

Box Tree Moth Quarantine Order for Cape May, Cumberland and Atlantic Counties
New Jersey State Board of Agriculture

WHEREAS, Box Tree Moth (*Cydalima perspectalis*) is an invasive insect pest native to East Asia, as its larvae are voracious feeders that can completely defoliate and kill Boxwood (*Buxus* species) plants; and

WHEREAS, the aggressive, destructive nature of the Box Tree Moth's caterpillar life stage makes it essential to quickly take action as soon as damage is detected as defoliation can occur within 10 days; and

WHEREAS, the risk of human movement of infested nursery stock, plant material, and debris will rapidly expand the pest's range; and

WHEREAS, the nursery and landscape industries that rely on Boxwood plants generate more than \$9.8 million in economic activity annually within New Jersey and an estimated \$140 million annually throughout the United States, according to data provided by the United States Department of Agriculture ("USDA") National Agricultural Statistics Service; and

WHEREAS, the New Jersey Department of Agriculture ("Department") has determined the Box Tree Moth to be an injurious insect that is dangerous and destructive to the horticultural and agricultural industries, residential landscapes, and heritage plantings of Boxwood plants throughout the State; and

WHEREAS, on June 10, 2026, the USDA Animal and Plant Health Inspection Service (USDA-APHIS) confirmed that Box Tree Moth was detected on residential plantings in Middle Township, Cape May County, New Jersey, and this was the first confirmed detection of this pest in New Jersey; and

WHEREAS, on August 21, 2026, the Department and USDA staff further detected Box Tree Moth on residential plantings in Commercial Township, Cumberland County, New Jersey; and

WHEREAS, the detection of Box Tree Moth in Cumberland County also threatens the nearby area of Atlantic County;

WHEREAS, USDA-APHIS has previously detected Box Tree Moth in Massachusetts, New York, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Kentucky, Ohio, and Michigan, and every one of these states established intrastate quarantines that restrict the movement of host plants, plant parts, and any articles capable of harboring life stages of the Box Tree Moth.

NJDA AUTHORITY

WHEREAS, pursuant to N.J.S.A. § 4:1-21.5, the Department may institute and enforce such measures as it may deem necessary to control infectious or contagious diseases of live stock and poultry, diseases of plants, injurious insects and other plant pests; and

WHEREAS, pursuant to N.J.S.A. § 4:1-21.5 and N.J.S.A. § 4:7-1, the State Board of Agriculture may establish and enforce general or local quarantines.

I. THEREFORE, the following terms as used in this Order shall mean:

"Box Tree Moth" means the insect known as Box Tree Moth (*Cydalima perspectalis*) in any stage of development.

"Businesses" means commercial enterprises including but not limited to, nurseries, persons, plant dealers, and landscaping companies.

"Certificate" means any document that is issued for regulated article by an inspector or by a person operating pursuant to a compliance agreement, and which represents that such article is eligible for movement outside the quarantine area designated in this Order.

"Compliance agreement" means the agreement that all businesses in the quarantine area are required to sign and comply with if they are growing, buying, selling, shipping, or disposing Boxwood plants. The mandatory Compliance Agreement is incorporated as "Appendix A."

"Department" means the New Jersey Department of Agriculture.

"Exposed" means determination by an inspector to be at risk for spreading Box Tree Moth.

"Infestation" means the presence of Box Tree Moth in any life stage.

"Inspector" means any person officially designated by the Department, or an employee of USDA-APHIS, authorized by the Department to enforce the provisions of this Order.

"Move" means to ship, carry, transport, offer for shipment, receive for shipment, or allow to be transported by any means.

"Movement" means the act of shipping, carrying, transporting, offering for shipment, receiving for shipment, or allowing to be transported by any means.

"Notification by the Department" means an official written order issued by the Secretary of Agriculture specifying conditions found, actions the recipient shall carry out, and a specified time frame by which the order must be complied with.

"Nursery" means any premises, including greenhouses but excluding any orchard, at which plants are grown or maintained for propagation or replanting.

"Person" means an individual, firm, corporation, company, limited liability company, society, association, or other business.

"Plant" means any part of a plant, tree, aquatic plant, plant product, shrub, vine fruit, rhizome, sod, vegetable, seed, bulb, stolon, tuber, corm, pip, cutting, scion, bud, graft or fruit.

"Quarantined area" means any area designated as a quarantined area in accordance with this Order.

"Regulated article" means any article including live plants, debris, or dead material listed in this Order.

"USDA-APHIS" means the United States Department of Agriculture Animal and Plant Health Inspection Service.

