

at the time the University took up the work. This shows the astonishing fact that the people were spending enough money on one block to practically exterminate the ants in nine when done in a systematic manner. And yet the ants were constantly spreading notwithstanding their efforts.

As I have said, the results so far are very satisfactory. We have established that it is possible to exterminate the Argentine ant and to absolutely prevent its spread.

---

## LEGISLATION IN CANADA IN REFERENCE TO INJURIOUS INSECTS AND PLANT DISEASES

By C. GORDON HEWITT, D. Sc., *Dominion Entomologist, Ottawa*

The Department of Agriculture of Canada is empowered by the Destructive Insect and Pest Act of 1910 to take such action as may be deemed necessary to prevent the introduction or spreading of injurious insects, pests and plant diseases. All plants, with the exception of certain classes such as greenhouse-grown plants, herbaceous perennials, bulbs, etc., may be imported at certain seasons of the year only and through certain ports as specified in the Regulations. The Department of Agriculture has power to inspect plants liable to be infested with certain insects and plant diseases, to destroy the same if necessary or to prohibit their importation into Canada.

At six of the ports of entry (See Section 3 of the Regulations) fumigation stations are established where plants from countries and states infested or liable to be infested with the San José scale are fumigated with hydrocyanic acid gas by special officers in charge.

Plants from Europe, Japan and the states of Vermont, Maine, Massachusetts, New Hampshire, Connecticut and Rhode Island, six of the United States of America, are inspected by officers of the Department for the brown-tail moth and gypsy moth. In some cases this inspection is made at the port of entry, in other cases at the destination of the stock. In the latter case the plants may not be unpacked except in the presence of an inspector.

It is necessary for all persons and transportation companies importing or bringing plants into Canada to notify the Dominion Entomologist, Ottawa, of the fact, and through the coöperation of the Department of Customs, the custom officers at the ports of entry also send advices of the arrival of shipments of plants at the various ports through which plants may enter.

In addition to the inspection and fumigation of imported plants, a number of field officers are employed in inspecting orchards and in

carrying out eradicated measures against the brown-tail moth in those regions in Nova Scotia and New Brunswick infested with the insect. This eradicated work is carried out in coöperation with the respective Provincial Governments. The fumigation and inspection of imported plants and of infested regions and eradicated work is carried on under the direction of the Dominion Entomologist.

The Minister of Agriculture has power to prohibit the importation of plants from any given region should it be deemed necessary, owing to the presence of serious insect pests or diseases in such a region. This has been done in the case of potatoes from Newfoundland and the neighboring islands to prevent the introduction of potato canker (*Chrysophlyctis endobiotica*).

The Destructive Insect and Pest Act and the Regulations issued thereunder are appended.

In addition to the legislation of the Federal Government, certain of the Provincial Governments have instituted legislative measures in reference to plant diseases and pests.

The Province of British Columbia inspects all plants and fruit entering the province, and any plants or fruit found to be infested with insect pests is either treated or condemned.

The Province of Ontario has legislation chiefly referring to the inspection of nurseries and the treatment of plants grown in nurseries.

The Province of Nova Scotia has recently enacted legislation under which the Department of Agriculture for the province will have power to inspect orchards and take such steps as are necessary for the eradication or control of the more serious insect pests and plant diseases.

#### THE DESTRUCTIVE INSECT AND PEST ACT

*An Act to Prevent the Introduction or Spreading of Insects, Pests and Diseases  
Destructive to Vegetation*

(9-10 Edward VII, Chap. 31. Assented to 4th May, 1910.)

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as "*The Destructive Insect and Pest Act*."
2. In this Act, unless the context otherwise requires, "the Minister" means "the Minister of Agriculture."
3. The Governor in Council may make such regulations as are deemed expedient to prevent the introduction or admission into Canada, or the spreading therein, of any insect, pest or disease destructive to vegetation.
4. Such regulations may provide:
  - (a) for the prohibition generally, or from any particular country or place, of the introduction or admission into Canada of any vegetable or other matter likely to introduce any such insect, pest or disease;
  - (b) the terms or conditions upon, and the places at which any such vegetable or other matter may be introduced or admitted into Canada;

