

**317.1A Noxious weeds.**

1. The following weeds are hereby declared to be noxious and shall be divided into two classes, as follows:

a. Primary noxious weeds, which shall include:

- (1) Quack grass (*Elymus repens*).
- (2) Perennial sow thistle (*Sonchus arvensis*).
- (3) Canada thistle (*Cirsium arvense*).
- (4) Bull thistle (*Cirsium vulgare*).
- (5) European morning glory or field bindweed (*Convolvulus arvensis*).
- (6) Horse nettle (*Solanum carolinense*).
- (7) Leafy spurge (*Euphorbia esula*).
- (8) Perennial pepper-grass (*Cardaria draba*).
- (9) Russian knapweed (*Acroptilon repens*).
- (10) Buckthorn (*Rhamnus* spp., not to include *Frangula alnus*, syn. *Rhamnus frangula*).
- (11) All other species of thistles belonging in the genera of *Cirsium* and *Carduus*.
- (12) Palmer amaranth (*Amaranthus palmeri*).

b. Secondary noxious weeds, which shall include:

- (1) Butterprint (*Abutilon theophrasti*) annual.
- (2) Cocklebur (*Xanthium strumarium*) annual.
- (3) Wild mustard (*Sinapis arvensis*) annual.
- (4) Wild carrot (*Daucus carota*) biennial.
- (5) Buckhorn (*Plantago lanceolata*) perennial.
- (6) Sheep sorrel (*Rumex acetosella*) perennial.
- (7) Sour dock (*Rumex crispus*) perennial.
- (8) Smooth dock (*Rumex altissimus*) perennial.
- (9) Poison hemlock (*Conium maculatum*).
- (10) Multiflora rose (*Rosa multiflora*).
- (11) Wild sunflower (wild strain of *Helianthus annuus* L.) annual.
- (12) Puncture vine (*Tribulus terrestris*) annual.
- (13) Teasel (*Dipsacus* spp.) biennial.
- (14) Shattercane (*Sorghum bicolor*) annual.

2. a. The multiflora rose (*Rosa multiflora*) shall not be considered a secondary noxious weed when cultivated for or used as understock for cultivated roses or as ornamental shrubs in gardens, or in any county whose board of supervisors has by resolution declared it not to be a noxious weed.

b. Shattercane (*Sorghum bicolor*) shall not be considered a secondary noxious weed when cultivated or in any county whose board of supervisors has by resolution declared it not to be a noxious weed.

3. A plant is also declared to be a noxious weed as provided in rules adopted by the department pursuant to [chapter 17A](#). The department's determination shall be based on a finding that the plant is competitive, persistent, or pernicious, and may directly or indirectly injure or cause damage to crops, other useful plants, livestock, or poultry; irrigation, land, public roads, fish or wildlife resources; or the public health.

[S13, §1565-b; C24, 27, 31, 35, §4818; C39, §**4829.01**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §317.1]

[85 Acts, ch 171, §1](#); [2000 Acts, ch 1154, §20](#)

C2001, §317.1A

[2010 Acts, ch 1061, §108](#); [2011 Acts, ch 34, §79](#); [2017 Acts, ch 101, §2](#); [2018 Acts, ch 1047, §2](#)

Referred to in [§317.1C](#)

Noxious weed seed defined, see [§199.1](#)