

**State of California
Office of Administrative Law**

In re:
Department of Food and Agriculture

Regulatory Action:

Title 03, California Code of Regulations

Adopt sections:

Amend sections: 3024.8, 4603

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

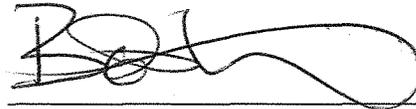
OAL Matter Number: 2026-0218-01

OAL Matter Type: Regular Resubmittal (SR)

This regular rulemaking by the Department of Food and Agriculture increases the regulatory fees for the Grapevine Registration & Certification Program and relocates that fee provision to a section within the article dedicated to this program instead of its current cross-referenced section in a different article.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 03/01/2026.

Date: February 27, 2026



Robert Roth
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Karen Ross, Secretary
Copy: Rachel Avila

RESUBMITTAL

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER	F
	Z-2025-0613-01	2026-0218-01SR
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

FEB 27 2026

OFFICE OF ADMIN. LAW
2026 FEB 18 AM 10:05

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)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER		PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Application and Fees, Schedule of Charges.	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2025-1113-01S
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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
	3024.8 and 4603
TITLE(S)	REPEAL
3	

3. TYPE OF FILING	<input 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 checked="" 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)		

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)
January 20, 2026, to February 6, 2026

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
<input 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 checked="" type="checkbox"/> Effective other (Specify) March 1, 2026

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
<input checked="" 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
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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 Cline <small>Digitally signed by Andrew Cline Date: 2026.02.17 12:10:44 -0800</small>	DATE
TYPED NAME AND TITLE OF SIGNATORY Andrew Cline, Assitant Director Plant Health & Pest Prevention Services Division	

For use by Office of Administrative Law (OAL) only
ENDORSED APPROVED

FEB 27 2026

Office of Administrative Law

Amend the following::

3 CCR § 3024.8

§ 3024.8. Application and Fees.

(a) Application. An application shall be submitted for the initial acceptance of any planting, and each year thereafter to request continued registration. Application to register grapevines in any planting or to certify grapevines in a nursery row may be made after the vines have been planted. Upon submitting an application the applicant shall consent to the taking of samples or plants from any planting by the Department for inspection or testing purposes. The applicant shall:

(1) Submit a separate application for each planting site and receive written approval for the site(s) before planting.

(2) Submit a new application every time grapevines are added or topworked in a new or existing, primary or secondary increase block within six months after planting new vines or topworking existing vines.

(3) Submit a new application every time new grapevines are added to a new or existing nursery planting within two months after planting new vines.

(4) Submit an application on a form provided by the Department and provide the following information:

(A) Applicant's name and mailing address;

(B) Applicant's telephone and fax numbers, email address;

(C) Applicant's California Nursery Stock License Number;

(D) County where applicant is located;

(E) Type of block -- primary or secondary increase block or certified nursery planting;

(F) Type of planting:

1. Field, including acreage or

2. Greenhouse, including square footage;

(G) Location of planting, including county and a GPS coordinate for one corner of the field;

(H) Planting date(s);

(I) Names of the varieties in block and number of vines of each variety;

(J) Source of propagative stock;

(K) Signature and title of applicant; and

(L) Date application signed.

(b) Fees. Fees are payable for the work done and are for the sole purpose of defraying expenses incurred in the approval, inspection, testing approval, registration and certification procedures herein provided and are not to obtain any right or privilege. Fees, in whole or in part, may be waived if the cost of the services rendered is covered by assessment.

(1) Application fees will be paid by the participant in advance of any work conducted.

(2) A late fee for registration may be charged to the applicant if an application is submitted more than six months after new plantings are made in a primary or secondary increase block or two months after new plantings are made in a nursery planting.

(3) The Department may charge additional fees because of conditions or total acreage entered or number of tests performed when established minimum fees will not cover the cost of services.

(4) Fees paid for services that are not rendered shall be refunded to the participant. The amounts refunded may be prorated based on the direct costs incurred by the Department in the administration of the requirements of this article.

(5) ~~The Department's established schedule of fees for services provided in this article are found in Title 3, Division 4, Section 4603, Schedule of Charges, subsection (f), Registration and Certification Grapevines Fees, of the California Code of Regulations. The Grapevine Registration and Certification Fees are as follows:~~

(A) The annual application fee shall be \$250

(B) Field Planting Inspection Fees

(1) Primary or Secondary Increase Block, \$140 for each acre or portion thereof

(2) Certified Nursery Planting, \$170 for each acre or portion thereof

(C) Greenhouse or other non-field planting: \$140 per each 20,000 square feet or portion thereof.

(c) No fees will be charged to the University of California for the inspection, testing or registration of vines in the foundation block provided that there is no expense to the

Department other than for observation of the inspection and testing required in this article and for keeping records.

Authority cited: Sections 407 and 5823, Food and Agricultural Code.

Reference: Sections 5821 and 5822, Food and Agricultural Code.

Amend the following:

3 CCR § 4603
§ 4603. Schedule of Charges.

The Secretary of Food and Agriculture, pursuant to Section 5852 of the Food and Agricultural Code, establishes the following schedule of charges for analytical, certification, diagnostic, inspection, quality assurance, testing and other non-regulatory services related to nursery stock, plants, seed, or other plant pests and diseases.

(a) The hourly charge for requested diagnostics or scientific consultations which require travel is \$70 per hour portal to portal with a one hour minimum charge, plus any car mileage, air fare, meals and lodging pursuant to the State's per diem travel rules.

