

**SECTION IV: SPECIAL COMMODITY INSPECTIONS**

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## 4.1 INTRODUCTION

Agricultural commodities transiting in California are produced in California or other locations. Inspections are either Quarantine or Origin Certification Inspections.

Quarantine Inspections are in place to ensure that shipments not accompanied by Nursery Stock or Origin Inspection Certificates are free from serious agricultural pests/diseases to the state. The goal of this inspection is to prevent the introduction of pests or diseases into an area where it does not already occur or where there is suppression or eradication of the pest or disease.

Origin certification inspections are done to clear commodities from California as free from pests or diseases of concern to other destinations. The destinations could be:

- Intra-state - County inspects
- Inter-state - CDFA, County inspect
- International - USDA, CDFA, County inspect

The following section outlines procedures used for quarantine inspections and for determining compliance with nursery stock pest cleanliness, labeling, quality standards and compliances to set programs.

## 4.2 QUARANTINE INSPECTIONS

### 4.2.1 AIRPORT AND MARITIME INSPECTION

#### A. AIRPORT INSPECTIONS

Domestic commercial aircrafts flying to California airports represent a pathway through which exotic pests can be introduced into California. Pests can be introduced via air cargo, passengers, airline crews, and improper handling of food stores and garbage. CDFA or county biologists have the following duties and responsibilities during airport exclusion activities:

- **Cargo Inspection:** Domestic cargo is inspected upon arrival by county agricultural inspectors. Inspections are typically focused on high-risk items such as nursery stock, fruits (papayas, mangoes) and cut flowers arriving from Hawaii, Florida or Texas.
- **Boarding Aircraft:** CDFA inspectors can board domestic aircrafts after passengers have disembarked. The purpose is to make sure that cleaning or aircraft crews are not making personal use of food stores or removing fruits and vegetables from aircrafts. Inspectors also collect any fruits or vegetables that may have been left behind in passenger sections and make sure that these are properly disposed of in a quarantine manner. Neither passengers nor their luggage are inspected.
- **Inspecting Catering Services:** During inspection of catering services, CDFA inspectors make sure that international and domestic food stores removed from aircrafts are not commingled; check on proper functioning of the compacter (i.e.; area around compacter must be free of debris compacter ram is closed). Inspectors also check cooking charts to make sure that proper temperatures have been used to cook garbage. California law requires that cookers reach temperatures of 212 degrees Fahrenheit for two hours. Use Pest Exclusion Catering Services Inspection form (Form 66-034) to properly check on all caterer activities. A copy of the form is provided.
- **Correcting and Issuing Violations:** When violations are noted, a Notice of Violation, [Pest Exclusion Form 66-094](#) is issued describing the type of violation and how and when it should be corrected. Both the inspector and manager of the facility must sign the form. The USDA office is notified of the infraction and provided with a copy of the Notice of Violation. It is advisable to periodically perform catering services inspections together with USDA inspectors.

- **Issuing and Updating Compliance Agreements:** Compliance agreements are issued and updated as needed. This should always be done jointly with USDA inspectors. Compliance agreements are signed by both catering services as well as with businesses authorized to remove and transfer garbage from aircrafts.

NOTE: Passengers on some domestic flights are not subject to agricultural inspections at the time of their arrival at California airports. However, passengers boarding planes in Hawaii to California must undergo agricultural inspection by Hawaiian Department of Agriculture.

## **B. MARITIME INSPECTIONS**

Vessels arriving at California ports from either foreign destinations or from other states have long been recognized as one of the pathways through which exotic pests can be introduced to California. Vessel inspections should always be done together with enforcement of California vessel and aircraft regulations (refer to [Food and Ag Code, sections 16001-16006, 16051, 16101, 16151-16154](#)).

CDFA or county inspectors should focus on boarding the following vessels:

- Second port-of-calls, vessels that have originated in foreign ports but already have been at some other US port
- Coastwise vessels arriving from outside of California like Oregon or Washington
- Any vessel not boarded by USDA

CDFA or county biologists have the following duties and responsibilities during maritime exclusion activities:

- **Gathering Information:** Locate the chief steward or cook and get information needed for filling out [Pest Exclusion Form 66-036](#). The information on foreign ports visited during the voyage can help assess the areas in which to focus your inspection. During your discussion with the chief steward/cook, you should also inform him of the garbage regulations to be observed while in port.
- **Inspecting Galley and Stores:** Inspect and note the quantity and origin of all fresh fruits and vegetables. Especially note all fruits and vegetables that originated from areas infested by any fruit fly. Inspect a sample of the fruits and vegetables and look specifically for any signs of insect infestation or, in the case of citrus, for symptoms of citrus canker or citrus black spot. Inspect and note the quantity of restricted or prohibited fruits or vegetables. For guidelines, you can check USDA's Non-propagative Fruits and Vegetables Manual. During inspection of dry stores, look for signs of insect infestations like cast skins or larvae. While inspecting quarters, check for prohibited pests and high-risk plants or cut flowers used as the ship's decorations.
- **Inspecting Garbage:** Inspect the deck area to check conditions of garbage containers. The containers should be inside the railing, leak proof and covered. If any of these conditions are not met, issue a Vessel Garbage Violation using, [Pest Exclusion Form 66-094](#). Also inform USDA's office about the violation issued.
- **Sealing Stores:** Sealing stores is a safeguarding practice that prevents the use of a commodity aboard a vessel while in the US territorial waters. All fruit fly host materials are sealed in vessel stores. If only a small amount of this material is found, give the chief steward an option to destroy the material. In this case you may assist by placing it in a plastic bag and disposing of it in a quarantine manner. Make a note of it on your [Pest Exclusion Form 66-036](#)

#### 4.2.2 TERMINAL INSPECTIONS

The "[Terminal Inspection Act](#)" of March 4, 1915, as amended 1936, authorizes the states that comply with the provisions of the Act to inspect plants and plant products moving in the mails. If a shipment is found infected with injurious pests, the State Plant Inspector may require the shipment to be treated. If it is incapable of satisfactory treatment or in violation of state or federal plant quarantines, shipment may be returned or destroyed. Instructions to postmasters for returning such parcels are set forth in Section 431.266 of the Postal Operations Manual.

**STATE TERMINAL INSPECTION** (Reference: (Act of Mar. 4, 1915 c. 144, 38 Stat. 113; June 4, 1936, c. 495, 49 Stat. 1461 ([7 United States Code, 166](#)))).

When any state shall provide for terminal inspection of plants and plant products and shall establish and maintain, at the sole expense of the state, such inspection at one or more places therein, the proper officials of said state may submit to the Secretary of Agriculture a list of plants and plant products and the plant pests transmitted thereby, that in the opinion of said officials should be subject to terminal inspection in order to prevent the introduction or dissemination in said State of pests injurious to agriculture. Upon his approval of said list, in whole or in part, the Secretary of agriculture shall transmit the same to the United States Postal Service, and thereafter all packages containing any plants or plant products named in said approved lists shall, upon payment of postage therefore, be forwarded by the postmaster at the destination of said package to the proper State official at the nearest place where inspection is maintained. If the plants or plant products, including seeds are found upon inspection to be free from injurious pests and not in violation of a plant quarantine law or plant quarantine regulation of the United States Department of Agriculture or destination state pertaining to such injurious pests, or if infected shall be disinfected by said official, they shall upon payment of postage therefore be returned to the postmaster at the place of inspection to be forwarded to the person to whom they are addressed; but if found to be infected with injurious pests and incapable of satisfactory disinfections or in violation of a plant quarantine law or plant quarantine regulation of the United States Department of Agriculture or of the state of destination pertaining to such injurious pests, the State inspector shall so notify the postmaster at the place of inspection who shall promptly notify the sender of said plants or plant products that they will be returned to him upon his request and at his expense, or in default of such request that they will be turned over to the state authorities for destruction.

- **Markings:** It is unlawful for any person, firm or corporation to deposit in the United States mails any package containing any plant or plant product addressed to any place within a state maintaining inspection thereof, as the Postal Inspection Act prescribes punishment by fine for whomever fails to send a package without plainly marking so that its contents may be readily ascertained by inspection of the outside. The United States Postal service is authorized and directed to make all needful rules and regulations for carrying out the purposes of the Act.
- **USPS Publication 14**
  - A. Section V. Disposition of Infected Shipments  
When an inspector finds that plants or plant products are infested or infected with injurious insects or diseases, and are incapable of satisfactory treatment, or found plants moved in violation of a plant quarantine law or regulation of the U.S. Department of Agriculture or of the state of destination pertaining to such injurious pests, parcels will be returned to the sender and payment of postage for return collected on delivery. If the sender has marked the parcel to be abandoned, if undelivered, the package will be turned over to state authorities for destruction.
  - B. California – Plants and plant products subject to inspection  
All florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products in the raw or unmanufactured state, and vegetable and flower seeds.

- **Inspection Places:** Post Offices that cannot provide a suitable inspection places are required under the Terminal Inspection Act to forward plants and plant products to the proper State official at the nearest place where inspection is maintained. Terminal postal inspections are now conducted in Postal Sectional Centers. Any package or shipment that has not been inspected that arrive at associate post office locations will be returned by the U.S. Postal Service to the sectional center for agricultural inspection.

**Exception:** Depending on local needs and priority of enforcement activities, County Agricultural Commissioners are authorized to inspect parcels which may contain plants or soil at associate post offices. When such inspection is to be conducted at an office other than the Postal Sectional Center, the local County Agricultural Commissioner will first notify the Postmaster at the associate post office and establish a frequency for these inspections. Associate post offices, which are not notified, will continue to send parcel post subject to agricultural inspection to their Postal Sectional Center. Postmasters should be notified when packages are not held for inspection, so corrective measures may be taken to assure all future packages containing plant material will be held for inspection.

- **Honey Bees:** Bees are acceptable in the continental surface mails, when shipped in accordance with Federal and State regulations to assure that they are free of disease. Packages of honeybees must bear special delivery or special handling postage. Only queen honeybees may be shipped by aircrafts.
- **Foreign Plant Material:** Occasionally County Agricultural Commissioners have found foreign parcels with plant material moving in the mail with no evidence that contents had been inspected and released by a USDA plant quarantine inspector. County Agricultural Commissioners are not authorized to pass upon the admissibility of such into the United States.

All parcels not indicating inspection by U.S. authorities should be returned to one of the locations listed below:

**Southern Area (Districts V & VI)**

USDA, APHIS - PPQ  
11840 South La Cienega Blvd.  
Hawthorne, California, 90250

**Central and Northern Area (Districts I - VI)**

Plant Inspection Station, USDA, APHIS - PPQ  
Oyster Point Blvd. Suite 2  
South San Francisco, California, 94080

Treasury Decision 48181, entitled "Importation of Plants and Plant Products by Mail" makes it mandatory that postmasters at post offices where no Customs Officer is located shall forward such packages under penalty envelope to the Collector of Customs at the most accessible of the post offices noted above for appropriate treatment.

- **Federal Express (FedEx), United Parcel Service (UPS) and Other Private Carriers Terminal Inspections**

A. Federal Express

Parcel inspection at FedEx operating locations is conducted as per protocol outlined in a [Memorandum of Understanding between California Department of Food and Agriculture and Federal Express](#)

The following stipulations were agreed upon to transport plant material into and within California by Federal Express, and the holding for inspection of such material.

1. Federal Express will include the following language in the Service Guides available to their regular customers: "Plant and plant materials can be shipped only in accordance with applicable state and federal law. Packages containing these items may be inspected by appropriate agencies and may be delayed".
2. All Federal Express operating locations in California will advise the appropriate county agricultural commissioner's office of the arrival of packages marked or labeled to indicate that they contain plant materials that do not bear evidence of previous inspections by the California Department of Food and

Agriculture or its designee. Except by prior arrangement, agricultural inspections shall be performed during normal business hours for the Agricultural Commissioner.

3. Inspectors from the Agricultural Commissioner's offices may enter the locations for the purposes of inspecting plant materials. However, it is also understood that Federal Express is a carrier engaged in express overnight transportation of documents and goods. The parties agree that any county agricultural commissioner's inspection shall be conducted during normal business hours and in a manner that is consistent with the operational needs of Federal Express. If an inspection of packages containing plant materials has not been completed prior to vehicle or aircraft departure, the packages awaiting inspection may be retained by the county agricultural commissioner's office. However, package retention will not interfere with vehicle or aircraft movements.
4. Federal Express will furnish a suitable space with adequate lighting for conducting inspections of the packages. Inspections will be conducted as soon as possible upon notification of receipt.
5. Federal Express understands that violation of Food and Agriculture Code can result in penalties up to \$ 10,000 for each violation, in addition to criminal penalties. Identification of any exotic pest infestation in California, as a result of FedEx's failure to comply with Food and Agriculture Code sections could result in penalties of up to \$25,000 for each violation per section 5028 of Food and Agriculture Code.

B. United Parcel Service (UPS)

Parcel inspection at UPS operating locations is conducted as per protocol in a [Memorandum of Understanding between California Department of Food and Agriculture and United Parcel Service](#). The following is a mutually agreed upon protocol for the safe transportation of plant materials into, and within, California by United Parcel Service and the holding for inspection of such materials at UPS operating locations.

1. United Parcel Service will feature an article on the California Department of Food and Agriculture inspection requirements in its company newsletter, Roundups, at least semi-annually. The newsletter is provided to UPS regular customers. The article will appear in the Fall and Spring issues.
2. United Parcel will supply blue sticker labels that read "Warning! Plant Material- Hold for Inspection by the County Agricultural Commissioner", to all regular customers who ship plant material. These shippers will be instructed to place a sticker alongside the address label on each package of plant material moving into California. Compliance to this agreement by UPS will be monitored regularly.
3. United Parcel Service will furnish a supply of blue sticker labels to every United Parcel Service receiving location to which packages are brought for shipment by occasional shippers who do not utilize pickup service. If the nature of the contents is not known, United Parcel Service personnel will ask each shipper if the package contains plant material. On packages containing plant material, United Parcel Service personnel will affix the blue sticker label adjacent to the address label. Customer counters in Hawaii and Puerto Rico will display posters stressing the need for customers to label parcels, which contain agricultural products.
4. All United Parcel Service operating locations in California will set aside all packages bearing the blue warning notice sticker label all packages which are otherwise marked or labeled, indicating they contain plant material, or are reasonably expected to contain plant material; and will advise the appropriate agricultural commissioner's office of the arrival of packages that do not bear evidence of previous inspection by the California Department of Food and Agriculture or its designee.

