

**Program Regulations (Non-infested Premise Nursery)**  
**Exhibit A**  
**Nursery Compliance Requirements**

April 6, 2016

1. The nursery shall conduct an ongoing glassy-winged sharpshooter (GWSS) pest management program. The nursery shall adhere to the GWSS compliance agreement requirements as directed by the County Agricultural Commissioner (CAC) and inspect plants on a continuing basis as directed by the CAC:
  - a. The nursery premise shall be surveyed by county personnel using standard yellow sticky traps placed at approximately canopy height at a density of not less than 1 trap per one-half acre, and not less than 2 traps per one-half acre in the staging areas. If multiple plant canopies are present, then multiple traps should be used to detect the GWSS from each of the canopies. Traps will be checked for GWSS no less than once every two weeks by county personnel.
  - b. The nursery shall be surveyed using beat sheets, beat trays, or sweep nets. For beat sampling, place a white, two-foot by two-foot sheet of fabric, wood, stiff paper or other suitable material underneath the vegetation canopy to be sampled. Strike or shake vigorously the foliage overhanging the white sheet (be careful not to damage the foliage). For sweep sampling, simply sweep insect nets through foliage and examine bag contents.
  - c. Visual inspection of foliage shall include careful examination of leaf petioles, twigs and small branches for the presence of nymph and adult sharpshooters. Be aware that the insects will try and hide from observation by moving to the far side of any available stem. Egg masses can be detected by visually inspecting the underside of leaves. Leaves should be backlit against a sunny sky to properly detect egg masses.
2. The nursery shall conduct an ongoing monitoring program, including:
  - a. Maintaining a GWSS-free staging area for shipments.
  - b. Inspecting plants for GWSS prior to loading into vehicles which have been inspected and found free-from GWSS.
3. The nursery shall conduct a treatment program, in full compliance with all label requirements including re-entry interval, when:
  - a. Necessary to maintain premise free-from GWSS. A GWSS-free premise must be free of GWSS (viable) egg masses, live nymphs, and with no more than three adults found in the same one-half acre in a two-week period. In addition, loading dock traps must also not exceed three GWSS adults in the same one-half acre in a two-week period.
  - b. Necessary to ensure that shipments are free-from GWSS (including when nursery is under a mandatory safeguarding treatment requirement).
  - c. The insecticides Fenprothrin (Tame®) or Carbaryl (Sevin®) should only be used during safeguarding treatments of outgoing material to prevent the possibility of GWSS insecticide resistance. The use of Fenprothrin (Tame®) or Carbaryl (Sevin®) in nursery production areas is strongly discouraged. Refer to #7 of the Nursery Shipping Protocols for alternative insecticides to maintain nursery stock pest cleanliness standards within production areas.
4. The nursery shall maintain all shipping records, inspection and monitoring records, and/or treatment activities for GWSS. These records shall be maintained for two years and be made available to the CAC upon request.
5. For shipments of plants moving from an infested area to a non-infested area, the nursery shall:
  - a. Maintain plants free of all viable life stages of GWSS.
  - b. Maintain identity of plants in multiple drop or mixed origin shipments from infested areas.