(b) The hourly charge for requested onsite laboratory diagnostics or scientific consultations is \$70 per hour and a minimum of ¼ hour administrative time for data entry, generating and tracking invoices, and creating laboratory analysis reports.

(c) Other charges may include:

- (1) The approximate costs of the laboratory supplies used; including but not limited to specific testing kits, reagents or general supplies.
- (2) The approximate cost for disposing of any associated hazardous waste generated during testing/analysis, including but not limited to: treated, coated, encrusted, or pelleted seed.
- (3) The approximate cost per sample for facility and operations expenses.
- (4) Prorated costs for equipment calibration, maintenance, and replacement.
- (5) Labor cost for testing/analyzing coated, pelleted, or encrusted seed and/or conducting soil or sand based seed germination tests.
- (6) Costs for any outside consulting/professional services, including but not limited to DNA sequencing.

(d) Prior to charging for a specific requested service, the fee schedule for that service shall be posted to the following departmental website:

www.cdfa.ca.gov/plant/ppd/feeschedule.html. In order to provide notice to those requesting services, proposed changes to the fee schedule will be posted to the departmental website 15 days before they take effect. A short explanation of why the fees are changing will accompany the proposed fee changes during the 15 day notice period.

(e) Postentry Quarantine Program -- Charges shall be per postentry quarantine inspection performed as required under federal regulation (7 CFR § 319.37-7) and based upon combining the total amounts of (1) and (2) below.

- (1) The charge for an application is \$50 for each growing location and for inspection performed at the postentry quarantine site is \$70 per hour.
- (2) The charge for travel, based upon the round-trip distance traveled from the responsible inspector's office to the postentry quarantine inspection site and back

to the point of origin, shall be the sum total of any air fare, meals and lodging pursuant to the State's per diem travel rules plus a flat rate of:

- (A) \$75 for up to 50 miles;
- (B) \$150 from over 50 to 100 miles;
- (C) \$250 from over 100 to 150 miles;
- (D) \$350 from over 150 to 200 miles; and,
- (E) \$450 for over 200 miles.

~~(f) Grapevine Registration and Certification Fees:~~

~~(1) The annual application fee shall be \$200~~

~~(2) Field Planting Inspection Fees~~

~~(A) Increase Block, \$50 for each acre or portion thereof~~

~~(B) Nursery Planting, \$120 for each acre or portion thereof~~

~~(3) Greenhouse or other non-field planting inspection fees: \$100 per each 20,000 square feet or portion thereof.~~

(fg) Phytosanitary Certification. This is a non-regulatory requested service in order to meet a regulatory requirement imposed by another country, state, district or territory. The Secretary of Food and Agriculture, pursuant to Section 5852 of the Food and Agricultural Code, establishes the following schedule of charges and these charges shall be based upon the State or federal certificates issued in California by authorized State or county agricultural commissioners' staff.

(1) Federal Certificates -- Charges shall conform to the requirements of federal regulation (7 CFR § 354.3(5)) and are based upon a "cost-per-certificate."

(A) If the United States Department of Agriculture's Phytosanitary Certificate Tracking System (PCIT) is used to assess the fee the cost per certificate is \$5.30.

(B) If PCIT is not used, the cost per certificate is \$5.30.

(2) State Certificates -- Charges shall be based upon a "cost-per-certificate."

(A) The charge for an original State phytosanitary certificate or certificate of quarantine compliance issued for interstate movement shall be \$5.30 if PCIT is used to assess the fee.

(B) If PCIT is not used, the cost per certificate is \$5.30.

(3) Collection and Remittance of Fees

(A) Each county agricultural commissioner's office shall assess the required fees for State and federal phytosanitary certificates and certificates of quarantine compliance upon the issuance of the certificate; except there shall be no additional charge for reissued certificates as a result of an error by the certifying official.

(B) Each county agricultural commissioner's office shall annually remit any fees collected, except if PCIT is used to assess the fee, to the Department by January 31st, the fees remitted shall be those which were collected within the 12 month period annually beginning on December 1st and ending on November 30th. Fees sent to "collection" and portions of fees reimbursed through the "collection" process need not be remitted.

(C) Except for fees assessed through PCIT, each county agricultural commissioner's office may include a surcharge for each State or federal certificate issued to recover

the approximate costs incurred for collecting and remitting these fees to the Department. This surcharge shall be recovered from the person/business requesting the certificate.

(D) Any county agricultural commissioner's office issuing less than 100 certificates during the applicable 12 month period is exempt from having to remit the collected fees and they may be retained by the collecting office.

(E) The person/business which is authorized to use a "master certificate" shall remit \$125 directly to the Department at the time the "master certificate" is issued and thereafter annually remit \$125 directly to the Department by January 31st. This service charge shall be applicable regardless if the "master certificate" is utilized for any portion of the preceding year starting December 1st and ending on November 30th or if the "master certificate" is suspended or revoked for cause by the destination state or the Department during that annual period.

(F) All fees shall be remitted by check made payable to "Department of Food and Agriculture," mailed to:

CASHIER
DEPARTMENT OF FOOD AND AGRICULTURE
PO BOX 942872
SACRAMENTO, CA 94271-2872

and if a "master certificate" is used, shall be accompanied by letter stating the name of the shipper listed on the compliance agreement and the compliance agreement number.

Note: Authority cited: Sections 407, 5851, 5852 and 52331, Food and Agricultural Code. Reference: Sections 407, 5851, 5852 and 52331, Food and Agricultural Code.

per agency request *Ryn*
2-27-26