5. The California Department of Food and Agriculture does not require the use of short form manifest to declare plant materials entering California
  6. Personnel at California border agricultural inspection stations will release United Parcel Service trucks without completing forms to notify county agricultural commissioners of plant materials being transported into California.
  7. After notifying United Parcel Service, inspectors from CDFA and/or County Agricultural Commissioner's offices may enter UPS locations for the purposes of inspecting plant materials. Inspectors will make every effort to notify UPS prior to arrival to minimizing the impact of UPS staff.
  8. It is understood that UPS is a carrier engaged in the expedient delivery of documents and goods. County Agriculture Commissioner's inspection, except by alternate arrangement, shall be conducted during normal business hours and in a manner that is consistent with the operational needs of UPS. If an inspection of packages containing plant materials has not been completed prior to vehicle or aircraft departure, the packages awaiting inspection may be retained by Commissioner's office. However, retention will not interfere with vehicle or aircraft movements.
  9. United Parcel Service will furnish a suitable space with adequate lighting accessible to the agricultural inspector, where packages can be held, and easily inspected. Inspections will be conducted as soon as possible upon notification of receipt.
  10. United Parcel Service will provide training and instructions to new employees upon hiring, and retrain all other employees, at least once per year on the importance of holding plant material, how to identify parcels that may contain plant material; use of blue tags, where to hold the plant material, and who to contact for inspection. Training of package handlers and drivers in California will be particularly emphasized.
  11. United Parcel Service will participate in periodic quality control tests that will be coordinated by CDFA. The periodic tests will involve identifying live plant shipments destined to California locations to see if UPS employees are complying with the protocol. The California Department of Food and Agriculture or County Agricultural Commissioner may send packages without prior notification.
  12. United Parcel Service understands that violation of Food and Agriculture Code can result in penalties up to \$ 10, 000 for each violation, in addition to criminal penalties. Identification of any exotic pest infestation in California, as a result of United Parcel Service's failure to comply with Food and Agricultural Code sections could result in penalties of up to \$25,000 for each violation per section 5028 of Food and Agriculture Code.
- C. Other Parcel Carriers Memorandums of Understanding
1. ONTRAC: [Memorandum of Understanding between California Department of Food and Agriculture and ONTRAC](#).

### 4.2.3. FEED GRAIN APPROVAL

Any person receiving or bringing feed grain, or any shipment thereof into any county or locality in California from another county or locale within the state, shall immediately notify the County Agricultural Commissioner of the arrival of such grain, and hold the same for immediate inspection, without unnecessarily moving or placing such grain where it may grow or be disseminated or contaminate clean grain. A commissioner may waive the requirement of:

1. Notification of arrival and holding for inspection at destination on shipments which arrive accompanied by a certificate of cleanliness
2. Holding uncertified shipments for inspection upon being notified by the receiver or transporter of the arrival of any such shipment destined to an approved mill or establishment. Such mill shall be capable of processing or storing feed grain infested with weed seed pests in such a manner that no contamination of clean grain or dissemination of the pests would result. The Secretary, CDFA issues a list of approved mills and establishments showing their locations, weed seeds pests each may receive, and the approved methods of handling infested feed grain.

#### Definitions:

“Feed Grain” – the whole seed or seed-like fruits of grain, including wheat, barley, oats, rye, corn, sorghum, for any use other than planting.

“Restricted weed seed pests liable to be disseminated through the movement of feed grain” are viable seed or propagule of the following weeds:

- *Agropyron repens*, quackgrass
- *Alhgi pseudalhagi*, camelthorn
- *Cardaria chalepensis*, lens-podded hoary cress
- *Cardaria draba*, heart-podded hoary cress
- *Cardaria pubescens*, globe-podded hoary cress
- *Centaurea repens*, Russian knapweed
- *Centaurea solstitialis*, yellow starthistle
- *Cirsium avense*, Canada thistle
- *Convolvulus arvensis*, field bindweed
- *Euphorbia esula*, leafy spurge
- *Gaura coccinea*, scarlet gaura
- *Gaura odorata*, scented gaura
- *Gaura sinuata*, wavyleaf gaura
- *Helianthus ciliaris*, blueweed
- *Lepidium latifolium*, perennial pepperweed
- *Rorippa austriaca*, Austrian fieldcress
- *Salvia pratensis*, meadow sage
- *Setaria faberi*, giant foxtail
- *Solanum carolinense*, Carolina horsenettle
- *Solanum elaeagnifolium*, white horsenettle
- *Sonchus arvensis*, perennial sowthistle
- *Sorghum halepense*, Johnsongrass

### **Standards of Cleanliness**

To be eligible for certification, feed grains shall be free of mature seed or propagule of restricted weed seed pests that are liable to be disseminated through the movement of feed grain. A tolerance of up to five (5) seeds each of Johnsongrass, field bindweed, and yellow starthistle, per pound of feed grain examined, is allowed.

Certificates of cleanliness may be issued by Commissioners whenever adequate inspection has been made of the field or when samples are drawn from any conveyance, mill, storage facility and it has been determined that the feed grain meets the standard of cleanliness. Continued identity of all such certified feed grain shall be maintained to prevent commingling un-inspected or infested feed grain.

### **Disposition of Infested Shipments**

Any shipment of feed grain found to be infested with the seed of any pest not of common occurrence in the county or locality into which such shipment is brought is subject to the provisions of sections 6341 to 6344, inclusive, of the Food and Agricultural Code. With the approval of the commissioner at destination, such shipments may be allowed to move in quarantine to an approved mill or establishment.

### **Approval of Feed Grain Mills and Storage Facilities**

The following is a guide to base approval of feed grain mills and storage areas under the feed grain and seed screening and cleaning regulations.

An agreement setting forth conditions under which the mill is to operate should be completed, signed by the mill owner or operator, approved and filed with the County Agricultural Commissioner. When a mill is found to be negligent in its operation, it may be necessary to revoke the approval. In such cases, it is desirable to have evidence of a written agreement on file. Notice of action by the commissioner, either approving or revoking prior approval, should be forwarded to the appropriate district biologist.

Approved mills should be inspected a minimum of once a year to determine if approval should be continued. Samples from approved mills should be drawn at least twice a year to determine effectiveness of processing.

Mills with a history of processing problems should be inspected and samples drawn on a frequent basis.

The following points should be considered when inspecting a mill for approval:

#### **1. Unloading Facilities**

Truck and/or rail car unloading facilities differ at each mill or unloading site. It is necessary to evaluate each according to its merits. The unloading or "cut-in-bins" should be located in a favorable location and preclude opportunity for restricted weed seeds dissemination. This should be a covered area utilizing part of the mill building, or similar arrangement affording adequate protection whenever necessary. All empty trucks or rail cars shall be clean before leaving the mill unloading site.

#### **2. Storage Facilities**

Bins that have excessive cracks or crevices are not considered satisfactory for clean material when they have been previously used for storage of infested grain or screenings.

Bins with a smooth inside surface may be used for storage of clean material after they have been used for storage of contaminated material. Such bins must be cleaned to the commissioner's satisfaction after the conditioned material has been removed.

Contaminated grain or screenings should be segregated from clean grain or seed; or all grain or seed in the storage facility is required to be held in quarantine. Determine that the storage facility can be tightly sealed and require mill management to clean up any weed seed contamination that might be present. Many mills

have operated successfully by using a bin which has been set-aside as a “quarantine bin” to receive contaminated grain. Other mills have adopted an authorized treatment for all incoming shipments. Mills, which handle both clean and infested grain simultaneously, must satisfy the commissioner that they are capable of maintaining identity of all feed grain and seed so segregation can be maintained.

Mills may be required to store infested grain being exported. The commissioner should require safeguards that assure proper handling to maintain continued identity.

### **3. Cleaning**

Mills designed to remove restricted weed seed pests from feed grain should be equipped with adequate cleaner. Most mills are equipped with screen or sieve-type cleaners that separate seed size and weight. Points to observe during the operation are the rate of feed, variable speed, pitch of the screens, size and shapes of the screens, amount of suction or air employed, operation of the tamper, brush, or other mechanisms used to keep the sieves open. Some mills have an additional disc mill to remove weed seeds to meet a zero tolerance.

### **4. Grinding Grain**

Hammermills and attrition mills are used to grind weed seeds, and contaminated grain to destroy viability of weed seeds. The size of the screen is an important factor in the grinding operation. Most of the restricted weed seeds found in association with feed grain are of the larger type. A (5/64 inch) screen may be used provided the hammers or grinding mechanisms are not worn. It is possible for worn hammers running at a high rate of flow to push whole seeds through the screen. A #4 (4/64 inch) and a #3 (3/64 inch) size screen are preferable, but the disadvantage of the slow rate of flow and the fine texture of the finished product often time is objectionable to the mill operator.

### **5. Grinding and Seed Screenings**

Screenings generally require a #3 size screen due to the presence of many of the smaller size weed seeds. The condition of the hammers and screens should be checked periodically.

### **6. Heat**

Steam heating apparatus must apply an amount of live steam to the grain for the full length of the heating unit to assure a constant mass temperature of no less than 205°F. The heating unit must be equipped with devices which will restrict the flow of grain to assure that all grain is exposed to the minimum mass temperature for no less than 3-3/4 minutes.

Dry heating apparatus must apply an amount of heat within the dehydrator or heating unit to assure a constant mass temperature of no less than 260°F. The flow of material must be regulated so that all grain passing through the dehydrator will be exposed to the minimum mass temperature for no less than five minutes.

### **7. Pelletizing – Hay and/or Grain**

Hay or grains passing through machines are exposed to the heat for 30 seconds. Temperature in the steam jacket should be no less than 190°F. An additional 10°F will occur when the feed is pressed through the die. The embryo of the seed must attain a temperature of 180°F to render it nonviable.

As a condition of approving steam or dry heat processes, the heating equipment should be inspected periodically to determine that the mill meets the requirements. An open-faced thermometer should be permanently installed in the upper half of the steam jacket for the benefit of the mill operator and inspector.

### **8. Sampling**

Before approving a feed mill, a finished mill product sample should be sent to the Sacramento Seed Laboratory for germination testing and approval withheld until results are received. Additional samples should be drawn periodically.

[Pest Exclusion Form 65-020](#) should accompany the sample. In “Remarks” section, for processed material, please request “check for weed seed viability” or “Mill approval-check for weed seed viability”; for unprocessed material (seed that has not been rolled, ground, cracked, pelletized, etc.), request “check for noxious weed seeds” or “check for prohibited or restricted noxious weed seed” or “check for noxious weeds.” Samples should not be submitted in plastic bags and should be submitted without exposing sample to extreme heat or moisture.

#### **9. Equipment**

The following equipment should be available for mill approval: temperature thermometer and crescent wrench, screen gauge, trier probe, sampling bags for laboratory sample, grain dockage sieves, and proper forms.

#### **FEED GRAIN SHIPMENTS THROUGH BORDER STATIONS**

Border inspection stations inspect feed grain arriving from other states for the presence of restricted weed seed pests as set forth in the feed grain regulation.

Shipments destined to approved mills and establishments are allowed to proceed to destination under quarantine without weed seed inspection. All other shipments are inspected at the border station for restricted weed seeds. Shipments that meet the standard of cleanliness are released. Shipments failing to meet the standard of cleanliness are rejected or diverted under quarantine to an appropriate mill.

#### **SEED SCREENINGS**

Food and Agricultural Code section 3557 empowers CDFA Secretary to promulgate regulations pertaining to seed screenings and cleanings. The purpose is to prevent dissemination of pest seeds through movement of seed screenings or cleanings from crop seed.

#### **APPLICABLE SEED SCREENING DEFINITIONS**

**Screenings:** seed cleanings from crop seeds, and includes products or materials removed from crop seed by any means whatsoever.

**Pest:** any form of vegetable life that is or is liable to be dangerous or detriment the agricultural industry of the state.

**Crop Seed:** seed or seed-like fruit of grain, beans, flax, beets, onions or other crop, whether or not intended for planting purposes.

**Processing:** cleaning, grinding, or other treatment, including destruction, screenings to prevent the dissemination of seed of any pest or render the seed of pest present or liable to be present incapable of reproduction.

#### **INSPECTION**

If upon inspection the county agricultural commissioner finds the screenings to:

1. Be free of seed of any pest; and the screenings will be utilized in his/her county, s/he shall release screenings with an inspection and release stamp. The lot of screenings shall be marked and segregated in order to maintain its identity until final disposition.

2. Contain the seed of any pest, s/he shall notify the person in possession that such screenings are subject to the processing requirements as set forth in [Sections 7571 to 7581](#), inclusive, of the Food and Agricultural Code.

#### **APPROVED PROCESSING MILLS**

1. Any person operating a mill or establishment that processes screenings containing seed of any pest may apply to the commissioner for approval of the equipment and operational procedures. Approval for processing shall be granted whenever the commissioner determines that the equipment is adequate and is operated in such a manner, to have the screenings without risk of disseminating the seed of any pest or to render the seed of any pest incapable of reproduction.
2. Approval may be withdrawn at any time upon determination by the commissioner that there are deficiencies in the terms of approval.

#### **4.2.4 GYPSY MOTH INSPECTION**

Gypsy moth (*Lymantria dispar*), is a pest regulated under Federal Domestic Quarantine 301.45. Requirements under all other applicable Federal domestic plant quarantines must be met to allow the movement of regulated articles. Such articles are:

1. Trees without the roots, and shrubs with roots and persistent woody stems, unless they are greenhouse grown throughout the year.
2. Any other products, articles or means of conveyance, of any character whatsoever, determined by an inspector that any life stage of gypsy moth is in proximity to such articles. The articles present a high risk of artificial spread of gypsy moth infestation and the person in possession thereof has been so notified.

Restrictions to interstate movement shall include regulated articles and outdoor household articles (OHAs) from generally infested areas.

OHAs shall not be moved interstate from any infested areas into or through any area that is infested to California without a certificate or OHA document.

The following outlines procedures followed at border stations and at the county of destination for the handling of gypsy moth regulated articles entering California from infested areas.