- c. Ensure that a stamp or certificate accompanies each shipment affirming that the shipment meets the standards for movement.
  - d. Ensure that a “Blue Tag” also accompanies shipments of host plants destined to non-infested areas, which require that the shipments be held upon arrival for inspection. Nursery is also responsible for pre-notifying destination county offices (via fax or other agreed upon method) 24 hours in advance of the arrival of the shipment. These requirements also apply to “will-call” orders.
  - e. When notified that a shipment was found to contain a viable life stage of GWSS:
    - i. Immediately discontinue shipments of affected plant material from the nursery until the CAC authorizes the nursery to resume shipments. The affected plant material may be entire species, variety, block origin, or pot size, as designated by the origin CAC.
    - ii. The nursery shall conduct treatment(s) in a 100’ radius around affected host material with a product from the included list (see #7 of the Nursery Shipping Protocols).
    - iii. The nursery must switch over to a Master Permit compliance agreement, or, the nursery is required to treat all shipments destined to non-infested areas for a minimum of 30 days. These outgoing treatments must be conducted using Fenprothrin (Tame®) or Carbaryl (Sevin®), label permitting. Although an outgoing inspection by the CAC is not required during this 30 day mandatory treatment period, the treatment must be witnessed by the CAC. A CQC is required and should contain additional language stating that the shipper is under a mandatory 30 day treatment program. The county staff shall indicate the time, date, rate and material used on the CQC. The CQC shall expire at the end of the fifth day after being issued. If the shipment contains both host and non-host plants, the entire load shall be treated as a safeguarding measure. Similarly, if a shipment destined to a non-enforcing county (*Alpine, Del Norte, Inyo, Lassen, Mono, Modoc, Plumas, Sierra and Siskiyou Counties*), or out of state, is co-mingled with material destined for an enforcing county, the entire load shall be treated as a safeguarding measure. *It is at the discretion of the origin CAC whether the nursery may revert back to their original Program Regulation status after 30 days.*
6. When more than three GWSS adults in the same one-half acre in a two-week period, or any single immature life stage is found (nymph or viable egg mass) on plant material elsewhere on nursery grounds, the nursery must immediately suspend shipments of the affected plant material. In addition, the CAC shall immediately require the nursery to conduct treatment(s) in a 100’ radius around affected host material with a product from the included list (see #7 of the Nursery Shipping Protocols). The affected plant material (*may be entire species, variety, block origin, or pot size, as determined by CAC*) shall remain on hold until cleared by the origin CAC.
7. If the loading dock traps exceed three GWSS adults in the same one-half acre in a two-week period, the nursery shall immediately suspend all shipments to non-infested areas. A 100’ radius treatment in/around the staging area shall be conducted with a product from the included list other than Fenprothrin (Tame®) or Carbaryl (Sevin®) (see #7 of the Nursery Shipping Protocols). The nursery may resume shipping after one successful trap cycle below the threshold under one of the following options: upon removal of the suspension by the CAC, the nursery must switch over to a Master Permit compliance agreement, or, the nursery shall treat all shipments destined to non-infested areas for a minimum of 30 days. These outgoing treatments must be conducted using Fenprothrin (Tame®) or Carbaryl (Sevin®), label permitting. Although an outgoing inspection by the CAC is not required during this 30 day mandatory treatment period, the treatment must be witnessed by the CAC. A CQC is required and should contain additional language stating that the shipper is under a mandatory 30 day treatment program. The county staff shall indicate the time, date, rate and material used on the CQC. The CQC shall expire at the end of the fifth day after being issued. If the shipment contains both host and non-host plants, the entire load shall be treated as a safeguarding measure. Similarly, if a shipment destined to a non-enforcing county (*Alpine, Del Norte, Inyo, Lassen, Mono, Modoc, Plumas, Sierra and*

*Siskiyou Counties*) is co-mingled with material destined for an enforcing county, the entire load shall be treated as a safeguarding measure. *It is at the discretion of the origin CAC whether the nursery may revert back to their original Program Regulation status after 30 days.*

8. Incoming shipments from GWSS infested areas shall be held in an isolated area of the nursery for inspection and/or treatment, in an approved manner, until determined to be free-from GWSS.
9. Additional Compliance Agreement Requirements:
  - a. Each nursery possessing a GWSS compliance agreement shall have all growing grounds within each respective county listed under said compliance agreement.
  - b. All host plant material shipped to non-infested areas of the state must originate from a nursery (and/or yard) under a GWSS compliance agreement. If acquiring plant material from Master Permit nurseries, nurseries lacking a GWSS compliance agreement, or any other source outside of a nursery setting (e.g. harvested product from homeowners or private property) then the following must occur:
    - i. Shipper must take possession of plant material and transport to a yard under their existing compliance agreement.
    - ii. The plant material must be held in a quarantine area within the nursery for a period of 30 days. The nursery shall notify the CAC when this occurs. This area shall be trapped and monitored for GWSS. Chemical applications with a material effective against adult and nymphal stages of GWSS shall be applied, if necessary to eliminate all GWSS life stages (See #7 of the Nursery Shipping Protocols).
  - c. Irregular Sized (e.g. Oversized) Plant Material from Other Sources:

*(The following information regarding the shipment of irregular sized plant material shall be used as a guideline for certifying qualifying plant material and is at the discretion of the CAC).*

All host material that originates from nurseries lacking a GWSS compliance agreement or any other source outside of a nursery setting (e.g. harvested product from homeowners or private property) that is presented to the CAC for certification must be of a size and condition that makes a 100% visual inspection feasible. If it is determined by the CAC that a 100% visual inspection cannot be conducted, the following may occur:
    - i. Shipper must take possession of plant material and transport to a yard under their existing compliance agreement.
    - ii. The plant material must be held in a quarantine area within the nursery for a period of 30 days. The nursery shall notify the CAC when this occurs. This area shall be trapped and monitored for GWSS. Two chemical applications shall be applied, approximately two weeks apart, with either Fenpropathrin (Tame®) or Carbaryl (Sevin®) during this quarantine period. These two chemical treatments shall be monitored by the origin CAC. Upon completion of the treatments, the plant material may be shipped from the nursery or added to the nursery's existing stock. For shipments destined to non-infested counties, the origin CAC shall contact the destination CAC to confirm the plant material was certified per protocol.
  - d. Nurseries possessing GWSS compliance agreements shall be responsible for all contractors/subcontractors hired to represent and act on the behalf of said nursery including pesticide applicator companies and representatives, merchandisers, trucking companies and their drivers. This includes training of all contractors/subcontractors on the GWSS shipping protocols and regulations. All training records shall be maintained for a minimum of two years and made available to the CAC upon request.