

**State of California  
Office of Administrative Law**

**In re:**  
**Department of Food and Agriculture**

**Regulatory Action:**

**Title 03, California Code of Regulations**

**Amend sections: 4500**

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2024-0325-01**

**OAL Matter Type: Regular (S)**

---

This regular rulemaking action amends the list of plants determined to be noxious weeds. The listed species *Volutaria canariensis* (Canary Island knapweed) is being removed and replaced by *Volutaria tubuliflora* (desert knapweed).

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 7/1/2024.

Date: April 30, 2024

  
\_\_\_\_\_  
Timothy Findley  
Senior Attorney

For: Kenneth J. Pogue  
Director

Original: Karen Ross, Secretary  
Copy: Rachel Avila

**REGULAR**

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-2024-0122-01</b>	REGULATORY ACTION NUMBER <b>2024-0325-01S</b>	EMERGENCY NUMBER
------------------	---	--	------------------

For use by Office of Administrative Law (OAL) only

NOTICE	REGULATIONS
--------	-------------

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California**APR 30 2024**

1:56 PM

AGENCY WITH RULEMAKING AUTHORITY Department of Food and Agriculture
--

AGENCY FILE NUMBER (if any)

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
<b>OAL USE ONLY</b> ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER <b>2024 4-2</b>	PUBLICATION DATE <b>2/2/24</b>	

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) Noxious Weed Species	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
--	--

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND
	4500
TITLE(S)	REPEAL
3	

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify) _____			

7. CONTACT PERSON Rachel Avila	TELEPHONE NUMBER 916-698-2947	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) rachel.avila@cdfa.ca.gov
-----------------------------------	----------------------------------	-----------------------	---

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE Andrew R. Cline <small>Digitally signed by Andrew R. Cline Date: 2024.03.22 11:13:37 -0700</small>	DATE
TYPED NAME AND TITLE OF SIGNATORY Andrew R. Cline, Assistant Director Plant Health & Pest Prevention Services Division	

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED****APR 30 2024****Office of Administrative Law**

Amend the following:

3 CCR § 4500  
§ 4500. Noxious Weed Species.

It has been determined that the following species of plants are noxious weeds within the meaning of Section 5004 of the Food and Agricultural Code:

*Acacia paradoxa* (Kangaroo thorn)  
*Acaena anserinifolia* (bidly bidly)  
*Acaena novae-zelandiae* (bidly bidly)  
*Acaena pallida* (bidly bidly)  
*Acroptilon repens* (= *Rhaponticum r.*) (Russian knapweed)  
*Aegilops cylindrica* (jointed goatgrass)  
*Aegilops ovata* (ovate goatgrass)  
*Aegilops triuncialis* (barb goatgrass)  
*Aeschynomene* spp. (joint-vetch)  
*Alhagi maurorum* (camelthorn)  
*Ailanthus altissima* (tree of heaven)  
*Allium paniculatum* (panicked onion)  
*Allium vineale* (wild garlic)  
*Alternanthera philoxeroides* (alligatorweed)  
*Alternanthera sessilis* (sessile joyweed)  
*Ambrosia trifida* (giant ragweed)  
*Araujia sericifera* (bladderflower)  
*Arctotheca calendula* (capeweed, as seed or fertile plants)  
*Arundo donax* (giant reed)  
*Asphodelus fistulosus* (onionweed)  
*Atriplex amnicola* (swamp saltbush)  
*Berteroa incana* (hoary alyssum)  
*Brachypodium sylvaticum* (slender false-brome)  
*Cabomba caroliniana* (Carolina fanwort)  
*Carduus acanthoides* (plumeless thistle)  
*Carduus crispus* (curly plumeless thistle)  
*Carduus nutans* (musk thistle)  
*Carduus pycnocephalus* (slender-flowered thistle)  
*Carduus tenuiflorus* (Italian thistle)  
*Carthamus baeticus* (smooth distaff thistle)  
*Carthamus lanatus* (woolly distaff thistle)  
*Carthamus leucocaulos* (whitestem distaff thistle)  
*Cenchrus echinatus* (southern sandbur)  
*Cenchrus incertus* (coast sandbur)  
*Cenchrus longispinus* (mat sandbur)  
*Centaurea calcitrapa* (purple starthistle)  
*Centaurea diffusa* (diffuse knapweed)

