

Wisconsin Chapter NR 40

(What it means for us and YOU)





Since September 1, 2009, the invasive species rule, Wis. Admin. Code NR 40, makes it illegal to possess, transport, transfer or introduce certain invasive species in Wisconsin without a permit. It was revised as of May 1, 2015, and is in the process of being be revised again in 2025.



Everyone is responsible to comply with these regulations. What you need to do as an individual, business, or organization may vary depending on your type of work and activities.



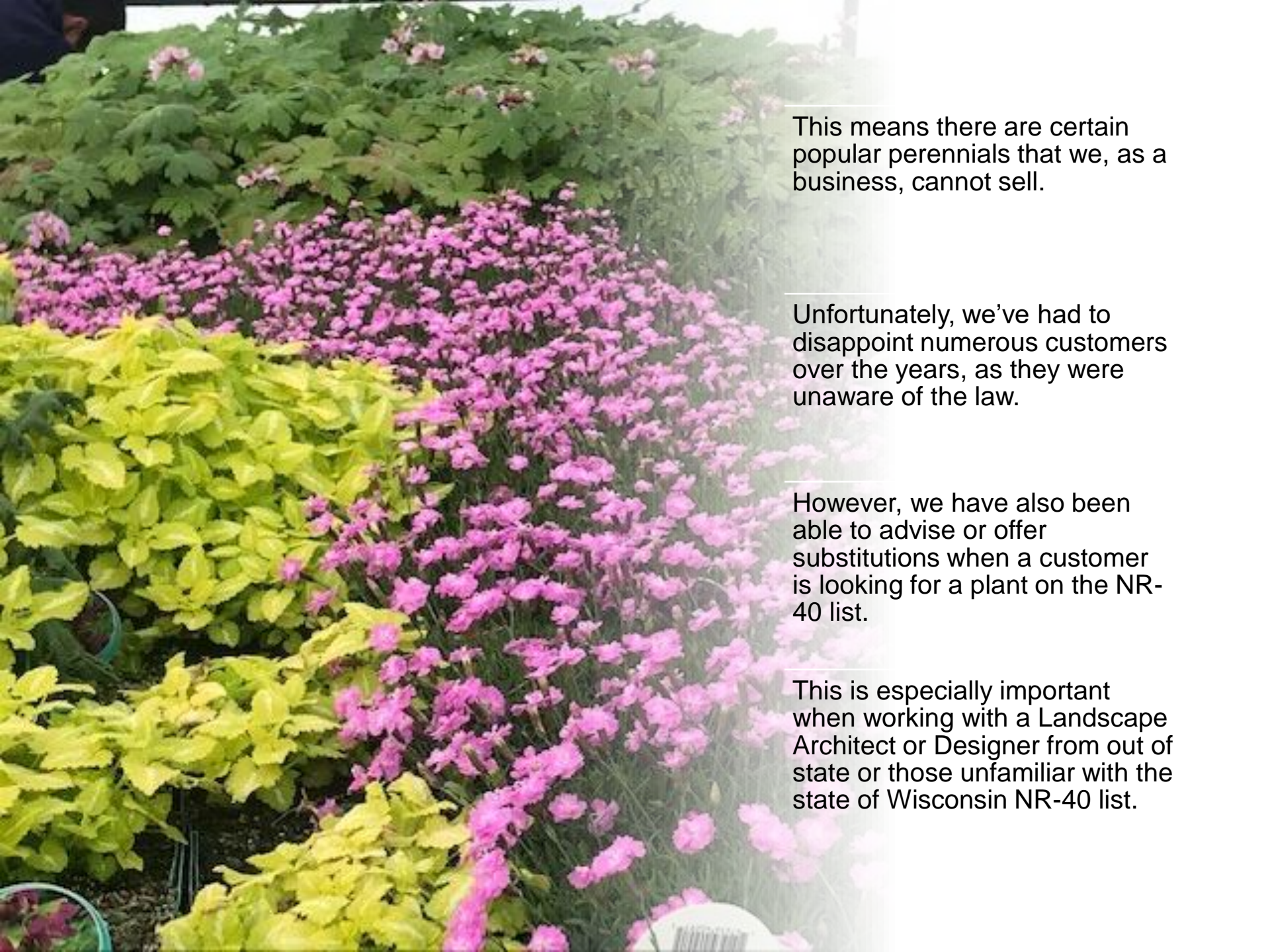
What does W. & E. Radtke do to slow the spread of invasives species?

We do not:

- Purchase, sell, or propagate known invasive plant species and cultivars.
- Purchase or sell plant or landscape material that we suspect may contain invasive species.
- Purchase, sell, and propagate species, cultivars, and varieties known to be less susceptible to invasive pests.

We do educate ourselves and try to educate our customers about invasive plants, insects, and diseases.





