

**State of California
Office of Administrative Law**

In re:
Department of Food and Agriculture

Regulatory Action:

Title 03, California Code of Regulations

Adopt sections: 3290

NOTICE OF APPROVAL OF CERTIFICATE OF
COMPLIANCE

Government Code Sections 11349.1 and
11349.6(d)

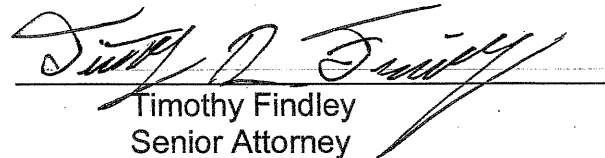
OAL Matter Number: 2026-0901-02

OAL Matter Type: Certificate of Compliance
(C)

In this certificate of compliance pursuant to Government Code section 11346.1(e), the California Department of Food and Agriculture makes permanent OAL File No. 2026-0302-01E, which establishes an exterior quarantine for the cotton jassid (*Amrasca biguttula*), also known as the two-spotted cotton leafhopper.

OAL approves this regulatory action pursuant to section 11349.6(d) of the Government Code.

Date: September 21, 2026


Timothy Findley
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Karen Ross, Secretary
Copy: Rachel Avila

NOTICE PUBLICATION/REGULATORY ACTION SUBMISSION

STD. 400 (REV. 10/2019)

CERT

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2026-0703-01	REGULATORY ACTION NUMBER 2026-0901-02 C	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

SEP 21 2026

2:09 pm

NM

OFFICE OF ADMIN. LAW
2026 SEP 1 PM 12:30

NOTICE

REGULATIONS

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 ☐ Notice re Proposed Regulatory Action ☐ Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY ☐ Approved as Submitted ☐ Approved as Modified ☐ Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2026,29-2	PUBLICATION DATE 7/17/26	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Cotton Jassid (Two-Spotted Leafhopper) Exterior Quarantine	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2026-0302-01E
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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 3290
	AMEND
TITLE(S) 3	REPEAL

3. TYPE OF FILING

☐ Regular Rulemaking (Gov. Code §11346)	☒ 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.	☐ Emergency Readopt (Gov. Code, §11346.1(h))	☐ Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
☐ Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)		☐ File & Print	☐ Print Only
☐ Emergency (Gov. Code, §11346.1(b))	☐ Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	☐ 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)**

☐ Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	☒ Effective on filing with Secretary of State	☐ \$100 Changes Without Regulatory Effect	☐ Effective other (Specify) _____
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

☐ Department of Finance (Form STD. 399) (SAM §6660)	☐ Fair Political Practices Commission	☐ State Fire Marshal
☐ 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

Victoria Hornbaker

Digitally signed by Victoria Hornbaker
Date: 2026.09.01 10:36:10 -0700

DATE

TYPED NAME AND TITLE OF SIGNATORY

Victoria Hornbaker, Director Plant Health & Pest Prevention Services Division

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

SEP 21 2026

Office of Administrative Law

Adopt the following:

§ 3290. Cotton Jassid (Two-Spotted Leafhopper) Exterior Quarantine.

A quarantine is established against the following pest, its hosts, and possible carriers:

(a) Pest. Cotton jassid (*Amrasca biguttula*), also known as ~~Two-Spotted Leafhopper~~ Two-Spot Cotton Leafhopper or Two-Spotted Cotton Leafhopper, a leafhopper belonging to the family Cicadellidae.

(b) Definitions

(1) "Infestation" means an established, reproducing population of cotton jassid as designated or determined by the Department according to Definition 8, below, or when an area has been reported to be infested by the United States Department of Agriculture or a state plant regulatory agency.

(2) "Infested area" means the entire state where an infestation is present in the absence of detailed information regarding the pest's distribution within a state, or nation where an infestation has been detected, or the counties in which the infestation is documented if survey data provided by the state plant regulatory agency or the United States Department of Agriculture allows detailed delimitation of the extent of the infestation within a state. The Department shall remove a county or state from quarantine if surveys in the area previously designated as infested indicate an infestation is no longer present.

(3) "Living Life Stage" means all life stages of the cotton jassid, including, but not limited to, adults, nymphs, or eggs.