*Centaurea iberica* (Iberian starthistle)  
*Centaurea jacea* s.l. (including *C. pratensis*, *C. nigra*, and *C. nigrescens*) (meadow knapweed, black knapweed, brown knapweed)  
*Centaurea melitensis* (tocalote)  
*Centaurea solstitialis* (yellow starthistle)  
*Centaurea squarrosa* (squarrose knapweed)  
*Centaurea stoebe* (= *C. maculosa*) (spotted knapweed)  
*Centaurea sulphurea* (Sicilian starthistle)  
*Ceratopteris thalictroides* (watersprite)  
*Chondrilla juncea* (skeletonweed)  
*Chorispura tenella* (purple mustard)  
*Cirsium arvense* (Canada thistle)  
*Cirsium japonicum* (Japanese thistle)  
*Cirsium ochrocentrum* (yellowspine thistle)  
*Cirsium undulatum* (wavyleaf thistle)  
*Cirsium vulgare* (bull thistle)  
*Coincya monensis* (star-mustard)  
*Convolvulus arvensis* (field bindweed)  
*Cortaderia jubata* (jubata grass)  
*Crupina vulgaris* (bearded creeper)  
*Cucumis melo* var. *dudaim* (dudaim melon)  
*Cucumis myriocarpus* (paddy melon)  
*Cuscuta* spp. (dodder)  
*Cynara cardunculus* (artichoke thistle)  
*Cyperus esculentus* (yellow nutsedge)  
*Cyperus rotundus* (purple nutsedge)  
*Cytisus scoparius* (Scotch broom)  
*Diodia virginiana* (buttonweed)  
*Dittrichia graveolens* (stinkweed)  
*Drymaria cordata* (whitesnow, tropical chickweed)  
*Egeria najas* (anacharis)  
*Elymus repens* (= *Elytrigia repens*) (quackgrass)  
*Euphorbia esula* (leafy spurge)  
*Euphorbia graminea* (grassleaf spurge)  
*Euphorbia dendroides* (tree spurge)  
*Euphorbia oblongata* (oblong spurge)  
*Euphorbia serrata* (serrate spurge)  
*Euphorbia terracina* (carnation spurge)  
*Fallopia x bohémica* (= *Reynoutria x bohémica*; *Polygonum x bohémica*) (Bohemian knotweed)  
*Fallopia japonica* (= *Polygonum cuspidatum*; *Reynoutria j.*) (Japanese knotweed)  
*Fallopia sachalinensis* (= *Polygonum s.*; *Reynoutria s.*) (giant knotweed)  
*Fatoua villosa* (hairy crabweed)  
*Galega officinalis* (Goatsrue)  
*Genista monspessulana* (French broom)

*Halimodendron halodendron* (Russian salt tree)  
*Halogeton glomeratus* (halogeton)  
*Helianthus ciliaris* (blueweed)  
*Heteropogon contortus* (tanglehead)  
*Hydrilla verticillata* (hydrilla)  
*Hydrocharis morsus-ranae* (Frogbit)  
*Hygrophila polysperma* (Indian swampweed)  
*Hyoscyamus niger* (black henbane)  
*Hypericum canariense* (Canary Island St. Johnswort)  
*Hypericum perforatum* (Klamath weed)  
*Isatis tinctoria* (dyer's woad)  
*Lagarosiphon major* (oxygen weed, African elodea)  
*Lepidium appellanum* (= *Cardaria appellanum*) (globe-podded hoary cress)  
*Lepidium chalepensis* (= *Cardaria chalepensis*) (lens-podded hoary cress)  
*Lepidium coronopus* (= *Coronopus squamatus*) (swinecress)  
*Lepidium draba* (= *Cardaria draba*) (heart-podded hoary cress)  
*Lepidium latifolium* (perennial peppergrass)  
*Leptochloa chinensis* (= *Dinebra c.*) (Chinese sprangletop)  
*Limnobium laevigatum* (South American spongeplant)  
*Limnobium spongia* (American spongeplant, American frog's-bit)  
*Limnophila indica* (Indian marshweed)  
*Limnophila sessiliflora* (Asian marshweed)  
*Linaria dalmatica* (Dalmatian toadflax)  
*Ludwigia decurrens* (winged water-primrose)  
*Ludwigia hexapetala* (water-primrose)  
*Ludwigia peruviana* (Peruvian primrose-willow)  
*Lythrum salicaria* (purple loosestrife)  
*Mercurialis ambigua* (Spanish mercury)  
*Muhlenbergia schreberi* (nimblewill)  
*Myosoton aquaticum* (giant chickweed)  
*Nothoscordum gracile* (false garlic)  
*Nymphaea mexicana* (banana waterlily)  
*Nymphoides peltata* (yellow floating heart)  
*Oenothera xenogaura* (= *Gaura drummondii*) (Drummond's gaura)  
*Oenothera sinuosa* (= *Gaura sinuata*) (wavyleaf gaura)  
*Ononis alopecuroides* (foxtail restharrow)  
*Onopordum* spp. (including Scotch thistle, Illyrian thistle and Taurian thistle)  
*Orobanche ramosa* (branched broomrape)  
*Oryza rufipogon* (red rice)  
*Panicum antidotale* (blue panicgrass)  
*Parthenium hysterophorus* (Santa Maria feverfew)  
*Peganum harmala* (harmel)  
*Persicaria wallichii* (= *P. polystachyum*; *Rubrivena polystachya*) (Himalayan knotweed)  
*Pennisetum clandestinum* (Kikuyugrass)  
*Physalis virginiana* var. *sonorae* (smooth groundcherry)