This means there are certain popular perennials that we, as a business, cannot sell.

Unfortunately, we've had to disappoint numerous customers over the years, as they were unaware of the law.

However, we have also been able to advise or offer substitutions when a customer is looking for a plant on the NR-40 list.

This is especially important when working with a Landscape Architect or Designer from out of state or those unfamiliar with the state of Wisconsin NR-40 list.

What can you do to slow the spread of invasive species?

Landscape Architects and Designers can:

- Take an assessment prior to site design and make recommendations for management.
- Do not include invasive cultivars in planting designs.
- Design using plant materials that are site appropriate and less susceptible to damaging pests and diseases.
- Enhance the establishment of healthy plants through design.
- Diversify planting material within the context of your design.
- Design with long-term management and maintenance in mind.
- Keep current about invasive species and educate clients.
- Write specifications to limit the introduction and spread of invasive species.



What can you do to slow the spread of invasive species?

Landscapers can:

- Plan activities to limit the introduction and spread of invasive species.
- Limit the introduction and spread of invasives during site preparation activities.
- Do not plant invasive species.
- Educate clients and staff about invasive species.
- Minimize the movement of invasive species to non-infested areas during activities.
- Minimize soil disturbance.
- Stabilize disturbed soils quickly to prevent establishment of invasive species.
- Use landscape materials that are free of invasive species and propagules, such as wood chips or compost.
- Prior to relocating equipment, remove soil and debris by scraping, brushing or washing.
- Remove soil, seeds, and other debris from shoes, clothing and tools prior to leaving an area.
- Avoid unnecessary wounding of trees and vegetation to reduce susceptibility to diseases and insects.



In a Nutshell...

- We encourage you to become familiar with Chapter NR-40 and how the rule may impact your work.
 - Become familiar with all the listed species and their regulated status for your county or the county you are working in.
 - Follow the Law!
 - Don't buy, sell, transport or introduce invasive species without a permit.
 - Inspect trailers and equipment and remove invasive species.
 - Don't use regulated species in plantings and projects.
 - Plant and promote beautiful, non-invasive alternatives.
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- To learn about what else you can do, visit the DNR prevention page:
dnr.Wisconsin.gov/topic/Invasives/prevention
 - Follow best management practices for your field of expertise:
dnr.Wisconsin.gov/topic/Invasives/bmp

Partial list of
Prohibited and
Restricted perennials

Definition of Prohibited Invasive Plants

- These species are not yet in the state or established in pioneer stands only.
- A high potential for environmental and/or economic impacts exists with these species.
- It still may be feasible to prevent the introduction and spread of these species statewide and eradicate the populations as they are found.

Regulations: Cannot transport, possess, transfer, buy or sell, or introduce without a permit issued by the Wisconsin Department of Natural Resources (DNR). Any viable part of the species, including seeds, is covered by these regulations. Control is required. The state may order or conduct a control effort.

AKEBIA quinata
(Chocolate Vine)



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AMPELOPSIS
brevipedunculata
(Porcelain Berry)

Acceptable sub:
Parthenocissus quinquefolia



CELASTRUS loeseneri
(Asian Bittersweet)

Acceptable sub:

Celastrus scandens

LYTHRUM virgatum
(Wanded Loosestrife)

Acceptable sub:

Lythrum alatum var alatum

Lythrum verticillatum



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PERSICARIA perfoliata /
POLYGONUM perfoliatum
(Mile-a-Minute Vine)



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TYPHA domingensis
(Southern Cattail)

TYPHA laxmannii
(Graceful Cattail)



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WISTERIA floribunda
(Japanese Wisteria)

WISTERIA sinensis
(Chinese Wisteria)

Acceptable sub:

Wisteria macrostachya
(Kentucky Wisteria)



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LEYMUS arenarius/
ELYMUS arenarius
(Lyme Grass)

*Prohibited or Restricted
depending on county*

PHRAGMITES australis

(Common Reed)

Non-native ecotype

*Prohibited or Restricted
depending on county*



Definition of Restricted Invasive Plants

- These species are already established in the state.
- High environmental and/or economic impacts are evident with these species.
- Complete eradication of these species is unlikely.

Regulations: Cannot transport, transfer, buy or sell, or introduce without a permit issued by the Wisconsin Department of Natural Resources (DNR). Any viable part of the species, including seeds, is covered by these regulations. Control is encouraged but not required.



