

**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: 3422

Repeal sections:

**NOTICE OF APPROVAL OF CERTIFICATE OF
COMPLIANCE**

**Government Code Sections 11349.1 and
11349.6(d)**

OAL Matter Number: 2026-0713-01

**OAL Matter Type: Certificate of Compliance
(C)**

In this certificate of compliance pursuant to Government Code section 11346.1(e), the Department of Food and Agriculture makes permanent the amendments to its regulations regarding establishment of an interior quarantine for the Caribbean fruit fly, made through Office of Administrative Law regulatory action number 2026-0316-03E.

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

Date: August 19, 2026



**Andrea Christensen
Senior Attorney**

**For: Kenneth J. Pogue
Director**

**Original: Karen Ross, Secretary
Copy: Rachel Avila**

per agency request 8/19/26, AMC

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

CERT

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z- 2026-0505-01	REGULATORY ACTION NUMBER 2026-0713-01	EMERGENCY NUMBER C
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

OFFICE OF ADMIN. LAW
2026 JUL 13 AM 11:23

For use by Secretary of State only

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

AUG 19 2026
NG 2:35pm

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OAL USE ONLY	ACTION ON PROPOSED NOTICE ☐ Approved as Submitted ☐ Approved as Modified ☐ Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2026, 21-2	PUBLICATION DATE 5/22/26	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Caribbean Fruit Fly Interior Quarantine		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2026-0316-03E	
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	
TITLE(S) 3		AMEND 3422	
3. TYPE OF FILING		REPEAL	
☐ Regular Rulemaking (Gov. Code §11346) ☐ Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) ☐ Emergency (Gov. Code, §11346.1(b))		☒ 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. ☐ Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	
☐ Emergency Readopt (Gov. Code, §11346.1(h))		☐ Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)	
☐ File & Print		☐ Print Only	
☐ 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)			
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) 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 Victoria Hornbaker Digitally signed by Victoria Hornbaker Date: 2026.07.12 19:23:58 -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
AUG 19 2026
Office of Administrative Law

Amend the following:

§ 3422. Caribbean Fruit Fly Interior Quarantine.

...

(1) An infestation is present when:

(A) Either eggs, a larva, a pupa, a mated female or five or more adult Caribbean fruit flies of either sex are detected within three miles of each other and within one life cycle.

...

NOTE: Authority cited: Sections 407, 5301, 5302 and 5322, Food and Agricultural Code.

Reference: Sections 5301, 5302 and 5322, Food and Agricultural Code.