

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE  
PROPOSED CHANGES IN THE REGULATIONS  
Title 3, California Code of Regulations

Section 3409 Pink Bollworm Interior Quarantine

INITIAL STATEMENT OF REASONS/  
POLICY STATEMENT OVERVIEW

The California Department of Food and Agriculture (Department) proposes to repeal Title 3 California Code of Regulations (CCR) Section 3409, Pink Bollworm Interior Quarantine.

Description of Public Problem, Administration Requirement, or Other Condition or Circumstance the Regulations are Intended to Address

This regulation is intended to address the obligation of the Department to protect the agricultural industry and environment from the introduction and spread of injurious plant pests within California. In November 2025, the Department ceased enforcement of this regulation following the successful eradication of Pink Bollworm from commercial cotton production areas and the subsequent declaration of eradication by both state and federal authorities. As a result, the quarantine is no longer deemed necessary to protect California's cotton industry.

Background

The Cotton Pest Control Program, originally the Pink Bollworm (PBW) Program, began in 1967 with the goal of using integrated pest management to control the PBW populations in California. In 2018, the United States Department of Agriculture declared eradication of PBW. Since then, the Program's main functions have expanded to include not only ongoing trap monitoring operations for PBW but also monitoring and survey operations for additional cotton pests, such as silverleaf whitefly and cotton seed bug.

Trap monitoring to detect adult pink bollworm moths is ongoing for the Program to provide industry with an early warning in the case of a reintroduction of the pink bollworm to California.

The Program uses a delta trap made of cardboard that is sticky on all three inside surfaces. A pheromone lure that attracts male pink bollworm moths is placed inside of the trap. The traps are

placed over the first cotton plant at the end of a row or the first plant at the edge of the field. The trap is suspended over the cotton plant in a manner that permits the trapper to service it without touching the cotton foliage. Traps are serviced biweekly in the San Joaquin Valley and weekly in Southern California. If they contain moths that look similar to pink bollworm, the trap is replaced and the traps containing specimens are sent to a laboratory for identification by an entomologist.

### **Purpose and Factual Basis**

The purpose of Section 3409 was to protect California from invasive pink bollworm pests. This regulation is being repealed, as statewide eradication has been achieved.

The factual basis for determination by the Department that the adoption of these regulations is necessary is as follows:

### **Project Description**

#### **Section 3409 Pink Bollworm Interior Quarantine**

This section is being repealed due to the successful eradication of Pink Bollworm from commercial cotton production areas and the subsequent declaration of eradication by both state and federal authorities. As a result, the quarantine is no longer deemed necessary to protect California's cotton industry.

#### **Current Laws & Regulations**

Existing law, FAC Section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code that the Secretary is directed or authorized to administer or enforce.

Existing law, FAC Section 5301, provides that the director may establish, maintain, and enforce such quarantine regulations as he deems necessary to protect the agricultural industry of this state from pests. The regulations may establish a quarantine at the boundaries of this state or elsewhere within the state.

Existing law, FAC Section 5302 provides that the director may make and enforce such regulations as he deems necessary to prevent any plant or thing which is, or is liable to be,

infested or infected by, or which might act as a carrier of, any pest, from passing over any quarantine line which is established and proclaimed pursuant to this division.

Existing law, FAC Section 5322 provides that the director may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in his or her opinion necessary to circumscribe and exterminate or prevent the spread of any pest which is described in Section 5321.

#### Anticipated Benefits from This Regulatory Action

While there are no monetary benefits from the repeal of these regulations, it is the Department's responsibility to repeal regulations that no longer serve a purpose and are duplicative. In addition, repealing this regulation would also prevent confusion with the public and bring clarity and transparency in this area.

#### Mandate on Local Agencies or School Districts

The Department has determined that this repeal does not impose a mandate on local agencies or school districts.

#### Economic Impact Analysis (Government Code 11346.3(b))

There are no monetary effects of the repeal of these regulations, as the pests have been declared eradicated by the Department.

#### *The Creation or Elimination of Jobs within the State*

There are no costs for compliance, as the pest has been eradicated. Therefore, the Department has determined that this proposal will not have a significant impact on the creation of new businesses in the State of California.

#### *The Creation or Elimination of Businesses in California*

There are no costs for compliance, as the pest has been eradicated. Therefore, the Department has determined that this proposal will not have a significant impact on the creation of new businesses in the State of California.

### *The Expansion of Businesses in California*

There are no costs for compliance, as the pest has been eradicated. Therefore, the Department has determined that this proposal will not have a significant impact on the expansion of businesses currently doing business in the State of California.

### *Worker Safety*

These regulations are not expected to have an effect on worker safety.

### *Estimated Cost or Savings to Public Agencies or Affected Private Individuals or Entities*

The Department has determined this repeal does not impose a mandate on local agencies or school districts. No reimbursement is required under Section 17561 of the Government Code.

The Department also has determined that no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts and no nondiscretionary costs or savings to local agencies or school districts will result from this repeal.

There are no reimbursable costs or savings under Part 7 (commencing with section 17500) of Division 4 of the Government Code to local agencies or school districts and no nondiscretionary costs or savings to local agencies or school districts anticipated from repeal of this regulation.

The Department has determined that the proposed action will not have a significant adverse economic impact on housing costs or California business, including the ability of California businesses to compete with businesses in other states.

### *Potential Impact to Homeowners and Community Gardens*

There are no impacts, as the pest has been eradicated. Therefore, the Department has determined that this proposal will not have a significant impact on homeowners or community gardens in the State of California.

### *Potential Impacts to General Fund and Welfare*

There are no impacts, as the pest has been eradicated. Therefore, the Department has determined that this proposal will not have a significant impact to the general fund and welfare in the State of California.

As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of regulations and has determined that they are not inconsistent or incompatible with existing state regulations.

### **Assessment**

The Department has made an assessment that the repeal of this regulation will help maintain the economic baseline and (1) will have no significant impact on the creation or elimination of jobs in the State of California, (2) will have no impact on the creation or elimination of businesses within the State of California, (3) will have no impact on the expansion of businesses within the State of California, (4) will benefit the health and welfare of California residents by avoiding confusion and bring clarity and transparency, (5) will not impact the state's environment, and (6) is not expected to benefit workers' safety.

### **Alternatives Considered**

The Department must determine that no alternative considered would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

The Department considered taking no action. If no action is taken, the Department will continue monitoring, trapping, and surveying activities, spending unnecessary funds for a pest that has already been eradicated. California's agricultural industry would suffer losses due to decreased availability of staff and resources that are deemed necessary elsewhere for protect California's agriculture from invasive pests currently in the State. Therefore, this alternative was rejected.

### **Information Relied Upon**

The Department relied upon the following studies, reports, and documents in the proposed repeal of Title 3 CCR Sections 3409:

Pest Exclusion Advisory No. XX-2025: Cessation of Enforcement of State Interior Quarantine for Pink Bollworm (*Pectinophora gossypiella*) – CCR Section 3409.

Cotton Pest Control Program, [https://www.cdfa.ca.gov/plant/ipc/pinkbollworm/pbw\\_hp.htm](https://www.cdfa.ca.gov/plant/ipc/pinkbollworm/pbw_hp.htm)