AEGOPODIUM podagraria
(Bishop's Goutweed)

Acceptable sub:

Peucedanum ostruthium

Daphnis



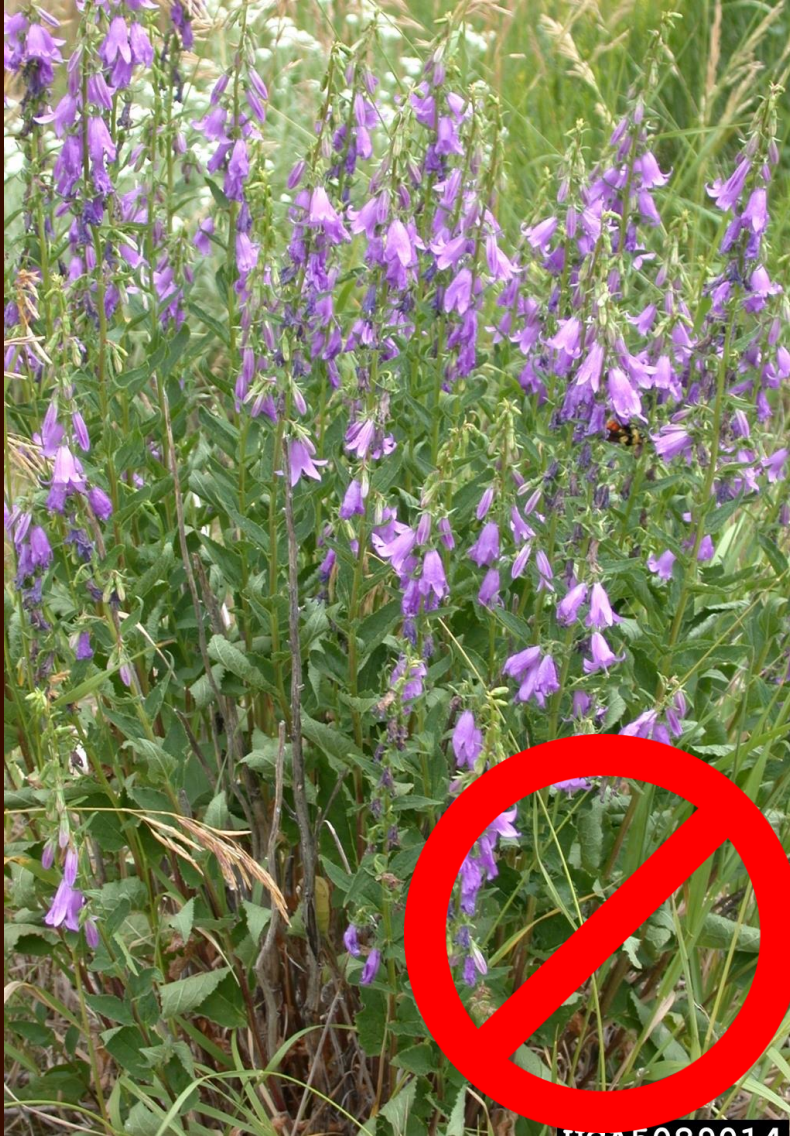
ARTEMISIA absinthium
(Wormwood)

Acceptable sub:

Artemisia gmelinii SUNFERN™

Olympia

CAMPANULA rapunculoides
(Creeping Bellflower)



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CELASTRUS orbiculatus
(Oriental Bittersweet)

Acceptable sub:

Celastrus scandens



CORONILLA varia
(Crown Vetch)



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FALLOPIA japonica/
POLYGONUM cuspidatum/
REYNOUTRIA japonica
(Japanese Knotweed)

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FILIPENDULA ulmaria
(Queen-of-the-Meadow)

Acceptable sub:

Filipendula rubra

(Queen-of-the-Prairie)





HESPERIS matronalis
(Dame's Rocket)

Acceptable sub:

Phlox glaberrima interior



IRIS pseudacorus
(Yellow Iris)

Acceptable sub:

Iris pseudata

ora:on
pseudacorus | Paulo Ventura Araújo

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LYSIMACHIA nummularia (Moneywort)

Restricted except the cultivar Aurea,
yellow or gold leaf forms

Acceptable sub:

Lysimachia nummularia Goldi



LYTHRUM salicaria
(Purple Loosestrife)





MYOSOTIS scorpioides
(Aquatic Forget-me-Not)
MYOSOTIS sylvatica or
M. Sylvaticum
(Woodland Forget-me-Not)

Acceptable sub:
Myosotis verna



ROSA multiflora
(Multiflora Rose)

Acceptable sub:

Rosa acicularis, R. Arkansas, R. blanda, R. Carolina, R. palustris, R. woodsii



TANACETUM vulgare
(Tansy)

Exceptions:

*The cultivars Aureum and
Crispum*



TYPHA angustifolia
(Narrow-leaf Cattail)

TYPHA x glauca
(Hybrid Cattail)



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VALARIANA officinalis
(Garden Heliotrope,
Valerian)



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The NR-40 regulations are aimed at preventing new invasive species from getting into Wisconsin and enabling quick action to control or eradicate those here but not yet established.

Thank you!

Questions? Comments?
Please contact us!
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