

Repeal the following:

3 CCR § 3409

§ 3409. Pink Bollworm Interior Quarantine (Repealed)

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

~~(a) Pest. Pink bollworm, *Pectinophora gossypiella*, a moth, family Gelechiidae, which in the larval stage feeds in cotton bolls.~~

~~(b) Area Under Quarantine. The entire State of California.~~

~~(1) Infested Areas:~~

~~(A) Generally Infested Area. Inyo County and all that part of California south of and including Los Angeles and San Bernardino counties.~~

~~(B) Lightly Infested Area. Fresno County, Kern County, Kings County, Madera County, Merced County, San Benito County, and Tulare County.~~

~~(c) Articles and Commodities Covered.~~

~~(1) Okra (*Hibiscus esculentus*) and kenaf (*Hibiscus cannabinus*), all parts of the plants including seeds and pods.~~

~~(2) Cotton and wild cotton of the genera *Gossypium* and *Thurberia*, including all parts of the plants.~~

~~(3) Seed cotton.~~

~~(4) Cotton lint.~~

~~(5) Cotton linters.~~

~~(6) Cotton waste, all waste produced from the processing of cotton at gins, cottonseed oil mills or textile mills in any form or under any trade designation. (See also Gin Trash.)~~

~~(7) Gin trash, all the material produced during the cleaning and ginning of seed cotton, bollies, or snapped cotton, except the cotton lint, cottonseed and cotton waste.~~

~~(8) Cottonseed.~~

~~(9) Cottonseed hulls.~~

~~(10) Used bagging, used cotton-picker sacks, and other used containers and wrappers for any products from cotton plants.~~

(11) Used cotton harvesting equipment, ginning and oil mill equipment, and other cotton processing machinery, and other farm equipment which has been used in connection with growing, harvesting, ginning, compressing, or processing raw cotton or raw cotton products:

(12) Any other products or articles, of any character whatsoever, determined by an inspector to be infested with live pink bollworm or to present a hazard of the introduction and spread of pink bollworm:

(d) Restrictions:

(1) Cotton Plants and General Trash Prohibited. Cotton plants and parts thereof, such as packing or as contamination or in association with any other products, article or thing, and gin trash except for harvested seed cotton and products derived from seed cotton are prohibited movement from the infested areas, except that movement is permitted from the lightly infested area into the generally infested area.

(2) Treatment Certificates or Permit Required. Except as hereinafter exempted, articles and commodities covered shall not be transported or moved by any means from the infested areas unless accompanied by a certificate of treatment for pink bollworm issued by the county agricultural commissioner or a permit issued by the director.

(3) Exemptions. The following articles and commodities may be transported or moved from the infested area without a certificate of treatment or permit under the conditions set forth below:

(A) Compressed baled cotton lint, linters, and lint cleaner waste when such products have been given standard or equivalent compression (22 pounds per cubic foot or 352.3 kilograms per cubic meter) and are free from surface contaminants capable of harboring pink bollworm:

(B) Samples of cotton lint and cotton linters of the usual trade size:

(C) Cottonseed from the lightly infested area may move anywhere within California except to feed mills or persons producing feed that contains whole cottonseed and such feed is or is likely to be shipped out of state:

(D) Cottonseed from the generally infested area may move within the generally infested area except to feed mills or persons producing feed that contains whole cottonseed and such feed is or is likely to be shipped out of state:

(4) Fumigation Required for Mechanical Picking Machines. Mechanical cotton picking machines shall not be moved from the infested areas, or within the infested areas when

moving from the generally infested area to the lightly infested area, unless the commissioner determines that the machines have been fumigated as prescribed by the director, immediately prior to shipment, and issues a fumigation certificate:

~~(5) Certified Okra From the Infested Areas Permitted Movement Within California. Okra grown in the infested areas may be transported or moved within California from those areas when accompanied by a certificate issued by the county agricultural commissioner at origin. No movement is permitted from the generally infested into the lightly infested area. A grower to be eligible to be issued such a certificate must:~~

~~(A) Designate property where the okra was grown.~~

~~(B) Control property where the okra was grown to the extent that on such property compliance can be guaranteed as to planting and plow-up dates, or other cultural practices, that may be required by the county agricultural commissioner.~~

~~(C) Control the packing of the okra so that only okra three and a half inches (3 1/2"; 9.89 cm) or smaller will be packed.~~

~~(D) Make certain a valid certificate is attached to each set of bills accompanying a shipment.~~

~~(E) Designate the name of the individual, trucking concern, or other transportation concern that will transport the okra.~~

~~Only the grower or individuals or concerns so designated will be permitted to use the certificate and transport the okra from the infested areas.~~

~~(6) Assembly of Articles and Commodities for Inspection. Persons intending to move any article or commodity covered from the infested areas shall make application for inspection as far in advance as possible, shall so handle such articles and commodities as to safeguard them from infestation, and shall assemble them at such points and in such manner as the commissioner, his deputy or inspector shall designate to facilitate inspection.~~

~~Note: Authority cited: Sections 407, 5301, 5302 and 5322, Food and Agricultural Code.
Reference: Sections 5301, 5302 and 5322, Food and Agricultural Code~~