(c) for the treatment and manner of treatment to be given to any vegetation, vegetable matter or premises in order to prevent the spreading of any such insect, pest or disease, and may prescribe whether such treatment shall be given by the owner or by a person appointed for such purpose;

(d) for the destruction of any crop, tree, bush or other vegetation or vegetable matter or containers thereof infested or suspected to be infested with any such insect, pest or disease;

(e) for the granting of compensation for any such crop, tree, bush or other vegetation or containers thereof so destroyed, such compensation not to exceed two thirds of the value of the matter destroyed and to be granted only by the Governor in Council upon the recommendation of the Minister;

(f) for the prohibition of the sale of any vegetable matter infected with any such insect, pest or disease;

(g) that the occupier of the premises on which is discovered any such insect, pest or disease shall forthwith notify the Minister and shall also send specimens of such insect, pest or disease;

(h) for the confiscation of any vegetable matter and the container thereof, if any, in respect of which a breach of this Act, or any regulation made thereunder is committed and generally for any other purpose which may be deemed expedient for carrying out this Act, whether such other regulations are of the kind enumerated in this section or not.

5. The Minister may appoint inspectors and other officers for carrying out this Act and the Regulations made thereunder.

2. Such appointments, if not confirmed by the Governor in Council within thirty days of the date thereof, shall lapse and cease to be valid.

6. Any inspector or other officer so appointed may enter any place or premises in which he has reason to believe there exists any such insect, pest or disease, and may take specimens thereof and also of any vegetable matter infested or suspected of being infested therewith.

7. The Minister, upon the report of any inspector setting forth a reasonable belief of the existence of any such insect, pest or disease in any area defined in such report, may prohibit the removal from such area or the movement therein of any vegetation, vegetable or other matter which, in his opinion, is likely to result in the spread of such insect, pest or disease.

8. Every person who contravenes any provision of this Act, or any regulation made thereunder, shall be liable, upon summary conviction, to a fine not exceeding one hundred dollars, or to imprisonment for a term not exceeding six months, or to both fine and imprisonment. Any vegetable or other matter imported or brought into Canada contrary to this Act, or to any regulation made thereunder, shall be forfeited to the Crown.

9. Every order in council and regulation made under this Act shall be published in *The Canada Gazette*, and shall be laid, by the Minister, before Parliament within fifteen days after the commencement of the then next session.

10. The "*San José Scale Act*" is repealed.

### *Regulations*

issued under the Destructive Insect and Pest Act,  
(by order in Council of 27th February, 1911.)

1. "Inspector" means a person appointed for carrying out the provisions of the Destructive Insect and Pest Act and the regulations made thereunder.

2. No tree, plant or other vegetation or vegetable matter infested with any of the

insects, pests or diseases, to which this Act applies, shall be imported into Canada except as hereinafter provided.

3. Nursery stock, including all trees, shrubs, plants, vines, grafts, scions, cuttings or buds which are not hereinafter exempted, entering Canada shall be imported only through the ports and during the periods respectively hereinafter mentioned, that is to say:

Vancouver, B. C., from October 1 to May 1.

Niagara Falls, Ont., from October 1 to May 15.

Winnipeg, Man., and St. John, N. B., from March 15 to May 15, and from October 7 to December 7.

Windsor, Ont., and St. Johns, P. Q., from March 15 to May 15, and from September 26 to December 7.

At these points of entry the importations shall be fumigated in the fumigation houses provided for that purpose, and a certificate of fumigation will be issued, without which no stock may be taken out of bond.

Importations by mail shall be subject to the same regulations.

All nursery stock originating in Japan or in any one of the states of Vermont, New Hampshire, Maine, Massachusetts, Connecticut and Rhode Island, six of the United States of America, shall, after fumigation, be subject to inspection as provided by Section 6 of these Regulations.

Provided, however, that the following vegetation and florist's stock shall be exempt from fumigation and may be imported at any season of the year and through any port without inspection:

(a) Greenhouse-grown plants, including roses in foliage which have been grown in pots up to three inches in diameter but not larger. A certificate that the plants have been grown under glass must accompany the invoice and shall be signed by the consignor.

(b) Herbaceous perennials (the stems of which die down in winter), such as perennial phlox, peonies, sunflowers, etc.

(c) Herbaceous bedding plants (such as geraniums, verbenas, pansies, etc.)

