

**Amend CCR Section 3277. Cereal Leaf Beetle Exterior Quarantine to read:**

Section 3277. Cereal Leaf Beetle Exterior Quarantine (Quarantine Proclamation 31)  
(Repealed)

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

~~(a) Pest. Cereal leaf beetle ( *Oulema melanopus*). A beetle, family Chrysomelidae, which is a destructive leaf feeder. Wheat, barley, and oats are the principal crops attacked by both larva and adult.~~

~~(b) Area Under Quarantine. All states and districts of the United States east of and including Minnesota, Iowa, Missouri, Arkansas, and Louisiana.~~

~~(1) Infested Area. The states of Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia shall be known as the Infested Area.~~

~~(2) Area Not Known to be Infested. All states in the Area Under Quarantine [see (b) above] and not named in the Infested Area [see (b)(1) above] shall be known as the Area Not Known to be Infested.~~

~~(c) Commodities and Items Covered. Small grains such as barley, oats, and wheat; ear corn; straw and hay, including marsh hay (pelletized hay is not covered); grass sod; grass and forage seed; fodder and plant litter; used harvesting equipment or machinery; and cut or balled Christmas trees of Scotch pines ( *Pinus sylvestris*), red pine ( *Pinus resinosa*), and Austrian pine ( *Pinus nigra*), including all subspecies thereof.~~

~~(d) Restrictions.~~

~~(1) Exemption of Commodities Covered. The following commodities are exempt from all restrictions of this quarantine under conditions as prescribed below.~~

~~(A) Grain sorghum, shelled corn, and soybeans.~~

~~(B) Small grain seed, grass seed, and forage seed when cleaned and shipped in bags or small packages.~~

~~(C) All straw and hay that has been used as bedding for animals during shipment.~~

~~(D) Small grains shipped during the period of February 1 to April 30 inclusive, each year.~~

~~(2) Commodities and Items Covered Admitted From Quarantined Area if Treated at Origin.~~

~~(A) Commodities and items covered are admissible into California from the area under quarantine provided each lot or shipment is officially certified by an authorized representative of the origin state department of agriculture or the United States Department of Agriculture affirming that the lot or shipment was treated prior to shipment under official supervision in a manner approved by the Director of the Department of Food and Agriculture and was not exposed to re-infestation.~~

~~(3) Commodities and Items Covered Admitted Under Certification as to Origin.~~

~~(A) Commodities covered which are grown in and shipped from the Area Not Known To Be Infested are enterable into California provided each lot or shipment is officially certified by an authorized representative of the state department of agriculture where shipment was made, or the United States Department of Agriculture, giving the date and state or states where the commodities were produced.~~

~~A rubber stamp which bears a facsimile signature of the proper state official may be issued to shippers which are under state supervision. Imprints of such a stamp placed on the waybills accompanying shipments will be acceptable as an authorized certificate.~~

~~(B) Used harvesting equipment or machinery from the Area Not Known To Be Infested may be admitted under certification from an agricultural official of the origin state. To be eligible for such certification, the used harvesting equipment or machinery shall not have been used in any infested state for a period of one year prior to shipment.~~

~~(C) Used harvesting equipment or machinery from the area under quarantine may be admitted under certification from an agricultural official of the origin state. To be eligible for such certification the used harvesting equipment or machinery shall not have been used from April through August of the current year.~~

~~(4) Small Grains, Grass Seed, and Forage Seed from Area Not Known to be Infested with Cereal Leaf Beetle Admitted Under Certificate of Inspection.~~

~~(A) Small grains such as barley, oats, and wheat; and grass and forage seed, produced in an area not known to be infested as specified in subsection (b)(2) may be admitted~~

~~under certification from an agricultural official of the state of origin. The certificate shall affirm that the lot or shipment has been inspected and found free of cereal leaf beetle (both live and dead). The inspection for such certification shall consist of representative samples from individual truck or rail car lots to be shipped and at least ten (10) representative samples from the top and intermediate areas (inspection holes) of silos.~~

~~(5) Commodities and Items Covered Allowed Movement Under Permit From the Director.~~

~~(A) The Director may issue permits admitting commodities and items covered, subject to limitations, conditions, and provisions which the Director may prescribe therein.~~

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