##### **Border Station Procedures**

All shipments of household goods from gypsy moth regulated areas are issued a Gypsy Moth Warning Hold Notice ([Form 66-008A](#)) at the border stations. The final determination of the content of the shipment and inspection for gypsy moth is left to the destination county agricultural commissioner.

Any shipment containing OHA's from a federally designated high-risk gypsy moth area that arrives at a California agricultural inspection station without a certificate of inspection, either an official OHA document or a self-inspection document, will result in the issuance of a citation to the driver. Such shipment is also sealed at the border station before proceeding to its destination.

- **RECREATION VEHICLES**

1. Negative finds – released

2. Positive finds – visible contamination removed. Vehicle cleaned with high pressure – hot water unit and released.

- **HOUSEHOLD GOODS**

- A. Transported by commercial carrier**

- [Form 66-008A](#) issued after positive destination address. This information is transmitted daily by FAX to the destination county commissioner.

- B. Transported by individual / private carriers**

- 1. Negative finds – released
    2. Positive finds – all contamination removed (may be steamed cleaned) – released.
    3. If unable to adequately inspect – [Form 66-008A](#) is issued to the destination county after positive destination address. This information is faxed to the destination county.

#### **Fax Transmissions**

Shipments on which Gypsy Moth Warning Hold Notice ([Form 66-008A](#)) has been written are compiled by border station personnel daily. Station number, consignee's name, address, telephone contact numbers, origin state, presence or absence of an inspection document, whether from a low risk or high risk area and the presence of OHAs are all recorded and faxed to the destination county. A summary copy is also sent to Pest Exclusion –Exterior in Sacramento at the end of the day. Border stations also faxes information immediately on sealed vans to the destination county.

#### **Citation/Sealing of Trucks**

Border inspectors will issue a citation to drivers hauling OHAs without inspection documentation, if the OHAs were from a high-risk area and there was risk of exposure to gypsy moth infestation.

Citations for non-certified loads are issued under California Food & Agriculture Code section 5346(b), Moving OHA in California from federally regulated gypsy moth area, (city, state) without certification. Trucks can be held at the border station for pending paperwork, so a citation can be avoided. Otherwise, the driver has no option but to accept the citation and sealing of the truck if s/he wants to move the shipment into California.

Only one citation is issued per truckload; however, there may be more than one violation for each citation. The 66-008S will reflect whether or not a citation was issued in the citation check box and the number of violations for each citation will be listed in the count block on the 66-008A.

County inspectors should request from the driver of the sealed van the manifest for each additional shipment remaining on the van. If other shipments are also in violation for not being certified, the van should be re-sealed by the inspector, and the destination county notified that the sealed van is enroute.

#### **Destination County Procedures**

A fax transmission is sent daily to each county in which a 66-008A was issued. The destination county should review the list for those shipments requiring immediate action (i.e. outdoor items from high-risk area).

#### **Shipment Delivered to Residence**

- A. No outdoor items identified on [Form 66-008A](#)
      - Telephone consignee to determine contents of shipment.

- If no outdoor items shipped – release shipment, fill in final disposition and date in the “Comments” section on the 66-008A. Information is then transferred to a database or spreadsheet for any later reference.

**B. Contains Outdoor Items**

- Contact consignee for an inspection appointment.
- Shipment is inspected and no gypsy moth life stage found – release shipment with the disposition recorded with date in the “Comments” section on the [Form 66-008A](#). Information is then recorded in a database or spreadsheet for any later reference.
- Shipment is inspected and gypsy moth life stages found – See [Procedures for Handling Gypsy Moth Finds \(Viable and Non-Viable\)](#).

**In Storage Shipments**

Contact destination agent upon arrival of 66-008A for status check. We suggest keeping a file for each destination agent within the county. The 66-008A, can be filed by destination agent (storage company) until a final delivery is noted.

Contact each storage company by telephone every 10-15 days after initial contact to determine current status of shipment.

**A. Shipment delivered**

Obtain delivery information. If final delivery address is different than the one on the 66-008A, enter the final delivery address in the “Driver Instructions” section. Cross out incorrect address. Follow instructions in previous section I. Shipment Delivered to Residence for inspection instructions.

**B. Shipment has a future delivery date**

Follow-up with phone call to consignee after delivery of shipment. See A above – Shipment delivered.

**C. Shipment is still in storage**

Note date contacted. Repeat every 10-15 days until delivery date is known or shipment cleared in storage. Refer to “Mortality timetable for in-storage shipments” in the [Gypsy Moth Referral Program Procedural Manual](#) to when shipments can be cleared. Shipments cleared in storage should have their 66-008A marked “Cleared in Storage” with the date, and the information entered in a database or spreadsheet for any further reference.

**D. Shipment in permanent storage**

Shipments of special risk should be inspected before containerization if at all possible. Refer to the “mortality timetable” mentioned above to see if further handling is necessary. If not, enter “Cleared in Storage” and the date on the [Form 66-008A](#). The information can be entered in a database or spreadsheet for any further reference.

**MILITARY HOUSEHOLD MOVES**

- A.** Contact destination agent listed on [Form 66-008A](#).
- B.** If destination agent has no record of receiving shipment, contact the military installation listed on the 66-008A.
- C.** If the military installation listed on the 66-008A has no record of the shipment, there is a complete listing of bases handling all military moves in a particular area (refer to the [Gypsy Moth Referral Program – Procedural Manual](#)).

**SHIPMENTS DIVERTED TO COUNTY NOT IN POSSESSION OF FORM 66-008A**

Forward copy of the 66-008A by mail or fax to the county actually receiving the shipment. Enter county and date forwarded on the bottom of the 66-008A. Fax copy to Pest Exclusion, Sacramento.

## PROCEDURES FOR LOCATING SHIPMENTS

- **DELIVERY ADDRESS UNKNOWN**

If the delivery address and/or phone numbers are not available from the 66-008A, military or destination agent, or directory assistance, forward by fax or mail a copy of the 66-008A to Pest Exclusion District Office for tracing. The date the shipment was determined untraceable and the reason should be marked on the 66-008A. List efforts used in trying to contact the consignee. This will help avoid duplication of efforts. When an address or contact number is obtained, the Pest Exclusion District office will forward the copy of the 66-008A to the destination county, or perform the inspection of the shipment themselves.

- **DELIVERY ADDRESS KNOWN**

If consignee cannot be contacted within 2-3 days through contact phone numbers, directory assistance, military or destination agent, mail a letter or postcard to the consignee requesting they call the county agricultural commissioner. If consignee has not replied with 10 days, the inspector should visit the address and determine if the consignee has arrived and leave a note requesting they contact the agricultural commissioner. (Note: A residence visit may be used in lieu of the letter if so desired.) If the above measures fail to locate the shipment, forward a copy of the 66-008A to the Pest Exclusion District Office for tracing. Indicate on the 66-008A what measures were taken in attempting to contact the consignee. The information can be entered in a database or spreadsheet for any further reference.

## CITATIONS / RESEALING/ NOTICE OF VIOLATION

Generally, all shipments from federally regulated gypsy moth areas which contain outdoor household articles must be accompanied by either:

- An OHA Certificate issued by a federal, state, or county agricultural official; or a commercial pest control applicator, or
- **A self-inspection document.** If this requirement is not met, the driver of the truck will be cited at the border station. Trucks can also be held at the border for pending paperwork or violation. The citation number should be noted in the "Comments" section of the 66-008A and the driver is instructed to proceed directly to the destination address of the shipment in violation. The county of destination should be notified immediately, by phone or fax, of the pending arrival of the shipment. Time, destination address, trucking company and any other pertinent information should be relayed.

In most cases a citation does not result in a Notice of Violation. Destination County may charge the driver with the sealed shipment inspection.

## MULTIPLE VIOLATIONS

For loads containing more than one shipment of OHAs in violation of 5346(b) California Food and Agricultural Code, the driver will have to choose which shipment he wants to deliver first, and then go only to that address without diversion.

## RESEALING

Seals are to be broken and resealed by a representative of the County Agricultural Commissioner and may not be broken by anyone else for any reason. County inspectors may be required to break seals for a delivery within their county and also to reseal trailers that have a remaining quarantine shipment destined to another county. The county inspector should call the next county's agricultural commissioner to give notice that the van is enroute, together with pertinent information about the shipment.

### **NOTICE OF VIOLATION**

A Notice of Violation (NOV) will be issued to the driver if the van was sealed at the border and arrives with a broken seal. If broken seals are discovered while the driver is still present, the agricultural commissioner may issue the citation where there is cooperation on the part of the commissioner and the district attorney. NOV's issued in some counties will be referred to an Administrative Hearing – Notice of Proposed Action and could lead to a fine of up to \$2,500.

A Notice of Violation will also be issued in those instances where OHAs are not declared when included among shipments of household goods from high-risk gypsy moth areas.

The State's copy of the Notice of Violation should be mailed to Pest Exclusion, Sacramento. A copy should also be sent to the District Pest Exclusion office.

Any driver who does not appear at the destination county with a sealed truck is in violation of [California Food and Agriculture Code section 5346](#) (b). County officials should call their Pest Exclusion District Office. Pest Exclusion district office officials should contact the Pest Exclusion – Exterior Branch in Sacramento. Border stations can be notified of the truck and driver, so they may intercept the shipment. The moving company employing the driver should be notified to try and produce the truck and driver. A Notice of Violation can be given to the moving company employing the driver if culpable, and to the driver when found.

Possible prosecution is given to each county under the [California Food and Agriculture Code section 5101](#).

### **PROCEDURES FOR HANDLING GYPSY MOTH FINDS (VIABLE AND NON-VIABLE)**

1. Issue a rejection notice. Border station inspectors may issue a rejection notice to commercial moving vans, or trucks at the border station when OHAs or the van itself are found with gypsy moth life stages. Border stations may elect to power clean the van or have the driver clean the van "out of state" and return for inspection and entry.
2. Issue a "Hold Notice" to hold materials on premises of consignees for all viable finds, and where viability may be in question (egg masses). Do not issue a "Hold Notice" to hold material of consignees when clearly a dead gypsy moth life stage has been found.
3. Check [Form 66-008A](#) for the presence or absence of an OHA document.
4. Submit a laboratory sample when evidence of any life stage is found, whether viable or non-viable. Use the following procedures when submitting egg masses:
  - i. Use ¼ cup detergent solution (e.g. Tide) to one quart of water when removing egg masses. The detergent solution will not assure 100% mortality but will reduce the hazard of viable eggs falling from the egg mass during removal. Carefully remove egg masses and all parts.
  - ii. Place the egg mass in a dry container. Do not soak in detergent solution.
  - iii. If you can, using a dissecting scope, forceps and a pin, rupture a small number of eggs to determine if they are filled with fluid.
  - iv. Place the remaining egg mass in alcohol and send it to the lab.
  - v. All specimens submitted in the manner described above will be identified as viable or non-viable by the lab.

5. Fill out a PDR on all gypsy moth specimens whether or not they appear to be alive. Before submitting specimens, assure that all life stages are dead. In the “Remarks” section of the PDR include the following information:
  - i. If an egg mass, whether they were examined and filled with fluid.
  - ii. Border station name
  - iii. [Form 66-008A](#) number
  - iv. If OHA document was present or absent
6. Affix the gummed label from the PDR slip to a copy of [Form 66-008A](#) that is mailed to Sacramento.
7. Samples from shipments accompanied by the OHA document that are positive and viable for gypsy moth, a copy of the OHA document (if available) with PDR number should be sent to Pest Exclusion, Sacramento.
8. The Pest Exclusion Branch will notify USDA of the pest find and provide them with necessary information to disqualify the person or company that issued the OHA document.

#### **METHODS OF TREATMENT**

The finding of viable life stages of gypsy moth should be reported immediately to CDFA District biologists and/or Sacramento. Such finds can trigger quarantine actions. CDFA’s Pest Detection and Emergency Project often carry out the treatments in coordination with county, State and USDA officials.

- If viable gypsy moth life stages are found on outdoor household articles, in which all surfaces can be visually surveyed, the following treatment/ handling procedures should be adopted for each life stage:
  - A. **Egg Mass** - Use ¼ cup detergent solution (e.g. Tide) to one quart of water when removing egg masses. Carefully remove egg masses and all parts. The detergent solution will not assure 100% mortality but will reduce the hazard of viable eggs falling from the egg mass during removal. Egg masses must be put in alcohol to kill them completely before sending the sample to CDFA Plant Pest Diagnostic laboratory, Sacramento for identification/confirmation.
  - B. Larvae - Foliar treatments with *Bacillus thuringiensis (Bt)* or any CDFA approved treatment must be used.
  - C. Pupae - Physically remove. All surfaces must be looked at closely to confirm that all pupae are removed.
- If viable gypsy moth life stages are found on outdoor household articles in which all surfaces cannot be adequately visually surveyed, use a steam cleaning process or fumigate according to rates found in the Guide to Commodity Treatment in California.

#### **RECORD KEEPING**

Keeping records of all [Form 66-008A](#) entering a county is important in the event gypsy moth is found. A database or spreadsheet should be kept which should include the following information:

1. Name of consignee
2. Address of consignee
3. Zip code (use [www.usps.com](http://www.usps.com)) if not listed on [Form 66-008A](#)
4. Notice number

5. Date shipment arrived
6. Date of final disposition of shipment
7. Final disposition of shipment
  - Inspected
  - Cleared in storage
  - Cleared by phone
  - Declared unable to find
  - Declared unable to contact

Above information can be used to

1. Plot recent consignee locations around a gypsy moth find site.
2. Determine gypsy moth detection trap placement.
3. Identify locations where consignees move to in a county or city, demographic trends
4. Destination points of consignees that refuse contact or inspection.

#### **4.2.5 RED IMPORTED FIRE ANT INSPECTIONS – BEE COLONIES**

##### **BACKGROUND**

Many agricultural crops in California such as almond orchards require commercial pollination by bees for viable economic production. There are limited local bee colonies in California to meet the need. Beekeepers from other states provide the extra colonies needed for pollination.

Migratory beekeepers come to California from three main geographical areas: Pacific Northwest, Northern Plains and Southeast/Gulf states. Shipments originating from RIFA infested Southeast/Gulf states present introduction with bee colonies.

Almonds are often treated with pesticide for a number of pests. For this reason, bees are not placed into the orchards until just prior to bloom. This varies with latitude and variety, but is generally from February through March. Beekeepers from colder regions bring their shipments into California before the onset of winter. For example, almost all bee colonies from the Dakotas arrive in California prior to Thanksgiving Day.

