

In Title 3, Division 4, Chapter3, amend Section 3434 to read:

Section 3434. Light Brown Apple Moth Interior Quarantine.

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

(b) Regulated and Quarantine Area Designation and Removal Procedures.

(1) An area shall be designated as a quarantine or regulated area when survey results indicate an infestation is present, the Department has defined the infested area, and the local California County Agricultural Commissioner(s) is notified. The Department shall also provide electronic and/or written notification of the area designation(s) to other California County Agricultural Commissioners and other interested or affected parties and post the area description to its website at: <http://www.cdfa.ca.gov/plant/lbam/regulation.html>. An interested party may also go to the website and elect to receive automatic notifications of any changes in the regulated or quarantine areas through the list serve option.

(2) An infestation is present when the Department determines:

(A) A total of two or more light brown apple moth adults are trapped within three miles of each other and during the timeframe of one lifecycle as determined by the degree-day phenology model; or

(B) A mated female is trapped; or

(C) One or more immature light brown apple moths are confirmed through DNA analysis or morphological identification. An exception to this condition occurs in the event it can be determined that the presence of the immature light brown apple moth was the result of the larvae being transported as a hitchhiker from an infested area into an area which is not regulated or under quarantine on nursery stock.

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