

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

**CALIFORNIA CODE OF REGULATIONS
TITLE 3. FOOD AND AGRICULTURE
DIVISION 3. ECONOMICS
CHAPTER 1. FRUIT AND VEGETABLE STANDARDIZATION
SUBCHAPTER 4. FRESH FRUITS, NUTS AND VEGETABLES
ARTICLES 4. CONTAINERS, AND 22. CITRUS**

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the California Department of Food and Agriculture (Department) proposes to amend regulations as described below within the California Code of Regulations Title 3 (3 CCR), Division 3, Chapter 1, Subchapter 4, Articles 4 and 22, Sections 1380.19, 1430.26, and 1430.27.

PUBLIC HEARING

The Department has not scheduled a public hearing on this proposed action. However, any interested person or his or her duly authorized representative may request a public hearing on this proposed action by submitting a written request no later than 15 days before the close of the written comment period noted below.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department by mail or email. The written comment period will close on July 27, 2026. The Department will only consider comments received by that date. Submit written comments to:

Sarah Cardoni, Branch Analyst
Inspection and Compliance Branch
California Department of Food and Agriculture
1220 N Street, Sacramento, CA 95814
Email: sarah.cardoni@cdfa.ca.gov
Telephone: (916) 597-6894

Following the written comment period or public hearing, if one is requested, and after considering all comments, objections, and recommendations regarding the proposed actions, the Department, at its own motion or at the request of any interested person, may adopt the proposal substantially as set forth without further notice.

AUTHORITY AND REFERENCE

Sections 407 and 42682 of the Food and Agricultural Code authorize the Department to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific Sections 42941 of the Food and Agricultural Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

California's standard container requirements for citrus are established under the Food and Agricultural Code and implemented through regulations in Title 3, California Code of Regulations (CCR), Division 3, Chapter 1, Subchapter 4. These regulations specify the types of containers authorized for use in packing and shipping citrus, uniformity requirements, size and count standards, and related packing provisions necessary to promote consistency, quality, and fair

trade practices across the citrus industry.

This rulemaking action updates several citrus-related regulations to incorporate the conclusion of the experimental permit period for Container 60 and to formally authorize its continued use as a standard container for grapefruit packed using the volume-fill method. State law allows only limited commercial use of an experimental container for up to three years. After that period, a container must be adopted by regulation to remain in use. The citrus industry has completed the required experimental use period demonstrating the effectiveness, stability, and efficiency of Container 60, necessitating its addition to existing regulatory provisions governing grapefruit packing standards.

The proposed amendments will:

Expand Allowable Standard Containers

This action adds grapefruit as an authorized commodity for Container 60 under Section 1380.19. Container 60 has shown improved stability and reduced pack pressure during shipment, enhancing grapefruit quality and reducing damage and waste. Its adoption provides the industry with an additional standard container for grapefruit.

Align Size, Count, and Average Diameter Standards

Amendments to Section 1430.26 add Container 60 to the existing grapefruit count and average diameter tables. This incorporation ensures uniform sizing standards across all authorized grapefruit containers, helping limit damage during shipment and improving fruit condition upon delivery to consumers.

Update Standard Container Requirements for Grapefruit

Amendments to Section 1430.27 add Container 60 to the list of standard grapefruit containers. This update ensures consistency between the standard container definitions in Section 1380.19 and the commodity-specific requirements in Article 22.

The primary objective of this rulemaking is to finalize the transition of Container 60 from experimental to standard container status, enhance packing efficiency, reduce fruit damage, and provide the citrus industry with an additional stable, effective container option for grapefruit shipments. Adoption of the container will support product quality, reduce waste, and promote consistency throughout the grapefruit supply chain.

The proposed regulations are consistent with existing California law and do not conflict with federal requirements. They update state provisions to maintain clarity, ensure regulatory alignment, and support industry practices that promote high-quality citrus products for consumers.

CONSISTENCY EVALUATION

During the process of developing these regulations and amendments, the Department has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

PLAIN ENGLISH REQUIREMENT

The Department prepared the proposed regulations pursuant to the standard of clarity provided

in Government Code Section 11349 and the plain English requirements of Government Code Sections 11342.580 and 11346.2(a)(1). The proposed regulations are written to be easily understood by the individuals that will use them.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.

Other nondiscretionary cost or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or business: The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Government Code Section 11346.3(b)(1) requires state agencies to assess the potential economic impacts on California businesses and individuals when proposing to adopt or amend any administrative regulation. The CDFA concludes:

(1) It is likely that the proposal would not create or eliminate jobs within the state.

(2) It is likely that the proposal will not create new businesses or eliminate existing businesses within the state.

(3) It is likely that the proposal will not expand businesses currently doing business within the state.

(4) It is likely the proposal will benefit the health and welfare of California residents, worker safety, and the environment. The proposed action adds a new standard container for grapefruit packed using the volume-fill method, which is designed to reduce pack pressure and minimize fruit damage. Improved fruit quality and reduced waste support consumer confidence and decrease the amount of fruit discarded due to damage. Additionally, more stable and efficient containers can enhance handling safety for workers and reduce the likelihood of product loss during transport, indirectly benefiting environmental sustainability by decreasing waste and improving

resource efficiency.

SMALL BUSINESS DETERMINATION

The Department has initially determined that the proposed changes to the regulations would result in no added costs to small businesses affected by these proposed changes. This proposed regulatory action would allow packers to pack utilizing a more efficient and stable container. In addition, the proposed regulatory actions were initiated at the request of the impacted industry.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSONS

Written comments and inquiries concerning the substance of the proposed regulation, initial statement of reasons, proposed actions, location of the rulemaking file, or a request for a public hearing should be directed to:

Sarah Cardoni, Branch Analyst
Inspection and Compliance Branch
California Department of Food and Agriculture
1220 N Street, Sacramento, CA 95814
Email: sarah.cardoni@cdfa.ca.gov
Telephone: (916) 597-6894

The backup contact person for these inquiries is:

Marcee L. Yount, Branch Chief
Inspection and Compliance Branch
California Department of Food and Agriculture
1220 N Street, Sacramento, CA 95814
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Telephone: (916) 900-5030

Please direct requests for copies of the proposed text of the regulations, the initial statement of reason, the modified text of the regulation, if any, or other information upon which the rulemaking is based to Sarah Cardoni at the above address.

AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process. A copy of this notice, the proposed regulation text, and the initial statement of reasons may be obtained by contacting Sarah Cardoni at the address provided in the “Contact Persons” section.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the notice of proposed action, the initial statement of reasons, and the proposed regulation text in underline and strikeout can be accessed through the Department’s website: https://www.cdfa.ca.gov/is/regulations/ic_regulations.html#Standardization.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received during the written comment period, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which differ, but are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days prior to amendment. Please send requests for copies of any modified regulations to the attention of Sarah Cardoni at the address provided in the “Contact Persons” section. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon its completion, copies of the final statement of reasons may be obtained by contacting Sarah Cardoni at the address provided in the “Contact Persons” section.