Normally these apiaries are “staged” in the foothill locations in the Coastal and Sierra Nevada mountain ranges. The areas offer numerous sites that are above the fog, secluded, and possibly afford some nectar flows. Bee colonies from warmer areas are generally shipped later, directly into the almond orchards. These shipments often begin in January and mainly enter the state through southern border stations.

For the reasons mentioned, bee shipments from areas other than infested states are low risk but not risk free. There are some occasions that beekeepers go great lengths to circumvent quarantine restrictions and could misrepresent gulf state bees as originating elsewhere. It is the policy of CDFA border stations to reject bee shipments if any species of fire ants are

found. If no fire ants are found, the stations notify receiving counties of incoming bee shipments using a [Form 66-008](#) quarantine warning notice regardless of the time of year or the declared point of origin.

### **Inspection Procedures**

It is the responsibility of the driver to contact the county and arrange for the load to be inspected prior to unloading the colonies. Failure to comply is a violation of sections 6303 and 6401 and could result in the levy of civil penalties. District Exclusion personnel and CDFA investigators are available to assist as needed.

Two inspectors should perform inspections of shipments. This allows one to look for ants and ant colonies on the truck, and the other to examine the pallets and hives as they are set on the ground. In both cases, the handling of the shipment during unloading will agitate any ants that may be present and help in the location of the ant colony. If a RIFA colony is present, ants would be evident on the truck bed after unloading.

A colony could be on or inside portions of the vehicle, but is more likely to be on the pallet or between hive boxes. The inspector should look into those spaces for rotting wood and clumps of dirt and mud. Apiaries from infested areas are often subject to flooding which forces the ants up into the pallets and between the hive bodies.

If RIFA colonies are found, the shipment is immediately rejected and placed under hold using a “Notice of Rejection”, [Form 66-071](#) and a “[Notice to Hold Commodities on Premises](#)”. District Pest Exclusion personnel should be informed and will assist in quarantine treatments. These treatments are at the risk and expense of the beekeeper, [Section 6441 of the California Food and Agricultural Code](#). A commercial operator, the county or person in possession of the bees if licensed, may do the actual treatment. County pesticide use enforcement personnel are responsible to see that applicable laws are observed.

Phostoxin or Fumitoxin (aluminum phosphide) pellets under plastic tarp using the maximum label rate are used. Follow up bait surveys are absolutely necessary to insure that no reproductives have survived the quarantine treatment. CDFA Pest Detection/Emergency Project personnel shall be contacted to assist in follow up surveys and preventative pesticide bait treatments, as may be required.

### **Discovery of Existing RIFA Colonies**

RIFA infested bee colonies may have entered California for a number of years. CDFA personnel survey almond orchards each year and new infestations are at times found. The affected county should contact their district Pest Exclusion personnel to assist in issuing a “Notice to Hold Commodities on Premise” on the property, and to sign a Compliance Agreement for safely conducting their almond operation. This agreement requires county notification prior to conducting any farming operations that might spread RIFA. This includes removing trimmings, firewood, equipment and harvested almond, among other things.

If RIFA are still present at the time of harvest, the nuts will require fumigation prior to movement to the huller. The specifics of such treatments are determined on a case-by-case basis.

## **4.2.6 HAWAII PLANT MATERIALS**

Movement of plant materials from Hawaii to California is primarily governed by federal Hawaiian quarantine, CFR 318.13

### **CFR 318.13 HAWAIIAN FRUITS, HERBS AND VEGETABLES**

- A.** This quarantine regulates the movement of fruits, vegetables, cut flowers, rice straw, mango seeds and cactus plants from Hawaii into or through other parts of the United States to prevent the spread of fruit flies and other

dangerous plant pests which are not known to be established or are not prevalent in other parts of the United States.

#### **B. Regulated Articles**

1. The following items are prohibited movement from Hawaii to other parts of the United States: All fruits, herbs, vegetables in the raw or unprocessed state except those named in (B), (2) and also (D), (2) of CFR 318.13. Cut flowers of gardenia, jade vine, mauna loa and cut flowers of roses with foliage. Cactus plants and parts. Mango seeds. Rice straw. Prohibition of these articles is based on frequent interceptions of various quarantine pests.
2. A list of articles that can be shipped on regulated movement is in (B), (2) of CFR 318.13. The movement of listed articles to California is subject to conditions specified under in (C), (D), and (H) of CFR 318.13.

#### **C. Conditions of Movement**

1. Any regulated articles may be moved interstate from Hawaii to any destination in California if:
  - Such movement is accompanied by a valid certificate and movement is made in accordance with (E) and (F) of CFR 318.13 or the conditions of any applicable compliance agreement
  - The articles are exempted from certification or limited permit requirements.
2. Untreated fruits and vegetables from Hawaii may be moved interstate for irradiation treatment on the mainland United States if provisions of the administrative instructions are met and the fruits and vegetables are accompanied by a limited permit.

#### **D. Conditions Governing Issuance of Certificates or Limited Permits**

1. Inspection: Fruits and vegetables designated in (B),(2) above may be certified when they have been inspected by an inspector and found apparently free from infestation or infection or without such inspection when the inspector determines that the lot for shipment is of such a nature that no danger of infestation exists.
2. Treatment: Some articles may be certified for movement to the US mainland on the basis of treatments performed under USDA/APHIS/PPQ supervision providing that treated articles were handled after such treatment in accordance with conditions prescribed in a compliance agreement. A comprehensive list of these articles is available in CFR 318.13 (D), (2). The treatments may be the following: irradiation, fumigation, freezing, vapor heat treatment or double hot water dip treatment.
3. Limited permit: Non-certified regulated articles may be moved under a limited permit to specified destinations in California for consumption, processing or treatment.
4. Compliance Agreement: Regulated articles may be moved with certificates or limited permits attached by an establishment when a signed compliance agreement is in effect.

#### **E. Container Marking and Identity**

The following information shall be clearly marked on each container, or for shipments of multiple containers or bulk products on the waybill, manifest or bill of lading accompanying the articles:

1. Nature and quantity of the contents

2. Name and address of shipper
3. Owner or person shipping the articles
4. Name and address of consignee
5. Shipper's identifying mark and number
6. Number of the certificate or limited permit authorizing movement if one was issued

Other federal Hawaiian territorial quarantine that regulate movement of articles to California include:

### **318.30 SWEET POTATO**

This quarantine prohibits all varieties of sweet potato, tubers, plants and cuttings to California and most of mainland US.

### **318.47 COTTON AND COTTON PRODUCTS**

Prohibits movement of cotton plants, parts, seeds, lint and all cottonseed products except oil. Commodities covered are admitted only under USDA certificate or permit.

### **318.60 SAND AND SOIL WITH PLANTS**

Prohibits movement of all sand except clean ocean sand, soil or earth around the roots of plants.

## **4.2.7 HIGH RISK MARKETS**

This section provides a brief step-by-step checklist from inspection to seizure. Detailed protocol of the inspections and some visual reinforcements as well as sample paperwork and various techniques are contained in the [High Risk Market Inspection Manual](#).

### **Inspection and Seizure Protocol**

1. Conduct establishment inspection
2. Don't leave suspect commodities unattended
  - Examine suspect products on-site for surface pests
  - Ask for a receipt (check date) for suspect commodities
  - Verify sale if receipt is questionable
3. Place commodities on hold if follow-up inspection/survey is necessary
  - Safeguard on-site in store room or cooler
  - If necessary, transport commodities to headquarters for safeguarding.
4. Seize prohibited products
  - Issue Notice of Rejection ([Form 66-071](#))
  - Take photographs and collect evidence

- Complete the Agricultural Commodity Report of Violation ([Form 66-094](#))
5. Safeguard and transport seized commodities (small quantities\*) to headquarters. \*Large quantities should be placed on hold at establishment until they can arrange transportation of prohibited commodities for destruction under official supervision. Establishment will incur all costs associated with destruction of prohibited agricultural commodities.
  6. Weigh and photograph seized commodities at headquarters
  7. Inspect for surface and internal pests- submit samples
  8. Write Officer's Statement/Report.
  9. Properly dispose of seized commodities.
  10. Submit Agricultural Commodity Report of Violation and all associated documentation/evidence to local CDFA district office.

#### **4.2.8 WILD ANIMAL AND PET STORES**

[Sections 671, & -671.1, Title 14 of the California Code of Regulations](#), govern the importation, transportation and possession of wild animals. Any wild bird or animal excluded under these sections is also prohibited entry into this State under Section 6304 of the Food and Agriculture Code unless admitted under permit as specified under Section 671.1, Title 14, California Code of Regulations.

The species listed in the Plant Quarantine Manual, Special Handling, [Animal Policy](#) are prohibited and it shall be unlawful to import, transport or possess these species alive except under permit issued by the Department of Fish and Game. Permits for importation, transportation or possession of these species may be granted as specified herein and for the purposes designated in Section 671.1 subject to the conditions and restrictions contained in Sections 671.1 through 671.7 and other such conditions as may be designated by the Department. Cities and counties may prohibit possession or require a permit for species not requiring a state permit.

In designating these prohibited species, the Department of Fish and Game Commission has determined that they are not normally domesticated in this state and recognizes two specific classes of prohibited wild animals. Mammals listed to prevent the depletion of wild populations and to provide for animal welfare are termed "welfare animals," and are designated by the letter "W". Those species listed because they pose a threat to native wildlife, the agricultural interests of the state or to public health or safety are termed "detrimental animals," and are designated by the letter "D". Animals may be added to or deleted from this list pursuant to the provisions of [Section 2118\(k\) of the Fish and Game Code](#).

Inspections of pet shops and other venues such as swap meets etc., that may have animals for sale according to Section 4.2.12 of this manual, should be visited and inspected at least twice a year.

California Department of Fish and Wildlife, herein after known as Fish and Game, representatives are responsible for capture, destruction, or disposal of restricted or prohibited birds and animals being held in captivity within the State without permit, or at large. If a prohibited or restricted animal without permit is detected by a representative of the Agricultural Commissioner or State Plant Quarantine Officer, he shall affix a quarantine hold tag (Form 66-058) to the thing or cage and report such animal to the nearest Fish and Game representative or regional office and safeguard the animal until the Fish and Game representative takes over, or requests a Commissioner representative to make disposition of the animal. If Fish and Game desires to make disposition, then the Agricultural Commissioner shall issue a Notice of Violation

([Form 66-094](#)). Copies of this violation are for: (1) person in possession, (2) Fish and Game representative contacted, (3) Regional Manager of Fish and Game, (4) State Food and Agriculture District Biologist, and (5) file.

#### **Wild Animal Policy**

The list of animals regulated is available online at: [Animal Policy](#)

### **4.2.9 IRRADIATED PLANT MATERIALS**

Irradiation is a relatively new quarantine treatment. Irradiation treatments are capable of sterilizing some of the insects of greatest quarantine concern, such as tephritid fruit flies, moths, and beetles. However, the level of irradiation required to kill insect pests is often damaging to the commodity, so lower doses of irradiation are used to maintain fruit quality. These lower doses of irradiation will sterilize insects but usually will not kill them.

The inspection of irradiated commodities is a new and unique situation. Irradiated commodities that qualify for entry at ports of inspection may contain living quarantine pests, at any stage of development, in or on the commodity. If the irradiation facility is USDA certified and a proper treatment certificate has been issued, then these insects can be assumed to be sterile. Sterile insects do not represent a pest risk because they cannot reproduce and establish domestic populations. Furthermore, research has shown that properly irradiated fruit fly larvae will not develop into mature flies. Federal regulations currently require a minimum level of irradiation at 250 Grays (Gy) for quarantine treatments for fruit flies on approved commodities. If any live surface pests are found then the minimum irradiation dose is 400 Gy, else the shipment must be rejected.

#### **Certified Irradiation Facilities and Certificates of Irradiation**

USDA's Plant Protection and Quarantine (PPQ) agency must certify irradiation facilities. In the future, certified irradiation facilities will be listed in the federal treatment manual on the PPQ website (<http://www.aphis.usda.gov/ppq/>). A certified irradiation facility must issue a Certificate of Irradiation with each shipment of an irradiated commodity. An example of an irradiation certificate is included at the end of this sub-section. Currently, Hawaii Pride is the most active irradiation facility that is certified in the United States. As of September 2005, except for papaya, Hawaii Pride is voluntarily irradiating commodities destined for California at 400Gy. Additional information, such as the dosimetry report, will be available from the irradiation facility. In addition, federal regulations will soon require dosimetry markers that will be included on each packing box. Dosimetry markers will provide a visual indicator to verify exposure to a minimum level of irradiation.

#### **Inspection Methods for Irradiated Commodities**

After reviewing the certificate of irradiation, inspection staff should inspect commodities thoroughly for any external or internal pests. As a rule of thumb, allocate more time to shipments that in your judgment are most likely to contain pests. First, complete a visual check of fruit, followed by fruit cutting if necessary. The experience of county inspection staff together with the condition of the fruit should take precedence in directing the inspection. Use the physical condition of the packaging and the fruit to find external and/or internal pests as easily and as quickly as is possible. Select packages, and within packages select fruit, that have pests or are most likely to have pests. This is a biased method of sampling and is advantageous because it allows the county inspectors to select fruit that is the most likely to be infested, based on their experience (bias). The disadvantage of biased sampling is that it eliminates our ability to make any statistical inference about the fruit not sampled, because that estimation procedure requires a random method of sampling. However, if infested fruits are found in the sample, then there is no longer any practical need to estimate the probability that the entire fruit lot is free of contamination.

If there are pests or obvious signs of pests (e.g., larval tunnels) collect these samples with the fruit. If there are no obvious pests on or in the fruit, begin the inspection with a general overview of the entire shipment. Continue to look for pests or signs of pests in order to isolate suspect fruit. If there are no indications of any pest presence to focus your selection, then

keep your inspection as broad as possible. If no fruit is suspect, open many boxes and cut a single fruit from each box so as to survey as much of the entire shipment as possible.