II. THEREFORE BE IT FURTHER RESOLVED, that the following requirements and restrictions concerning the movement of Boxwood plants, debris, and other regulated articles shall take effect:

A. Restrictions on movement of plant material; Disposal

1. No business may move any regulated articles listed in this Order outside the quarantine area designated in this Order without a signed Compliance Agreement and certification issued by the Department.
2. A private individual or non-business entity seeking to move any regulated articles listed in this Order outside the quarantine area designated in this Order (Cape May, Cumberland, and Atlantic Counties) must first receive prior written authorization from the Department.
3. Infested or dead Regulated articles must be disposed of within the designated quarantined area (Cape May, Cumberland, Atlantic Counties). This requirement is applicable to all businesses, including those with a signed Compliance Agreement and certification.

B. Regulated articles

1. Regulated articles are as follows:
 - a. Boxwood plants (*Buxus species*).
 - b. Boxwood plant debris or dead boxwood plant material;
 - c. The Box Tree Moths at any life stage; and
 - d. Any means of conveyance for the Boxwood plant including, but not limited to: soil, pots, containers, and truck beds, or when it is determined by the Department that the regulated article presents a risk of spreading Box Tree Moth.

C. Quarantine area

1. By order of the State Board of Agriculture pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:7, in order to control the spread of Box Tree Moth the following Counties are hereby quarantined:
 - a. Cape May County
 - b. Cumberland County
 - c. Atlantic County
2. This Order shall not be construed to limit the Department's authority to quarantine additional counties, as necessary, consistent with its existing statutory authorities.

D. Department may enter, inspect, and treat for Box Tree Moth

1. Duly authorized representatives of the Department may enter upon any lands or premises, public or private, within the State including areas outside of the quarantined area for the purpose of making necessary inspections for Box Tree Moth and the removal of infested Boxwood plants. The Department may provide a notification of infestation, a treatment order, or treatment recommendations, as appropriate, to any person.
2. For businesses, the Department may also issue disposal orders, if necessary.
3. The Department shall not order homeowners to incur any expenses related to the treatment of Boxwood plants and shall not remove or order the removal of any Boxwood plants. However, the Department may enter, inspect, and treat such plants at its discretion.
4. Persons interfering with or obstructing the Department or an inspector in the conduct of inspections or treatments for Box Tree Moth shall be subject to sanctions pursuant to N.J.S.A. 4:7-13, 14, and 18.

E. Notification of infestation, treatment order

1. The Department may issue a written Notice of Infestation-Treatment Order to any person or representative of a property owner upon detection of the Box Tree Moth.

2. Businesses shall treat all plant material specified in the Infestation-Treatment Order to eradicate Box Tree Moth in a manner approved by the Department, including the destruction of infected plants.
3. A business must comply with the Infestation-Treatment Order within the time specified therein. The order shall specify a date for compliance that is not less than three days from the date that the order is issued.
4. Notifications of infestation, when issued to non-commercial entities, shall not require them to incur costs by treating or destroying Boxwood plants. The Department shall not destroy or remove any Boxwood plants belonging to private property non-business entities.

F. Mandatory Compliance Agreement for businesses; certification

1. No regulated articles may be moved out of the designated quarantine area of Cape May, Cumberland and Atlantic Counties, unless in compliance with the requirements set forth in this section.
2. Businesses moving regulated articles out of the quarantine area are required to sign a Compliance Agreement and receive a certification issued by the Department prior to moving the regulated articles.
3. The technical requirements, specifications, and standards for compliance with this Order are set forth in the Compliance Agreement labeled “BTM Compliance Agreement” at <https://www.nj.gov/agriculture/divisions/pi/prog/BoxtreeMoth.shtml>. This includes technical requirements for the proper use of traps, pre-inspections of plant materials, employee training requirements, recordkeeping requirements, and the proper use of insecticides.
4. The “Pest Management Plan” required by the Compliance Agreement shall be considered satisfied by the execution of the compliance agreement itself.
5. The “Certification” referenced in the Compliance Agreement is a general-use certificate authorizing a business to move Boxwood plants and other regulated articles out of the quarantine area in compliance with these rules. The Department does not require individual certificates for individual movements of regulated articles by businesses.

6. Notification requirements 1 through 5 in the Compliance Agreement shall be deemed satisfied if a regulated New Jersey business ships Boxwood plants to a dealer in another state, so long as the out-of-State dealer has been duly certified by their own state department of agriculture. No individual permissions or prior approvals shall be necessary beyond the invoice documenting the transaction with the certified dealer.
7. Pursuant to N.J.A.C. 2:18, the Department may charge nursery inspection fees to recover costs associated with issuing an inspection certificate.