

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, 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 may 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.cdfa.ca.gov/plant/PDEP/treatment/>?. 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 Malvaceae, 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 spreading cotton jassid and notifies the person in possession of the article that it is subject to the quarantine regulation.

(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, produced, manufactured, 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.