County inspection staff should cut fruit to search for internal larvae. Remember that cutting fruit requires county resources and results in a loss to the shipper. Please cut the minimum amount of fruit that is required to determine the pest risk associated with the commodity shipment. For clean fruit from an irradiation facility with a history of compliance, county staff should cut the minimum ½ of 1% of the shipment. For suspect commodities, staff may cut more than the minimum ½ of 1% as needed to determine the level of infestation, up to the 5% maximum of the amount of the shipment. At the 5% maximum, inspectors will have likely found multiple pests. Consult with your supervisor and CDFA to determine the pest risk. We will accept low numbers of pests if they are properly treated, but we want to monitor the quality of the treatments. To do this we need to collect living samples on ice. In some cases, a CDFA entomologist may choose to visit the inspection site to collect samples for identification. If you have cut up to the maximum 5% of the shipment and the fruit is heavily infested, contact CDFA Fruit and Vegetable Quality inspection staff, (916) 654-0919. The fruit may be rejected because it fails to meet quality standards even if the certificate of irradiation is valid and the larvae are sterile.

### **Collection, Preservation, and Transfer of Insect Samples**

In order to expedite the safe delivery of any intercepted larvae to the Plant Pests Diagnostics Branch, to enhance communication between county and State regulatory agencies, and to facilitate any necessary investigations by the affected regulatory agencies, any shipment of fruit found to be infested with live exotic fruit fly larvae should be handled according to the following procedures:

- When live larvae are found, the entire shipment should be placed on hold and safeguarded. Any fruit believed to contain live larvae should be immediately confiscated by quarantine personnel and kept in a secure location away from any temperature extremes. If possible, preserve at least ten living larvae (wigglers) for the CDFA entomologist. Choosing “wigglers” may be the simplest way to ensure that selected larvae are alive. Samples of the living larvae should be retained in the fruit, the fruit enclosed in bags, the bags sealed, and the sealed bags placed on ice in a cooler (do not place the larval samples in alcohol) for transmittal to Biosystematics at CDFA Pest Preventive Release Program office, Los Alamitos (address below) for identification and testing.
- Complete the Pest and Damage Report, [Form 65-020](#), accurately and clearly. Include the following: origin, shipper, and any applicable certification numbers.
- Any information pertinent to the condition of the larvae should also be clearly noted on the PDR form. If both live and dead larvae are found, this should be clearly stated in the remarks section and the basis for those assumptions. Please mark the PDR "RUSH" to help expedite the identification.
- CDFA staff will pick up samples for laboratory analysis. Do not send by parcel post because of the potential loss or damage due to heat, cold or delays. Address your sample to Insect Biosystematist, at the CDFA Plant Pest Diagnostics Laboratory, 3294 Meadowview Road, Sacramento, CA 95832.

### **Notification Procedures**

- Immediately notify your supervisor for further instructions to coordinate and expedite the delivery of any infested material to a selected, approved quarantine rearing facility if it is deemed necessary.
- If live larvae are found by county staff, the agricultural commissioner shall immediately notify the Pest Exclusion Branch in Sacramento, the Branch Chief or Interior Program Supervisor.
- If Pest Exclusion staff finds live larvae, the district supervisor will immediately notify the Branch Chief or Interior Program Supervisor, and the affected County Agricultural Commissioner.

- Pest Exclusion staff in Sacramento will notify the USDA/Western Region office and/or the affected origin state's regulatory agency. Pest Exclusion will prepare "QUARANTINE PEST ALERT" e-mail to all County Agricultural Commissioners and other interested parties.
- Notification must be accompanied by facsimile transmission of all the pertinent paperwork, which accompanied the shipment.

#### 4.2.10 FREQUENCY OF REGULATORY INSPECTIONS

Each county agricultural commissioner adopts a variable frequency inspection schedule, which benefits the commissioner in the performance of regulatory enforcement procedures. Inspections for quarantine compliance and acceptable handling of screened waste can be conducted occasionally. When a schedule is adopted and followed, consumers and industry will benefit from the services and protection is afforded on a uniform basis.

Inspectors are encouraged to combine various activities - when on a terminal visit, perform several activities on same visit. Some factors to consider in developing a frequency of inspection are:

- Frequency of shipments arriving at terminal
- Source (origin) of shipments
- Frequency of visits associated with other activities
- Danger of infestation associated with a business or recent findings

Inspections of incoming shipments of corn, other grains, and hay often consist of a review of certificates and intermittent inspections.

Below are suggested guidelines for frequency of plant quarantine compliance, spot checks, visits, or monitoring inspections. This is based on Notice of Rejections and/or violations issued to establishment, firm, or company and may vary with time.

##### **DAILY VISITS**

- Postal Sectional Centers
- United Parcel Service, FedEx Terminals, etc.

##### **MONTHLY VISITS (12 TIMES A YEAR)**

- Feed grain mills, poultry and cattle feeders, and seed screening mills approved to receive infested commodities

##### **QUARTERLY VISITS (4 TIMES A YEAR)**

- Truck, rail, airline, bus, and moving van terminals
- Associate post offices

##### **BIANNUAL VISITS (2 TIMES A YEAR)**

- Storage areas and feed stores

- Seed screenings and mill establishments
- Commercial nurseries and retail stores marketing plant material
- Federal, county, and city municipal growing grounds, botanical gardens, experimental testing and research laboratories
- Commercial (private) testing or research laboratories
- Pet stores and wild animal farms
- Forest and ranger stations
- Universities, colleges, or schools engaged in research, experiments, or studies
- Race tracks
- Approved hay mills
- Import stores

## 4.3 ORIGIN INSPECTION CERTIFICATION

### 4.3.1 BROWN GARDEN SNAIL

#### 4.3.1.1 FLORIDA – GARDEN SNAILS

Shipments of plants and cut flowers/greens destined to Florida from California are required to be certified free of brown garden snail. The snail is phytophagous. All commercial shippers of regulated articles must be under a written compliance agreement as a condition of quarantine compliance.

There are three routes shippers may use to certify that plant materials for shipment to Florida are free of brown garden snail:

- **SNAIL-FREE MASTER PERMIT PROGRAM**

The Florida Department of Agriculture and Consumer Services (FDACS) provides for qualified shippers to ship plant material to Florida under a Snail-Free Master Permit Program (master permit). Participation is recommended but not mandatory.

The Florida Department of Agriculture and Consumer Services and California Department of Food and Agriculture (CDFA) have two master permits on brown garden snails. The master permits are for:

1. Nursery stock shippers
2. Cut plant material shippers

Provisions of the permits are similar and include the following

- A. Participating nurseries/firms must be under compliance with CDFA. The compliance agreements are actually signed with County Agricultural Commissioners under CDFA oversight. Two type of compliance agreements are used
  - 1. [Snail-free nurseries compliance agreement](#)
  - 2. [Snail-free greenhouses/ holding areas compliance agreement](#)

Only the above compliance agreements must be used for establishments operating under the master permit program. This ensures uniformity and program integrity in the program. The compliance agreements contain necessary provisions to ensure that shipments are free of snails and incorporate by reference the "[Nursery Growers Guide to Snail-Free Operations.](#)"

A copy of the agreement must be sent to Pest Exclusion, Sacramento, as soon as it is signed. Nurseries/shippers that are already under compliance with their County Agricultural Commissioners should adopt the compliance agreement and assigned necessary identification number if they wish to participate in the master permit program.

- B. Nursery stock or cut plant material that is shipped under the Snail-Free Master Permit Program must originate in a snail-free nursery, holding area, or greenhouse.
- C. CDFA supplies FDACS with list of current master permit participants and their identification numbers. This list is prepared from the copies of completed compliance agreements that are submitted by agricultural commissioners to Pest Exclusion, Sacramento.

For uniformity, a unique identification number is assigned to each shipper. The number should begin with the two digit county number and be followed by a consecutive 3-digit number. For example, the sixth compliance agreement written in Alameda County could be assigned the identification number SMP 01006 (SMP stands for Snail-Free Master Permit).

- D. Shipments of regulated articles by participating establishments to any consignee in Florida must be accompanied by the assigned identification number. The number must be incorporated into a stamp or certificate. The wording on the stamp or sticker should parallel the following example: "California Snail-Free Master Permit No. \*\*\*\*\* the plant material in this shipment comes from a snail-free source and is apparently free of phytophagous snails.

(Facsimile signature)

John Doe

ABC County Agricultural Commissioner"

- E. Any shipment found infested by phytophagous snails will be rejected. The participating nursery/firm will be suspended from the master permit program until CDFA can assure FDACS that the snail problem has been resolved.

FDACS notifies CDFA as soon as shipment from a participating establishment is found infested with phytophagous snails. In such situations, CDFA will immediately notify the origin county that the shipper is suspended from the Master Permit Program pending the outcome of a county investigation. When the snail problem is corrected, CDFA will make arrangements for reinstatement of shipping privileges under program.

- **NON-MASTER PERMIT SHIPPERS OF NURSERY STOCK IN GROWING MEDIA AND CUT FLOWERS/GREENS FROM SOURCES APPROVED AS SNAIL-FREE**

Certification of nursery stock for shippers that are not participating in the Snail-Free Master Permit Program may be done if the nursery stock was produced in a snail-free facility under compliance. The certifying inspector must examine and find the shipment is free of phytophagous snails. This certification method may be used for nursery stock.

Shippers whose products qualify for certification under this route would most likely be eligible to participate in the master permit program. Such shippers may join the program, if they want to participate.

All shipments must be accompanied by a Certificate of Quarantine Compliance and should include any precautionary treatment information as may be appropriate. Shipments may be certified using the following additional declaration: "The plants or plant material in this shipment have been inspected by an authorized California inspector and are believed to be free of phytophagous snails prohibited by Florida."

- **NON-MASTER PERMIT SHIPPERS OF CUT FLOWERS/GREENS FROM AREAS NOT APPROVED AS SNAIL FREE**

Shipments of cut flowers/greens from sources that are not approved as snail-free must be thoroughly inspected by the certifying inspector and found free of snails to qualify for certification. All commercial shippers of cut flowers/greens and other regulated articles must be underwritten compliance agreement to observe the Florida snail quarantine as a condition of receiving a quarantine compliance certificate for snails. The following selected certifying requirements for cut flower/greens shippers:

**A. Inspection of Grower Deliveries:**

1. The shipper should thoroughly inspect all grower merchandise at the time of delivery.
2. All snail-infested deliveries should be refused. Subsequent deliveries from the grower should be permitted only after snail problem is resolved to the satisfaction of the shipper.

**B. Shipper and Shipping Facility Requirements:**

1. Only snail-free material should be permitted into the shipping facilities.
2. High-risk and low-risk materials should be held in separate areas pending shipment.
3. Packing and storage areas must be:
  - Regularly sanitized.
  - Free from plant debris and have weed-free perimeter. If landscaped, must be treated for snails on a regular basis.

**C. High-Risk Materials:**

The following outdoor grown cut flowers/greens, except when processed, are considered to be high-risk. They are eligible for certification but must be held and shipped separately from other material:

1. Eucalyptus, *Eucalyptus globulus*
2. Heather (= Ling), *Calluna (=Erica) vulgaris*

3. Marguerite daisy, *Argyranthemum (=Chrysanthemum) frutescens*
4. Statice, *Limonium sinuata*
5. Protea, varied genera
6. Chrysanthemum, *Chrysanthemum spp.*
7. Leptospermum, *Leptospermum spp.*

**D. Processing of High-Risk Materials:**

High-risk materials are commonly processed by dipping the plant material for a minimum of 30 seconds in a solution consisting of 2 pounds tannic acid powder formulation dissolved in 16 gallons of isopropyl alcohol, and diluted with 32 gallons of water.

**E. Final Inspection:**

1. Each shipment must be inspected to the satisfaction of the county agricultural commissioner, and found free of phytophagous snails prior to certification.
2. Shipment should be refused certification, if live phytophagous snails are detected. If no live snails are detected during reinspection, the shipment may be certified.
3. Packing and loading procedures should be monitored to deter post certification re-infestation(s).

Bareroot nursery stock, including material from nurseries not approved as snail-free, which has been harvested and handled in such a manner as to assure freedom from snails may be certified after inspection to the satisfaction of the county agricultural commissioner. This is applicable to nursery stock such as bareroot strawberries, daylilies, and trees.

Privately owned plant material may be certified with the following conditions:

1. Cut flowers and/or greens – inspected to the satisfaction of the county agricultural commissioner and found free of phytophagous snails.
2. Plants (outdoor grown) – treated with an appropriate molluscicide, inspected, and found free of phytophagous snails.
3. Plants (indoor grown) – inspected and found free of phytophagous snails.

Organic produce must be inspected to the satisfaction of the county agricultural commissioner and found free of phytophagous snails prior to certification. If petitioned, the Florida Department of Agriculture and Consumer Services may grant exemptions for certain organic produce, if the processing procedure is found acceptable to grant an exemption from Florida's Snail Rule 5B-43. Organic produce shippers interested in obtaining an exemption for specific commodities should send a petition to:

**Florida Department of Agriculture**  
And Consumer Services,  
Division of Plant Industry  
1911 S. W. 34<sup>th</sup> St. / P.O. Box 1269  
Gainesville, FL 32602-1269

- **GENERAL REQUIREMENTS FOR ALL SHIPPERS – TRANSPORTING VEHICLES**

It is the responsibility of the shipper nursery to:

- A. Nursery Stock**

1. Clean any truck or rail car by steam cleaning, fumigation, or thoroughly washing under pressure after transporting nursery stock
2. It is suggested that a rubber stamp or typed statement be applied to the manifest, invoice, or billing worded “Vehicle cleaned prior to loading and found free of snails” or “Vehicle inspected and found free of snails”.

- B. Cut Flowers/Greens**

1. Inspect for the presence of phytophagous snails prior to loading. Vehicle must be snail-free.
2. Vehicle may be steam cleaned, fumigated, or thoroughly washed under pressure prior to loading.

- **REJECTIONS AND REINSTATEMENTS FOR NON-MASTER PERMIT SHIPPERS**

Detection of a phytophagous snail by Florida officials will result in non-acceptance of certificates from the nursery/shipper for a minimum of 30 days after a first rejection or 6 months after subsequent rejections.

When a rejection occurs, Florida will provide CDFA Pest Exclusion Branch, Sacramento, with:

1. Rejection Notice.
2. Laboratory identification results.
3. Accompanying certificate or the certificate number, county, date, and inspector’s name.
4. Letter of notification of interception and non- acceptance of certificates.

Copies the above documents would be forwarded to the origin County Agricultural Commissioner.

