

BOARD OF AGRICULTURE AND CONSUMER SERVICES
Patrick Henry Building
East Reading Room
1111 E. Broad Street
Richmond, Virginia

Thursday, December 7, 2023

9 A.M.

1. Call to order
2. Roll call
3. Approval of draft Board meeting minutes from August 4, 2023
4. Board member reports
5. Commissioner's Report to Board – Joseph Guthrie, Commissioner of Agriculture and Consumer Services
6. Budget update – Dewey Jennings, Director, Administration and Finance

10 A.M. **Public Hearing – Proposed Regulations for 2 VAC 5-317 (Regulations for Enforcement of the Noxious Weeds Law)** – Larry Nichols, Director, Division of Consumer Protection

7. Office of Pesticide Services – Case Decision – Thibault Enterprises, LLC (Case # 73148)
8. Notice of Intended Regulatory Action – 2 VAC 5-680 (Regulations Governing Licensing of Pesticide Businesses Operating under Authority of the Virginia Pesticide Control Act) and 2 VAC 5-685 (Regulations Governing Pesticide Applicator Certification under Authority of Virginia Pesticide Control Act) – Liza Fleeson Trossbach, Program Manager, Office of Pesticide Services
9. Proposed Fast-Track Action to Amend 2 VAC 5-585 (Retail Food Establishment Regulations) – Pamela Miles, Program Manager, Office of Dairy and Foods
10. Petition for Rulemaking – Animal Partisan's petition for regulations for the transportation of poultry – Dr.Carolynn Bissett, Program Manager, Office of Veterinary Services
11. Pesticide Control Fund Report to the Board – Liza Fleeson Trossbach, Program Manager, Office of Pesticide Services
12. Regulatory Advisory Panel for 2 VAC 5-675 (Regulations Governing Pesticide Fees Charged By the Department of Agriculture and Consumer Services) Report to Board – Liza Fleeson Trossbach, Program Manager, Office of Pesticide Services
13. New business

14. Future Board meetings
15. Public comment period
16. Adjourn

Project 6889

Department Of Agriculture And Consumer Services

Amend noxious weed list

Chapter 317

Regulations for Enforcement of the Noxious Weeds Law

2VAC5-317-20. Tier 1, Tier 2, and Tier 3 noxious weeds.

A. The following plants are hereby declared Tier 1 noxious weeds:

1. *Salvinia molesta*, Giant salvinia.
2. *Solanum viarum*, Tropical soda apple.
3. *Heracleum mantegazzianum*, Giant hogweed.

B. The following plants are hereby declared Tier 2 noxious weeds:

1. *Imperata cylindrica*, Cogon grass.
2. *Lythrum salicaria*, Purple loosestrife.
3. *Ipomoea aquatica*, Water spinach.
4. *Vitex rotundifolia*, Beach vitex.
5. *Oplismenus hirtellus* spp. *undulatifolius*, Wavyleaf basketgrass.
6. *Corydalis incisa*, Incised fumewort.
7. *Trapa bispinosa*, Two horned trapa.

C. The following plants are hereby declared Tier 3 noxious weeds:

1. *Ailanthus altissima*, Tree of heaven.
2. *Ampelopsis brevipedunculata*, Porcelain berry.
3. *Celastrus orbiculatus*, Oriental bittersweet.
4. *Hydrilla verticillata*, Hydrilla.
5. *Persicaria perfoliata*, Mile-a-minute weed.
6. *Alliaria petiolata*, Garlic mustard.
7. *Dioscorea polystachya*, Chinese yam.
8. *Elaeagnus umbellata*, Autumn olive.
9. *Ficaria verna*, Lesser celandine.
10. *Lespedeza bicolor*, Bicolor lespedeza.
11. *Lonicera maackii*, Amur honeysuckle.
12. *Lonicera japonica*, Japanese honeysuckle.
13. *Phragmites australis*, Common reed.
14. *Pueraria montana*, Kudzu.
15. *Reynoutria japonica*, Japanese knotweed.
16. *Ulmus pumila*, Siberian elm.