*Physalis viscosa* (grape groundcherry)  
*Potentilla recta* (sulphur cinquefoil)  
*Prosopis strombulifera* (creeping mesquite)  
*Retama monosperma* (bridal veil broom)  
*Rhagadiolus stellatus* (star endive)  
*Rorippa austriaca* (Austrian fieldcress)  
*Rorippa sylvestris* (creeping yellowcress)  
*Saccharum ravennae* (= *Tripidium r.*) (ravennagrass)  
*Salsola tragus* (common Russianthistle)  
*Salsola collina* (spineless Russian thistle)  
*Salsola damascena* (= *S. vermiculata*) (wormleaf salsola)  
*Salsola paulsenii* (barbwire Russianthistle)  
*Salvia aethiopis* (Mediterranean sage)  
*Salvia virgata* (meadow sage)  
*Salvinia auriculata* s.l. (giant salvinia)  
*Scolymus hispanicus* (golden thistle)  
*Senecio jacobaea* (= *Jacobaea vulgaris*) (tansy ragwort)  
*Senecio linearifolius* (fireweed groundsel)  
*Senecio squalidus* (Oxford ragwort)  
*Sesbania punicea* (red sesbania, rattlebox)  
*Setaria faberi* (giant foxtail)  
*Solanum cardiophyllum* (heartleaf nightshade)  
*Solanum carolinense* (Carolina horsenettle)  
*Solanum dimidiatum* (Torrey's nightshade)  
*Solanum elaeagnifolium* (white horsenettle)  
*Solanum lanceolatum* (lanceleaf nightshade)  
*Solanum marginatum* (white-margined nightshade)  
*Sonchus arvensis* (perennial sowthistle)  
*Sorghum halepense* (Johnsongrass and other perennial *Sorghum* spp. including but not limited to *Sorghum alnum* and perennial sweet sudangrass)  
*Spartina alterniflora* and hybrids (smooth cordgrass and hybrids)  
*Spartina anglica* (common cordgrass)  
*Spartina densiflora* (dense-flowered cordgrass)  
*Spartina patens* (saltmeadow cord grass)  
*Spartium junceum* (Spanish broom)  
*Sphaerophysa salsula* (Austrian peaweed)  
*Stipa brachychaeta* (= *Achnatherum b.*; *Amelichloa b.*) (punagrass)  
*Striga lutea* (witchweed)  
*Symphytum asperum* (rough comfrey)  
*Taeniatherum caput-medusae* (medusahead)  
*Tagetes minuta* (wild marigold)  
*Tamarix chinensis* (salt cedar)  
*Tamarix gallica* (salt cedar)  
*Tamarix parviflora* (salt cedar)  
*Tamarix ramosissima* (salt cedar)

*Tribolium obliterum* (Capegrass)  
*Tribulus terrestris* (puncture vine)  
*Ulex europaeus* (gorse)  
*Viscum album* (European mistletoe)  
*Volutaria canariensis tubuliflora* (Canary Island desert knapweed)  
*Zostera japonica* (dwarf eelgrass)  
*Zygophyllum fabago* (Syrian beancaper)

This regulation shall in no way restrict the designation of a weed pest to those species listed herein.

Authority cited: Sections 407 and 5004, Food and Agricultural Code.

Reference: Section 5004, Food and Agricultural Code.