Further shipments from the affected nursery/company must undergo the following procedure prior to any new certification:

1. County agricultural biologists should work with the nursery/shipper to eliminate the snail infestation and review growing, harvesting, packing, and shipping procedures. Pest Exclusion’s district biologists are often available to assist.
2. Towards the end of the suspension period, the shipper must submit a letter to the County Agricultural Commissioner detailing the measures, which have been taken to eliminate the risk of shipping snail-infested shipments and requesting a reinstatement.
3. Reinstatement inspections are to be jointly performed by a representative of the county agricultural commissioner’s office and the California Department of Food and Agriculture, Pest Exclusion Branch.
4. The county representative or commissioner must submit a letter to Pest Exclusion Branch, Sacramento, detailing the inspection results and revised county procedures to avoid certification of

infested shipments. A statement recommending reinstatement or continued suspension should be included. A copy of the county letter should be sent to the Pest Exclusion district biologist.

5. The Pest Exclusion district biologist must submit a memo with explanatory information to Sacramento headquarters recommending reinstatement or continued suspension of the shipper. A copy should be sent to the County Agricultural Commissioner.
6. Pest Exclusion, Sacramento, will submit the documents required in 2, 4, and 5 to Florida, if the county and Pest Exclusion district biologist concur on reinstatement of the shipper. If the county and/or exclusion biologist indicate reinstatement should not be made, all documents will be held pending correction of the problem. After the problem is corrected to the satisfaction of both the county and the Pest Exclusion biologist, both would submit an additional document to Pest Exclusion, Sacramento, indicating that the problem has been corrected and recommending reinstatement.
7. Reinstatement by Florida is usually made approximately ten days after receipt of our correspondence. The reinstatement date may be communicated from Florida by telephone to Pest Exclusion, Sacramento and followed by the reinstatement letter. Pest Exclusion will notify the county of the reinstatement date when notified by Florida. Do not issue certificates until the reinstatement date is given.

- **SNAIL-FREE OPERATIONS**

This section offers good methods to gain and maintain snail-free status. The information is primarily intended for use by county inspector but may be given to nurseries or other interested parties.

A nursery must be under a compliance agreement with an agricultural commissioner, to qualify as snail-free shipper. Such nurseries must have a snail-free:

- Holding area
- Growing ground or greenhouse

The recommended compliance agreement is the same agreement format used for participants in the Snail-Free Master Permit Program except that it should be on county letterhead. However, other effective compliance agreements may be used.

**A. SNAIL-FREE HOLDING AREA**

The nursery has the responsibility of constructing, maintaining, and inspecting an enclosed snail-proof area. A clear bordered and defined area in which regular treatment and systematic procedures combine to eliminate phytophagous snails. If the snail-free area is an open area, it must be effectively isolated at its perimeter to prevent entry of snails from surrounding areas. Recommended of barriers include installing a 3" high copper band or wire window screen at least 6" high. The barriers should be buried to a depth of at least one inch at the base.

Other barriers include screens of galvanized hardware cloth (1/8 inch mesh) treated with copper naphthenate every 30 to 45 days. The screens should be at least 30 inches high above ground level and anchored at least one inch at the base. It can be erected vertically around the snail-free area with a 30" barrier of bare dirt on each side of the fence. No is necessary if this barrier can be stepped over when stock is being moved into or out of the holding area. The upper edge of the screen can be bent over

parallel with the ground and then down to a 30-degree angle to the ground may be used to further restrict access to snails.

Reliance on mesh screen barriers for certification would require inspection and maintenance on a regular basis. This includes removal of weeds and debris that would allow snails to circumvent the mesh barrier. A holding area can be located with an encircling strip of bare ground that is 40 to 50 feet wide. However, 15 feet wide are acceptable, if the strip and the plant material immediately adjacent barrier are treated every 30 days. The snail-free area should be located that flooding water or run-off would not wash snails into the holding area.

#### **B. INTRODUCE CLEAN NURSERY STOCK**

All stock to be placed in the snail-free area should be inspected carefully before being placed in the holding area. While within the holding area, the stock should be inspected at the discretion of the nurseryman for traces of snail activity such as snail tracks, eggs, and foliage damage.

The stock should be located so that its identity with respect to date of entry is maintained. All stock must remain within the area for 30 days before being released for shipment. During holding period, inspections could reveal any snail activity. Whenever snails are found, all stock within the holding area must be kept at the area for further inspection and treatment for another 30 days.

#### **C. RECORDS OF STOCK IDENTITY**

Written records of stock in the holding area will be kept and made available for consultation if questions arise. The records can be listings by the date of stock entry into the holding area, where it was placed, and how often it was treated. A map of the area detailing similar information can be used.

Alternatively, each lot can be grouped and a placard or stake identifying it as to date of stock entry, treatments, and date of exit. Any such outdoor records have the advantage of availability to workers. However, it would be subject to damage or loss, and would have to be weatherproof.

#### **D. TREATMENTS**

Treatment of the nursery stock within the snail-free area should be regularly applied. The treatment records of shippers not participating in the master permit program, should be examined at least once every 30 days.

The following treatments are examples of molluscicides considered to be appropriately effective:

- Zectran (Mexacarbate)
- Mesurol (Methiocarb)
- Deadline (Metaldehyde)

#### **E. FINAL INSPECTION**

The stock in a holding area must be regularly baited and inspected for thirty days without finding live snails. Otherwise, it cannot be certified.

The county agricultural commissioner would make inspections at the start and end of the 30-day period. Treatment may be repeated as a precaution. Each shipment must be inspected to the satisfaction of the county agricultural commissioner and found free of phytophagous snails prior to certification. Certain plants such as *Acanthus*, *Aucuba*, *Crassula*, *Euonymus*, and *Hydrangea* are preferred hosts.

#### **F. SNAIL-FREE NURSERY**

To qualify as snail-free, the county agricultural commissioner must know the operating procedures of the nursery, including the introduction or lack of introduction, of plant material from outside sources. The commissioner must be aware of sanitary practices adopted by the nursery, and make regular inspections for snails before approving the nursery as snail-free.

#### **G. SNAIL-FREE GREENHOUSES**

##### **Tightly Enclosed Greenhouse**

1. All ground within 36 inches outside of exterior doorways shall be free of vegetation, or, if landscaped, be treated on a routine basis.
2. Ventilators shall be screened or louvered to keep out snails.
3. No barrier is required outside of the greenhouse provided proper inspection can be made to verify the greenhouse is constructed in a manner to prevent entry of snails.
4. Material introduced into the snail-free greenhouse should be inspected and treated for snails or held in a quarantine area until determined to be snail-free.

##### **Not Tightly Enclosed Greenhouses**

1. A 12-foot border around the outside of greenhouse shall be kept free of vegetation, or, if landscaped, be treated for snails on a regular basis.
2. Weeds and grass inside the greenhouse shall be kept under control.
3. Treatments shall be applied regularly and systematically recorded.

#### **4.3.1.2 BROWN GARDEN SNAIL - OTHER STATES AND CANADA**

The following states and Canada have quarantines against the brown garden snail (*Helix aspersa*):

Alabama	Oregon
Arkansas	South Carolina
Canada	Tennessee

Idaho	Texas
Louisiana	Virginia
Mississippi	Washington
North Carolina	West Virginia

Florida has quarantine against all phytophagous mollusks, including brown garden snail. Guidelines for certification of plant material to Florida are in Section 4.3.1.1. All quarantine compliance certificates should list both type and quantity of plants covered. Long manifests should be securely fastened to the certificate.

The following is a summary of each state's European brown garden snail quarantine:

#### **ALABAMA**

##### **A. Regulated Articles**

- Soil, sand, or gravel
- Plants and plant products
- Forest products such as stump wood or timbers
- Any other articles which have become contaminated or subject to contamination

##### **B. Certificate Requirements**

- Brown garden snail-free origin
  - Inspected and found free of brown garden snail
  - Brown garden snail is not known to exist in the nursery or site from which the regulated articles originated.
- Origin not approved as brown garden snail free
  - One hundred percent of the regulated articles must be inspected and found free from brown garden snail.
- Regulated articles, other than live plant material
  - May be certified if treated for brown garden snail as recommended in the USDA/APHIS/PPQ Treatment Manual

##### **C. Rejections and Reinstatements**

- When a brown garden snail rejection occurs, Alabama officials will not accept certificates for plant material from the nursery/shipper for a minimum of six months
- Reinstatement procedures are similar to those in Section 4.3.1.1.

#### **ARKANSAS**

Quarantine is applicable to other phytophagous snails.

##### **A. Regulated Articles**

- Ornamental and horticultural nursery stock with roots

##### **B. Certificate Requirements**

- Brown garden snail-free origin:

- Nurseries must file certificates of inspection stating that the nursery has been inspected and found free of brown garden snail.
- Amended certificates of inspection will also be accepted for nurseries shipping only:
- Bareroot nursery stock free of soil.
- Cured bulbs free of soil.
- Nursery stock from greenhouses certified as snail-free.
- Origin not approved as brown garden snail free:
  - Shipments must be accompanied by a certificate indicating the shipment meets either of the following conditions:
  - Fumigation in a manner approved by the Arkansas State Plant Board.
  - The plants have been held separate in a quarantine area for 30 days under official supervision, treated with baits and sprays, inspected and reinspected and found free of harmful snails for at least 30 days.

## **CANADA**

### **A. Regulated Articles**

- Ornamental and horticultural nursery stock field or container grown
- Cut flowers and dormant, bareroot, defoliated planting stock does not need certification but should be free of brown garden snails

### **B. Certification Requirements**

- Brown garden snail-free origin:
  - Plant material should be certified only when it originates from a brown garden snail-free nursery, greenhouse, or holding area; **and**
  - Inspected and found free of brown garden snail. The inspection should be performed within 14 days of exportation.
- Certificates should include the following additional declaration:
  - "The rooted plants in this consignment originate from an approved snail-free nursery, greenhouse, or holding area AND were inspected and found to be free of European Brown Garden Snail (*Helix aspersa/Cornu aspersum*)."

### **C. Rejection Policy**

Canadian agricultural inspectors will reject plant material shipments for snails other than brown garden snails. Shipment would be rejected if there were evidence of less than adequate brown garden snail control, such as slime trails.

## **IDAHO**

### **A. Regulated Articles**

- Grass sod
- All plants, nursery stock or florist stock with roots in soil

### **B. Exempt Articles - must be snail-free**

- Cut flowers and cut greens
- Soil-free plants including: bareroot plants, plant crowns, roots for propagation, bulbs, corms, tubers, and rhizomes

**C. Certification Requirements**

- Officially inspected immediately prior to shipment and found free of all life stages of regulated pests,
- Originated from an area determined by official inspection to be free from regulated pests

**D. Shipping Requirements**

- Certified and non-certified articles shall not be shipped together in the same transporting vehicle
- Transporting vehicle, as well as regulated articles, must be free of regulated pests

**LOUISIANA**

**A. Regulated Articles**

- Ornamental, horticultural and nursery stock.
- Cut flowers do not require certification but must be free of brown garden snail.

**B. Certification Requirements**

- Regulated material moved into or within Louisiana must be accompanied by a certificate of nursery inspection (tag) and certified for freedom from European brown garden snail or other phytophagous snails. Snail certification must accompany the shipment.
- A copy of the snail certification must also be sent by the issuing county to:  
Louisiana Department of Agriculture  
Division of Horticulture and Quarantine  
P.O. Box 3118  
Baton Rouge, Louisiana 70821-3118

**MISSISSIPPI**

**A. Regulated Articles**

- Ornamentals, nursery stock, or any other plants.
- Soil, sand, and peat
- Any other article which may be responsible for movement of brown garden snail

**B. Certificate Requirements**

- Brown garden snail-free origin
  - Inspected and found free of brown garden snail, and
  - The pest is not known to exist in the nursery or site from which the shipment originated
- Origin not approved as brown garden snail-free
  - Shipment must be accompanied by a certificate attesting to the following treatment:

Fumigated in a gas-tight chamber with methyl bromide at a rate of 2-1/2 pounds per 1,000 cubic feet at 70° F. or above for 2 hours, or with HCN at a rate of 25cc per 100 cubic feet for one hour at 50° F to 85° F.

- Bareroot plants can be certified free of brown garden snail based solely upon inspection.
- A copy of the certificate must be sent by the issuing county to:  
The Director  
Bureau of Plant Industry  
Mississippi Department of Agriculture and Commerce  
P.O. Box 5207  
Mississippi State, Mississippi 39762
- Advise shipping nurseries to immediately fax a copy of the certificate to the MDAC at (601) 325-8397 or by priority mail to the address above.

#### **NORTH CAROLINA**

##### **A. Regulated Articles**

- All plants and plant parts

##### **B. Certification Requirements**

- Shipment must be accompanied by a certificate of inspection indicating that it is free of brown garden snail or originated in an area where brown garden snail does not occur

#### **OREGON**

##### **A. Regulated Articles**

- Grass sod
- All plants with roots in soil.

##### **B. Certificate Requirements:**

- Inspected and found free of brown garden snail, or
- Originated from an area determined to be free from brown garden snail

##### **C. Shipping Requirements**

- Certified and non-certified articles shall not be shipped together in the same transporting vehicle.
- Transporting vehicle, as well as regulated articles, must be free from brown garden snail.

#### **SOUTH CAROLINA**

##### **A. Regulated Articles**

- All nursery stock.
- Cut flowers and cut greens
- Any other article which may be responsible for the movement of brown garden snail

##### **B. Certificate Requirements:**

- Must be accompanied by a certificate of quarantine compliance stating commodities are free from brown garden snail.
- It is recommended that shippers meet Florida's garden snail requirements (See 4.3.1.1).

#### **TENNESSEE**

##### **A. Regulated Articles**

- Nursery stock.
- Other plants, plant materials, and articles capable of carrying the brown garden snail.

