

Department of Food and Agriculture
Proposed Changes in the Regulations
Title 3, California Code of Regulations
Subsections 3407(e)(1) and 3407(e)(2), Citrus Tristeza Virus Interior Quarantine
Initial Statement of Reasons/Policy Statement Overview

Description of the Public Problem, Administration Requirement, or Other Condition
or Circumstance the Regulation is Intended to Address.

This regulation is intended to address the obligation of the Department of Food and Agriculture to protect the agricultural industry from the movement and spread of injurious plant pests within California.

Specific Purpose and Factual Basis

The specific purpose of Section 3407 is to establish a state interior quarantine against the citrus Tristeza virus and its hosts and to establish the conditions of propagation and movement for these hosts.

The factual basis for the determination by the Department that the amendment of subsections 3407(e)(1) and 3407(e)(2) is necessary is as follows:

The Department amended Section 3407, Citrus Triseza Virus Interior Quarantine, to delete those parts which would be duplicative with the enactment of Section 3701, et. seq. This was done as an emergency action which was effective May 17, 2010. The Department has subsequently determined that part of a line of text was inadvertently moved to a new subsection 3407(e)(2). This proposed amendment is to correct that error by moving the text back to 3407(e)(1) to ensure the restrictions under subsection 3407(f) may be properly applied.

Estimated Cost of Savings to Public Agencies or Affected Private Individuals or Entities

The Department of Food and Agriculture has determined that the amendment of Section 3407 does not impose a new mandate on local agencies or school districts and no reimbursement is required under Section 17561 of the Government Code.

The Department also has determined that no savings or increased costs to any state agency, 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, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State will result from the amendment of Section 3407.

The cost impact of the changes in the regulations on private persons and businesses are expected to be insignificant.

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. The Department's determination that the action will not have a significant statewide adverse economic impact on business was based on the following: This regulation has been in place for many years with no known statewide adverse economic impacts being brought to the attention of the Department.

Assessment

The Department has made an assessment that the repeal of the regulation would not 1) create or eliminate jobs within California; 2) create new business or eliminate existing businesses with California; or 3) affect the expansion of businesses currently doing business with California.

Alternatives Considered

The Department of Food and Agriculture 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 and less burdensome to affected private persons than the proposed action.

Information Relied Upon

The Department relied upon the following studies, reports, and documents in the proposed adoption and subsequent amendment of Section 3407:

The text of Section 3407 which was submitted and became effective May 17, 2010.