(d) Bulbs and tubers (such as hyacinths, lilies, narcissi and other true bulbs and also the tubers of dahlias, irises, etc.)

(e) Cottonwood or Necklace Poplar (*Populus deltoides*) when shipped from and grown in Dakota or Minnesota, two of the United States of America.

4. The port by which it is intended that the nursery stock shall enter shall be clearly stated on each package and all shipments made in accordance with these regulations will be entirely at the risk of the shippers or consignees, the Government assuming no responsibility whatever.

5. All persons importing nursery stock, except such as is exempt from fumigation or inspection under Section 3 of these Regulations, shall give notice to the Dominion Entomologist, Experimental Farm, Ottawa, within five days of dispatching the order for the same, and they shall again notify the Dominion Entomologist on the arrival of the shipment in Canada.

Notice shall also be given to the Dominion Entomologist by all transportation companies, Custom House Brokers or other persons importing or bringing into Canada nursery stock that is subject to inspection as hereinafter provided, immediately such a consignment is received by them. Such notice shall include the name of the consignor and the consignee, the points of origin and destination, the name of the company carrying the nursery stock, as well as the nature, quantity and origin of the same.

6. Nursery stock, not including such stock as is exempt under Section 3 of these Regulations, originating in Europe, shall be imported only through the ports and

during the periods specified under Section 3 for stock requiring fumigation, with the addition of the ports of Halifax, N. S., Sherbrooke, P. Q., and Montreal, P. Q., through which ports such European stock may enter from September 15 to May 15. Such European nursery stock, and such other imported vegetation, as the Minister may determine, entering Canada, shall be exempt from fumigation, but shall be inspected either at the port of entry or at its destination to which it may be allowed to proceed, but in the latter case it must not be unpacked except in the presence of an inspector.

7. If, on inspection, nursery stock or other vegetation or vegetable matter is found to be infested with any of the insects, pests or diseases hereinafter specified, it shall be destroyed to the extent deemed necessary by the inspector and in his presence. All cases, packages and packing in which such stock has been contained shall also be destroyed in the same manner.

8. Any inspector entering any lands, nursery or other premises where there is reason to believe that any of the insects, pests or diseases hereinafter specified are or may be present, shall give instructions for the treatment or destruction of any tree, bush, crop or other vegetation or vegetable matter or the containers thereof, which may be found or suspected to be infested with any of the insects, pests or diseases hereinafter specified, and such instructions shall be carried out by the owner or the lessee of the infected or suspected vegetation, vegetable matter or containers thereof, and such remedial treatment shall be carried out and continued until the insect, pest or disease shall be deemed by the Inspector to have been exterminated.

9. Compensation not exceeding two thirds of the value as assessed by the Inspector, of the vegetation or vegetable matter or containers thereof destroyed by the instructions of an Inspector, shall be granted by the Governor in Council upon the recommendation of the Minister.

10. It shall be illegal to sell, offer for sale or in any way dispose of or receive any trees, shrubs, or other plants, vegetable matter or portions of the same, if the same are infested with any of the insects, pests or diseases hereinafter specified.

11. The owner, occupier or lessee of any premises or place where any of the insects, pests or diseases specified herein shall be found, shall immediately notify the Minister and shall also send to him specimens of such insects, pests or diseases.

12. The destructive insects, pests and diseases to which the said Act shall apply shall include the following:

The San José Scale (*Aspidiotus perniciosus*).

The Brown-tail Moth (*Euproctis chrysorrhæa*).

The Woolly Aphis (*Schizoneura lanigera*).

The West Indian Peach Scale (*Aulacaspis pentagona*).

The Gypsy Moth (*Porthetria dispar*).

Potato Canker (*Chrysophlyctis endobiotica*).

Parasitic diseases affecting potatoes externally or internally.

Branch or Stem Canker (*Nectria ditissima*).

Gooseberry Mildew (*Sphaerotheca mors-uvæ*).

White Pine Blister Rust (*Peridermium strobi*).

13. The importation of potatoes into Canada from Newfoundland or the Islands of St. Pierre or Miquelon is prohibited.

14. The Minister may, upon special request to that effect, authorize the importation into Canada of any insect, pest or disease hereinafter specified, but for scientific purposes only.

15. The Regulations made under the "San José Scale Act" are repealed.