##### **B. Certificate Requirements**

- Articles inspected and found free from brown garden snail, and
- Growing site inspected and found free from brown garden snail.
- Shipments from infested areas must be certified as treated in either of the following manners:
  - With methyl bromide at the rate of 2-1/2 lbs. per 1,000 cubic feet at 70° F or above for a period of 2 hours; or
  - With Hydrogen Cyanide at the rate of 25cc per 100 cubic feet at 50° F to 80° F for a period of one hour

#### **TEXAS**

##### **A. Regulated Articles**

- Ornamental and horticultural nursery stock.
- Cut flowers and greens, orchids in bark, and soil free plants including bareroot plants, plant crowns, roots for propagation, bulbs, corms, tubers and rhizomes of plants do not require certification but must be free of brown garden snail

##### **B. Certification Requirements**

- Brown garden snail-free origin
  - Must state brown garden snail is not known to occur in the nursery or growing area from which the shipments originated.
  - Counties with nurseries working under a compliance agreement to maintain snail free nurseries or nurseries with snail free holding areas may submit an amended certificate of quarantine compliance for each participating nursery to:
    - Plant Quality Program
    - Texas Department of Agriculture
    - Post Office Box 12847
    - Austin, Texas 78711
    - Phone: (512) 463-7476
    - Fax: (512) 463-8225

The compliance agreement number is entered in the certificate number block. Additional declaration must include an expiration date for the certificate.

The expiration date should coincide with the next semi-annual brown garden snail inspection required by the Texas quarantine. The shipping nursery includes a copy of the current certificate with each shipment of plant material.

**C. Origin not approved as brown garden snail-free**

Certificate must state one of the following:

- The plant material was inspected and found free of brown garden snail, or
- The plant material was treated with an approved molluscicide. Recommended treatments include materials containing methiocarb or mexacarbate that can be applied as a drench, spray, or broadcast.

**VIRGINIA**

**A. Regulated Articles**

- Ornamentals or other plants
- Soil
- Other articles which may move brown garden snails
- Cut flowers require certification

**B. Certification Requirements**

Certification may be based on negative survey, inspection, or treatment. One of the following statements must be used on the Quarantine Compliance Certificate:

- "The commodity originated in an area not known to be infested with European brown garden snail." Nursery stock from a snail free nursery would qualify for this statement; or
- "This commodity was inspected by an agricultural official in California and was found free of European brown garden snail"; or
- "The commodity was treated for European brown garden snail." The required treatment is 5 pounds of methyl bromide per 1,000 cubic feet for 5 hours at 70° F. or above.

**WASHINGTON**

Brown garden snail is an "A"-rated pest in Washington. There are no current certification requirements, but all plant material shipments should be free of brown garden snail.

**WEST VIRGINIA**

**A. Regulated Articles**

- Live, non-native, plant-feeding snails in any stage of development
- Plant material
- Any other articles determined by the Commissioner to be capable of transporting live, non-native, plant-feeding snails

**B. Certificate Requirements**

- Regulated articles shall not be moved into the state of West Virginia from a regulated area unless they are accompanied by a certificate, issued by a duly authorized agriculture official of the state of origin, stating that the articles are free of non-native, plant-feeding snails.

#### **4.3.2 GUIDELINES FOR APPLE MAGGOT CERTIFICATION OF COMMERCIALY PRODUCED APPLE**

With the repeal of the State's exterior and interior quarantines for apple maggot, apples may move unrestricted in California except to the following counties which have adopted ordinances to regulate to movement of apples into their jurisdictions:

Contra Costa, El Dorado, Fresno, Kern, Kings, Madera, Merced, Monterey, San Benito, San Joaquin, San Luis Obispo, Santa Cruz, Santa Barbara, Stanislaus, Tulare and Ventura.

Apples, or apple trees, are prohibited entry into these counties except under the following provisions:

1. Commercially packed apples produced using conventional pest control practices are not restricted. "Conventional pest control practices" shall mean treatment with pesticides at label dosages and on a schedule effective against apple maggot.
2. Commercially packed organic apples (apples produced by growers in compliance with and registered under the California Organic Foods Act of 1990) may enter the county if the producing orchard was trapped and found negative for apple maggot.
3. Commercially produced apples may enter the county in bulk for packing, juicing, and processing under a compliance agreement between the importing company and the county agricultural commissioner.
4. Apples trees which are free of fruit and bare root or free of fruit and certified by origin agricultural officials as being treated with a soil drench effective against apple maggot may enter the county, subject to inspection.

Local compliance agreements for the movement of commercially produced bulk apples shall have the following requirements:

1. Only apples originating from orchards using conventional pest control methods, or from qualified organic orchards may enter the county for packing, juicing, or processing.
2. Prior to receiving any apples grown from any orchard located outside of the county, the importer must notify the agricultural commissioner's office of the intent to receive the apples, the name of the shipper/grower, the identification of the orchard of origin, and the anticipated dates of receipt.
3. All bulk shipments entering the county must be transported in a secured vehicle(s) to prevent spillage. This may include use of structurally sound bins and tarped vehicles, or enclosed vans.
4. All bins must be identified to maintain the origin identity of the fruit.
5. Fruit shall be processed upon arrival, remain in their original enclosed containers, or be placed into controlled atmosphere or conventional cold storage chambers.
6. All waste must be disposed of in a manner approved by the agricultural commissioner. All bins shall be cleaned in a manner approved by the agricultural commissioner.

7. The following records must be kept for each load of bulk apples imported into the county: date received, shipper/grower's name, county or state of origin, number of bins, origin orchard identification.
8. Inspectors from the commissioner's office may intermittently monitor the facility, cut fruit, and have access to records associated with the compliance agreement.
9. The importer shall reimburse to the county agricultural commissioner all costs for monitoring this compliance agreement.

A history of freedom from apple maggot infestation has been established within some counties in California's Central Valley based on participation in the detection trapping program sponsored by the California Department of Food and Agriculture. With the cessation of the Department sponsored detection program, the following guidelines have been developed to provide all counties with the means to offer origin certification based on freedom from apple maggot infestation for those states and countries requiring such certification based on the use of annual surveys.

Orchard surveys to assure apple maggot free status will be performed under a compliance agreement with the local county agricultural commissioner (CAC) and the participating exporters, and may be funded by the participating growers. Sample compliance agreements can be found in Appendices B and C. Any apple producer intending to export apples to a county with an apple maggot ordinance, or another state or country requiring an annual survey, must participate in this program to qualify for origin, or freedom from, apple maggot certification. The level of trapping for certification of apples is reduced further if the origin county maintains an apple maggot ordinance to restrict the movement of apples into the county; and when the apples are destined for market in a county maintaining an ordinance against apple maggot.

NOTE: Apples regulated for other pests by the destination state or country must continue to meet those requirements as well.

**A. Counties maintaining an ordinance against apple maggot will use the following certification trapping program:**

1. Funding for the program may be at the expense of the participating growers, if the certifying county wishes to charge for the service.
2. All traps shall be placed and monitored by the CAC. The Pherocon AM trap shall be used; these traps will be placed according to the procedures described in CDFA's Detection Trapping Guide and according to the following:
  - a. traps shall be in place by the first of June and shall remain in place through September of each year;
  - b. traps shall be placed at a density of 1 trap/10 acres, with no fewer than 4 traps/block; and a maximum of 40 traps/640 contiguous acres. Traps shall be placed around the perimeter of the orchard but on trees in the second row to minimize contamination with dust;
  - c. traps shall be serviced bi-weekly and shall be replaced at least every 4 weeks, more often if traps become dirty.
3. Quality control inspections of all traps shall be conducted routinely by the CAC.
4. All apple maggot suspects, adults and immature stages, will be submitted to the Plant Pest Diagnostics Branch for confirmation.
5. If apple maggot is detected within an orchard, the orchard shall be treated at the expense of the orchard owner using conventional pest control practices, in a manner approved by and under the supervision of the CAC; and the orchard owner shall reimburse the CAC for the cost of supervising the treatment. Apples from that orchard shall

not be certified for apple maggot for the remainder of that year's growing season unless the prescribed treatments are conducted and cold treatment or controlled atmosphere treatment is used for certification.

If apple maggot is detected in an orchard and the aforementioned treatment is not conducted as required the pest shall be abated as provided for in Section 5401 et seq., of the California Food and Agricultural Code.

6. It will be the responsibility of the packer to assure identity of certifiable lots throughout the packing and storage process.

**B. For counties that do not establish an ordinance against apple maggot the following certification trapping protocol must be used:**

1. Funding for the program may be at the expense of the participating growers, if the certifying county wishes to charge for the service.
2. All traps shall be placed and monitored by the CAC. The Pherocon AM trap shall be used; these traps will be placed according to the procedures described in CDFA's Detection Trapping Guide and according to the following:
  - a. traps shall be in place by the first of June and shall remain in place through September of each year;
  - b. traps shall be placed at a density of 1 trap/10 perimeter trees (minimum 2/acre), or every 300 feet for high density plantings; with no fewer than 4 traps/block. Traps shall be placed around the perimeter of the orchard but on trees in the second row to minimize contamination with dust.
  - c. traps shall be serviced bi-weekly and shall be replaced at least every 4 weeks, more often if traps become dirty.
3. Quality control inspections of all traps shall be conducted routinely by the CAC.
4. All apple maggot suspects, adults and immature stages, will be submitted to the Plant Pest Diagnostics Branch for confirmation.
5. If apple maggot is trapped within 1/2 mile of a participating orchard, but not within the orchard, the apples from that orchard may be certified if apple maggot is undetected following additional inspection as detailed in **Sampling Procedures** below.
6. If apple maggot is detected within an orchard, the orchard shall be treated at the expense of the orchard owner using conventional pest control practices in a manner approved by, and under the supervision of, the CAC; and the orchard owner shall reimburse the CAC for the cost of supervising the treatment. Apples from that orchard shall not be certified for apple maggot for the remainder of that year's growing season unless the prescribed treatments are conducted and cold treatment or controlled atmosphere treatment is used for certification.
7. It will be the responsibility of the packer to assure identity of certifiable lots throughout the packing and storage process.

**C. For those apple maggot ordinance counties producing apples for intrastate movement only and final destination to another apple maggot ordinance county the following certification trapping program may be used:**

1. Funding for the program may be at the expense of the participating growers, if the certifying county wishes to charge for the service.

2. All traps shall be placed and monitored by the CAC. The Pherocon AM trap shall be used; these traps will be placed according to the procedures described in the CDFA's Detection Trapping Guide and according to the following:
  - a. traps shall be in place by the first of June and shall remain in place through September of each year;
  - b. traps shall be placed at a density of 1 trap/block for blocks less than 1 acre; 2 traps/block for blocks from 1 to 5 acres; 4 traps/block for blocks from 5 to 40 acres; 4 traps + 1 trap for each additional 10 acres, or portions thereof for blocks greater than 40 acres with a maximum of 40 traps/640 contiguous acres;
  - c. traps shall be serviced bi-weekly and shall be replaced at least every 4 weeks, or more often if the traps become dirty.
3. Quality control inspections of all traps shall be conducted routinely by the CAC.
4. All apple maggot suspects, adults and immature stages, will be submitted to the Plant Pest Diagnostics Branch for confirmation.
5. If apple maggot is detected within an orchard, the orchard shall be treated at the expense of the orchard owner using conventional pest control practices, in a manner approved by and under the supervision of the CAC; and the orchard owner shall reimburse the CAC for the cost of supervising the treatment. Apples from that orchard shall not be certified for apple maggot for the remainder of that year's growing season unless the prescribed treatments are conducted and cold treatment or controlled atmosphere treatment is used for certification.

If apple maggot is detected in an orchard and the aforementioned treatment is not conducted as required the pest shall be abated as provided for in Section 5401 et seq., of the California Food and Agricultural Code.

6. It will be the responsibility of the packer to assure identity of certifiable lots throughout the packing and storage process.
7. Quarantine compliance certificates will be required for all shipments moved under this program with the following additional declaration (AD):

"The apples were organically produced, trapped and found negative for apple maggot. For intrastate use only; not for export."

or

"The apples were produced using conventional pest control practices. For intrastate use only; not for export."

#### **SAMPLING PROCEDURES**

Procedures for sampling harvested apples for commercial packing for apple maggot infestation.

1. Samples must be taken from all grower lots of an orchard within 1/2 mile of an apple maggot fly find.
2. The sampling rate will be 100 apples per 100 containers in each grower lot.
3. The sample shall be drawn from at least 2 containers for each 100 containers in the grower lot.
4. The sample shall be examined for external evidence of apple maggot infestation.
5. At least 20 apples shall be cut and inspected internally for evidence of apple maggot infestation.

6. If apple maggot injury is detected, at least 100 apples from the grower lot shall be cut and inspect for apple maggot larvae.
7. The grower may not ship under this agreement if:
  - a. The lot sampled contains apple maggot or any other serious plant pest; or more than,
  - b. 0.5% of the fruit shows larval damage; **or**,
  - c. 4.0% of the fruit displays evidence of infestation.

**SAMPLE COMPLIANCE AGREEMENT - A**

- A. Sample compliance agreement for use in those counties maintaining an apple maggot ordinance:

**Name and Mailing Address of Establishment:**

**Location of growing area(s):**

**Regulated Articles Handled:** Apple orchards and apples destined for shipment to other states or countries requiring annual surveys.

1. Funding for the program may be at the expense of the participating growers, if the certifying county wishes to charge for the service.
2. All traps shall be placed and monitored by the CAC. The Pherocon AM trap shall be used; these traps will be placed according to the procedures described in CDFA's Detection Trapping Guide according to the following:
  - a. Traps shall be in place by the first of June and shall remain in place through September of each year.
  - b. Traps shall be placed at a density of 1 trap/10 acres, with no fewer than 4 traps/block; and a maximum of 40 traps/640 contiguous acres. Traps shall be placed around the perimeter of the orchard but on trees in the second row to minimize contamination with dust.
  - c. Traps shall be serviced bi-weekly and shall be replaced at least every 4 weeks, more often if traps become dirty.
3. Quality control inspections of all traps shall be conducted routinely by the CAC.
4. All apple maggot suspects, adults and immature stages, will be submitted to the Plant Pest Diagnostics Branch for confirmation.
5. If apple maggot is detected within an orchard, the orchard shall be treated at the expense of the orchard owner using conventional pest control practices in a manner approved by, and under the supervision of, the CAC; and the orchard owner shall reimburse the CAC for the cost of supervising the treatment. Apples from that orchard shall not be certified for apple maggot for the remainder of that year's growing season unless the prescribed treatments are conducted and cold treatment or controlled atmosphere treatment is used for certification.

If apple maggot is detected in an orchard and the aforementioned treatment is not conducted as required the pest shall be abated as provided for in Section 5401 et seq., of the California Food and Agricultural Code.

6. It will be the responsibility of the packer to assure identity of certifiable lots throughout the packing and storage process.

