noxious for the State of Utah, as per the authority vested in the Commissioner of Agriculture and Food under Section 4-17-3:

There are hereby designated five classes of noxious weeds in the state: Class 1A (EDRR Watch List), Class 1 (EDRR), Class 2 (Control), Class 3 (Containment), and Class 4 (Prohibited for sale or propagation).

R68-9-3.

Designations and Publication of Articles Capable of Disseminating Noxious Weeds.

A. As provided in Section 4-17-3,

the following articles are designated and published by the Commissioner as

capable of disseminating noxious weeds:

 1. Machinery and equipment, particularly combines and hay balers.

 2. Farm trucks and common carriers.

 3. Seed.

 4. Screenings sold for livestock feed.

 5. Livestock feed material.

 6. Hay, straw, or other material of similar nature.

 7. Manure.

 8. Soil, sod and nursery stock.

 9. Noxious weeds distributed or sold for any purpose.

 10. Livestock.

R68-9-4. Prescribed Treatment for Articles.

2. Farm Trucks and Common Carriers.

It shall be unlawful for any person, company or corporation to transport seed, screenings or feed of any kind containing noxious weed seed over or along any highway in this State or on any railroad operating in this State unless the same is carried or transported in such vehicles or containers which will prevent the leaking or scattering thereof. All common carriers shall thoroughly clean and destroy any noxious weed seeds or plant parts in cars, trucks, vehicles or other receptacles used by them after each load shall have been delivered to consignee before again placing such car, truck, vehicle or receptacle into service.

5. Livestock Feed Material.

a. It shall be unlawful for any person, company or corporation to sell or offer for sale, barter or give away to the ultimate consumer any livestock feed material, including whole grains, which contain more than six whole noxious weed seeds per pound. Whole feed grain which exceeds this tolerance of noxious weed seeds may be sold to commercial processors or commercial feed mixers where the manner of processing will reduce the number of whole noxious weed seed to no more than six per pound.

6. Hay, Straw or Other Material of Similar Nature.

a. It shall be unlawful for any person, company or corporation to sell or offer for sale, barter or give away any hay, straw, or other material of similar nature, which is contaminated with mature noxious weed seeds or such parts of noxious weed plants which could cause new growth, or to alter, change or falsify in anyway information contained on a phytosanitary certificate.