Asian Citrus Psyllid (ACP) Quarantine

California Code of Regulations, § 3435—ACP

Bulk citrus is prohibited from moving from or within the quarantine area.

Permits and Compliance Agreements

Quarantine Commodity (QC) Permit

- Bulk citrus is allowed to move within and from a quarantine area under mitigations specified in the QC Permit.
- QC Permits are facilitated through a signed compliance agreement between the regulated establishment and the ACP Program.
- Under the QC Permit and Compliance Agreement, all loads of citrus must be safeguarded in transit (fully enclosed or completely covered).

Example of a Compliance Agreement.

https://www.cdfa.ca.gov/plant/acp/regulation.html
Food and Agricultural Code § 5306 (Charging Code—Misdemeanor)

- (a) It is unlawful for any person to refuse to comply with any quarantine regulation (CCR 3435), which is established by the director pursuant to this division.
- (b) It is unlawful for any person to possess, propagate, plant, process, sell, or take any other action with regard to a plant or thing subject to a quarantine which has been imported or moved in violation of the quarantine.
- A civil penalty not exceeding $10,000 (§ 5310) for each violation may be assessed;
- AND, a person is subject to criminal or civil penalties, or both, pursuant to the Unfair Practices Act (Chapter 4 (commencing with § 17000) of Part 2 of Division 7) of the Business and Provisions Code, (§ 5028).

Food and Agricultural Code § 5705 (Charging Code and Penalty)

- The Director or local County Agricultural Commissioner may enter into a compliance agreement with any person, which provides for the movement of host material.
- Any person who violates the terms of a compliance agreement is liable civilly in an amount not exceeding $10,000.

Violations

- Vehicles with improper safeguarding (tarping or enclosure) may be stopped and cited for violation of the quarantine.
- Each vehicle must have a copy of their compliance agreement. Failure to provide the required compliance agreement is a violation.
- Safeguarding and compliance agreement violations are two separate violations.

Violation:
Load must be completely safeguarded in transit to prevent the loss of plant material or exposure to ACP.

Violation:
No tarp or safeguarding.