7. Other requirements, where applicable, may be prescribed by the CAC and may include, but are not limited to: placement and monitoring of additional traps, treatments and the use of prescribed sanitary measures.
- B. The affixing of both signatures will validate this Agreement, which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.

Company Representative's Name:

Company Representative's Signature:

Title: Date Signed:

Agreement Number: Date of Agreement:

County Agricultural Commissioner's Signature:

### **SAMPLE COMPLIANCE AGREEMENT - B**

**A. Sample compliance agreement for use in those counties which do not maintain an apple maggot ordinance:**

**Name and Mailing Address of Establishment:**

**Location of growing area(s):**

**Regulated Articles Handled:** Apple orchards and apples destined for shipment to other states or countries requiring annual surveys.

1. Funding for the program may be at the expense of the participating growers, if the certifying county wishes to charge for the service.
2. All traps shall be placed and monitored by the CAC. The Pherocon AM trap shall be used; these traps will be placed according to the procedures described in CDFA's Detection Trapping Guide according to the following:
  - a. Traps shall be in place by the first of June and shall remain in place through September of each year;
  - b. Traps shall be placed at a density of 1 trap/10 perimeter trees (minimum 2/acre), or every 300 feet for high density plantings; with no fewer than 4 traps/block. Traps shall be placed around the perimeter of the orchard but on trees in the second row to minimize contamination with dust;
  - c. Traps shall be serviced bi-weekly and shall be replaced at least every 4 weeks, more often if the traps become dirty.
3. Quality control inspections of all traps shall be conducted routinely by the CAC.
4. All apple maggot suspects, adults and immature stages, will be submitted to the Plant Pest Diagnostics Branch for confirmation.
5. If apple maggot is trapped within 1/2 mile of an orchard, but not within the orchard, the apples from that orchard may be certified if apple maggot is undetected following additional inspection as detailed in sampling procedures.
6. If apple maggot is detected within an orchard, the orchard shall be treated at the expense of the orchard owner using conventional pest control practices in a manner approved by, and under the supervision of, the CAC; and the orchard owner shall reimburse the CAC for the cost of supervising the treatment. Apples from that orchard shall not be certified for apple maggot for the remainder of that year's growing season unless the prescribed treatments are conducted and cold treatment or controlled atmosphere treatment is used for certification.

7. It will be the responsibility of the packer to assure identity of certifiable lots throughout the packing and storage process.
  8. Other requirements, where applicable, may be prescribed by the CAC and may include, but are not limited to: placement and monitoring of additional traps, treatments and use of prescribed sanitary measures.
- B. The affixing of both signatures will validate this Agreement, which shall remain in effect until canceled, but may be revised as necessary or revoked for noncompliance.

Company Representative's Name:

Company Representative's Signature:

Title: Date Signed:

Agreement Number: Date of Agreement:

County Agricultural Commissioner's Signature:

#### **SAMPLE COMPLIANCE AGREEMENT - C**

- A. For those apple maggot ordinance counties producing apples for intrastate movement only and final destination to another apple maggot ordinance county the following certification trapping program may be used:

**Name and Mailing Address of Establishment:**

**Location of Growing Area(s):**

**Regulated Articles Handled:** Apple orchards and apples destined for shipment to other apple maggot ordinance counties.

1. Funding for the program may be at the expense of the participating growers, if the certifying county wishes to charge for the service.
2. All traps shall be placed and monitored by the CAC. The Pherocon AM trap shall be used; these traps will be placed according to the procedures described in the CDFA's Detection Trapping Guide and according to the following:
  - a. traps shall be in place by the first of June and shall remain in place through September of each year;
  - b. traps shall be placed at a density of 1 trap/block for blocks less than 1 acre; 2 traps/block for blocks from 1 to 5 acres; 4 traps/block for blocks from 5 to 40 acres; 4 traps + 1 trap for each additional 10 acres, or portions thereof for blocks greater than 40 acres with a maximum of 40 traps/640 contiguous acres.
  - c. traps shall be serviced bi-weekly and shall be replaced at least every 4 weeks, or more often if the traps become dirty.
3. Quality control inspections of all traps shall be conducted routinely by the CAC.
4. All apple maggot suspects, adults and immature stages, will be submitted to the Plant Pest Diagnostics Branch for confirmation.
5. If apple maggot is detected within an orchard, the orchard shall be treated at the expense of the orchard owner using conventional pest control practices, in a manner approved by and under the supervision of the CAC; and the orchard owner shall reimburse the CAC for the cost of supervising the treatment. Apples from that orchard shall not be certified for apple maggot for the remainder of that year's growing season unless the prescribed treatments are conducted and cold treatment or controlled atmosphere treatment is used for certification.

6. If apple maggot is detected in an orchard and the aforementioned treatment is not conducted as required the pest shall be abated as provided for in Section 5401 et seq., of the California Food and Agricultural Code.
7. It will be the responsibility of the packer to assure identity of certifiable lots throughout the packing and storage process.
8. Quarantine compliance certificates will be required for all shipments moved under this program with the following additional declaration (AD):

"The apples were organically produced, trapped and found negative for apple maggot. For intrastate use only; not for export."

or

"The apples were produced using conventional pest control practices. For intrastate use only; not for export."

- B. The affixing of both signatures will validate this agreement which shall remain in effect until canceled but may be rescinded as necessary or revoked for non-compliance.

Company Representative's Name:

Company Representative's Signature:

Title: Date Signed:

Agreement Number: Date of Agreement:

County Agricultural Commissioner's Signature:

1. The lists would contain qualified conventional and qualified organic growers from other counties or states who wish to ship either packed or bulk apples. Lists shall include grower's name, grower's address, identification of orchard(s) from which apples will be shipped, and labels (brands).
2. Non-ordinance counties include out-of-state areas which do not have apple maggot ordinances or pestcontrol districts.
3. Lot identification = bin tags with grower's lot numbers and identification; only structurally sound bins, gondolas, or other bulk containers are to be used.
4. Quarantine Compliance Certificates would state that the apples come from a county where: the apples were produced using conventional pest control practices; or the apples were organically produced, trapped and found negative for apple maggot.
5. Tarping required for bulk apples originating from other states only.
6. Requirements apply to regulated areas within the county only (e.g., Cebada Canyon and the Cuyama Valley).

#### **4.3.3 NURSERY STOCK CERTIFICATES TO OTHER STATES**

##### STATES UNDER AGREEMENT

States entering into agreement under conditions set by the [National Plant Board](#) does not require California nurseries to file a copy of their inspection certificate with the destination state. To comply with the agreement, Nursery and Seed Services will file a copy of the "Directory of Nurserymen and Others Licensed to Sell Nursery stock in California" with the

states entering into the agreement. A nursery stock certificate, and special certificates required by some states (Brown garden snail, etc.), must still accompany each shipment.

#### STATES UNDER AGREEMENT

Filing of inspection certificate not required:

Arkansas, Delaware, Florida, Georgia, Indiana, Iowa, Maine, Maryland, Minnesota, Missouri, Michigan, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, South Carolina, South Dakota, Texas, West Virginia, Wisconsin

#### STATES NOT UNDER AGREEMENT

Filing of certificates may be required:

Refer to National Plant Board's "[Summary of State Regulations](#)" for details. Firms licensed to sell nursery stock should be advised to reproduce a copy of the California Nursery Stock Certificate as authorized by the county agricultural commissioner ([Form 64-079](#)) and mail it to the state official requiring the certificate.

The certificate to be filed will be numbered according to the prescribed method:

1. Firms licensed to sell nursery stock will use the first four digits of their permanent license number.
2. Origin inspected warehouse shipping seed will use the series of letters and numbers as described in the Origin Inspected Warehouse Procedural Manual.
3. Firms not required to have licenses to sell nursery stock or not designated as Origin Inspected Warehouses will use the official county number followed by a hyphen and a numerical sequence number. Examples: Alameda County No. 01-1; Los Angeles County No. 19-1.

Firms will be notified of specific interior quarantines that apply and advised that Nursery Stock Certificates must not be used on any shipments of host material unless accompanied by the required quarantine certificate or permit.

When mailing certificates to officials of other states, the firm should request a full statement by the other state of all the requirements to be met as to quarantines, permits, certificates, markings, fee, etc., and the kinds of nursery stock covered by the requirements in order that shipments of nursery stock may be made in compliance with restrictions of that state.

Although CDFA cannot enter into formal agreements with other states, California nurserymen are entitled to the full benefit of the "Reciprocal Agreement" as to remission of fees, in the case of all states, which entered that agreement.

North Dakota At the time of issuance of the certificate to a firm licensed to sell nursery stock or a seed firm one copy shall be transmitted to Nursery and Seed Services, Division of Plant Industry for their files. [Mailing Addresses of States Plant Regulatory Officials](#) are available.

#### CUT FLOWERS TO TEXAS

A nursery stock certificate must accompany each shipment of cut flowers destined to Texas. The USDA "Summary of State Regulations" for Texas indicates that a "Texas Importation Permit" is required for plant material. This "Importation Permit" actually refers only to foreign plants and plant cuttings. It is a tool used by Texas officials to keep control of foreign plants and cuttings destined to their state.

### **4.3.4 OTHER INFORMATION AND POLICIES**

- 4.3.4.1 Guidelines for inspection of containerized shipment of plant material
- 4.3.4.2 Diversion of pest infested material – intrastate
- 4.3.4.3 Diversion of pest infested material – interstate
- 4.3.4.4 Proper markings on plant material packages
- 4.3.4.5 Hay inspections
- 4.3.4.6 Inspection of forage: growing, baled or other products for noxious weeds

#### 4.3.4.1 GUIDELINES FOR INSPECTION OF CONTAINERIZED SHIPMENT OF PLANT MATERIAL

Check for the following:

- Type or kind of plant material in shipment
- Origin of material
- Stage of growth or condition of plants
- Type of wrappings around plant material
- Type, kind or amount, of pests or diseases on plants
- Size, type or kind of container and sub-container
- Does shipment have host, non-host or both materials

##### Guidelines

Receivers of plant material are to hold shipments intact, unopened until County Agricultural Commissioner have been notified of arrival.

##### Inspect and Release

After close inspection in the container, and certifications requirements are met. If there are no pests and/or diseases found, plant material can be released.

##### Infested or Contaminated Shipments

- If pests are found in a mixed container, inspector should check if other lots are also infested, and if the shipment should be rejected.
- If approved treatments are available, shipper can elect to treat material. Inspector can release material after treatment.
- If there is no available treatment(s), infested materials should be rejected and returned to origin, shipped out-of-state under a Rejection Notice, or destroyed under the supervision of enforcement officer.

#### 4.3.4.2 DIVERSION OF PEST INFESTED MATERIAL – INTRASTATE

Except in the case of feed grain and seed screenings moving to approved mills and establishments, no pest infested or contaminated material is to be permitted movement from one county to another county without the destination Commissioners approval.

#### 4.3.4.3 DIVERSION OF PEST INFESTED MATERIAL – INTERSTATE

The following procedure should be used when a shipment is rejected and the shipper elects to ship out-of-state.

- Contact the receiving state, if possible. This could be done through the broker, shipper or receiver.
- If shipper elects to return to origin, safeguard shipment until it leaves state.
- If shipper elects to send material to another state
- If rejection is due to lack of proper certificate, determine if would be in violation of the receiving state
- If not in violation, safeguard until it leaves state
- If in violation of receiving state, do not release unless receiving state is contacted and agree to accept.
- If receiving state will not accept, do not release.
- If rejection was due to finding of an “A” or “Q” rated pest and/or disease, contact receiving state
- If shipment is acceptable by the state, then safeguard until it leaves state.
- If shipment is not acceptable, do not release.
- If broker, shipper or receiver insists on shipping to a state that indicated that they would “not accept”, notify shipper of consequences and contact CDFA Pest Exclusion Office in Sacramento or County Agricultural Commissioner, if inspector is county staff.

#### 4.3.4.4 PROPER MARKINGS ON PACKAGES OF PLANT MATERIAL

Both the US Postal Service and CDFA have marking requirements on packages containing plant material entering California. These requirements also include packages sent by rail, ship, air, truck lines or private carriers like UPS, FEDEX, DHL, etc

Section 6421 of California Food and Agricultural Code States “Each shipment of plants which is brought into this state shall have legibly marked upon it in a conspicuous manner and place all of the following:

- The name and address of the shipper or owner.
- The name of the person to whom the shipment is forwarded or shipped or the name of his/her agent.
- The name of the country, state, or territory where the contents were grown.
- A statement of its contents

Packages should be plainly marked with the word “Plant Material”, Live Plant(s)” or “Plant(s)” on the upper or face side of the package.

The above section states “marked upon it in a conspicuous manner” This means the identity word “Plant Material”, Live Plant(s)” or “Plant(s)” are to be on the upper of face side of the package. Markings on other locations, away from the address label are not in compliance. Information on where the contents were grown, and the exact name of plant need not be on the outside of the package. At times the package size could limit space for such extra information.

The USPS Terminal Inspection for Plants and Plant Production Act, Section V, states "States and Territories Requiring Inspection. The packages must be plainly marked on the outside to show the exact nature of their content". USPS Publication 14, 1974 interpret the above section that markings must be on top of the package, near the top of the package, near the address and zip code, to expedite delivery and avoid delays.

It is recommended that all packages of plant material not properly marked be rejected at destination, and returned to sender at their expense or destroyed.

#### 4.3.4.5 HAY INSPECTION

Border Inspectors examine the exterior surface of the outer bales of hay for the presence of mature primary noxious weed seeds, cotton contamination or other pests. If found clean, inspector will stamp papers with station stamp, date, initial and release.

If viable primary noxious weed seeds are found, Inspector will reject and issue a Rejection Notice for shipment out of state (reference Section 6341 CAC.) or if consigned to or diverted to an approved hay mill, send to destination with a "Warning - Quarantine Notice."

This inspection procedure does not affect the usual inspection for other quarantine requirements.

If inspection is not done at the border station, Quarantine Warning Notice is issued with a notation to the Commissioner at destination explaining the reason. The bills covering shipments sent through for destination handling should be stamped "Warning - Hold for Inspection."

#### 4.3.4.6 INSPECTION OF FORAGE: GROWING, BALED OR OTHER PRODUCTS FOR NOXIOUS WEEDS (REVISED 3-13-13)

- [Weed Free Forage Protocol](#)