(4) "Move; movement" means shipped, received for shipment, carried, transported, or relocated into or through any area of the State/Province of the infested area.

(5) "Moving through the quarantined area" means the regulated article, including the vehicle and conveyance, is moved directly through the infested area without stopping (except for refueling or for traffic control devices or conditions) and has been stored, packed, or handled only at locations outside the infested area.

(6) "Person" is defined as any individual, partnership, association, corporation, limited liability company, or any organized group of persons whether incorporated or not.

(7) "Regulated Article or Articles" means any object covered under subsection (d).

(8) "Reproducing Population" means presence of any of the following, which indicates successful reproduction in the environment: a) two or more living adult cotton jassids within one year; b) a single living nymph or egg of cotton jassid.

(c) Area under quarantine: An area shall be designated as under quarantine when an infestation is present and the Department has established the boundaries of the infested area. The Department shall update the maps of the infested areas as new information is made available to the Department to reflect the current quarantine areas. These maps are available on the Department's Plant Health and Plant Protection Services ~~Pest Exclusion program~~ website:

https://www.cdфа.ca.gov/plant/PDEP/target_pest_disease_profiles/cotton_jassid_profile.html

The quarantine area shall be:

- (1) The entire state where an infestation is present in the absence of detailed information regarding the pest's distribution within a state, or
- (2) if survey data provided by a state plant regulatory agency or the United States Department of Agriculture allows, and a designation of less than the entire state is feasible, the counties in which the infestation is documented.

(d) Articles and Commodities Covered. The following are hereby declared to be the pest quarantined against and its hosts and possible carriers:

- (1) The cotton jassid, any living life stage;
- (2) Leaves or plants with leaves of the Family Malvaceae (mallow family), including but not limited to the following, if originating in an infested area:

Scientific name	Common name
<i>Abelmoschus moschatus</i>	okra
<i>Abutilon</i> spp.	flowering-maple
<i>Alcea rosea</i>	hollyhock
<i>Anisodontia</i> spp.	African mallow
<i>Gossypium</i> spp.	cotton
<i>Grewia</i> spp.	starflower
<i>Hibiscus</i> spp.	hibiscus
<i>Lagunaria patersonia</i>	sugarplum tree
<i>Lavatera</i> spp.	tree mallow
<i>Malva</i> spp.	mallow, cheeseweed

<i>Malvastrum lateritium</i>	trailing mallow
<i>Malvaviscus arboreus</i>	Turk's cap
Family Malvaceae	mallow family
<i>Sphaeralcea</i> spp.	desert mallow
<i>Thespesia</i> spp.	coastal mallow

(3) Any other article not listed in subsections (d)(1) and (d)(2) of this section will be designated as a regulated article if a California State Plant Quarantine Officer determines that it presents a risk of carrying or spreading any life stage of cotton jassid. When making this determination, a California State Plant Quarantine Officer shall consider, amongst other factors, whether the article originated from an infested area and whether it was exposed outdoors at a time favorable to infestation by cotton jassid.

(e) Restrictions. All articles and commodities covered are prohibited entry into California from the area under quarantine with the following exceptions:

(1) the articles and commodities are:

(A) free of cotton jassid based on inspection; and

(B) a California State Plant Quarantine Officer determines that the article has been ~~grown, handled, produced,~~ manufactured, ~~processed,~~ or stored, in a manner that prevents the article from presenting a risk of spreading the cotton jassid; or

(2) the articles and commodities are moved by the United States Department of Agriculture for experimental or scientific purposes; or

(3) the articles and commodities originate outside the quarantined area and are moved through the quarantined area under the following conditions:

(A) the points of origin and destination are indicated on a waybill accompanying the regulated article;

(B) the regulated article, if moved through the quarantined area, is moved in an enclosed vehicle or is completely covered to prevent access by the cotton jassid; and

(C) the article has not been combined or commingled with other articles so as to lose its individual identity as a commodity regulated herein.

Authority cited: Sections 407, 5301, 5302 and 5311, Food and Agricultural Code.

Reference: Sections 5024, 5301, 5311, 5701, 6403, 6441, 6442 and 6461, Food and Agricultural Code.
