

In Title 3, Division 4, Chapter 3, adopt Section 3441 to read:

**Section 3441. *Bactrocera correcta* Interior Quarantine.**

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

(a) Pest. Guava Fruit Fly (*Bactrocera correcta*).

(b) Area Under Quarantine.

(1) An area shall be designated as under quarantine 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 and requests the quarantine area be established. 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: [www.cdfa.ca.gov/plant/gff/regulation.html](http://www.cdfa.ca.gov/plant/gff/regulation.html). An interested party may also go to the above website and elect to receive automatic notifications of any changes in quarantine areas through the list serve option.

(2) An infestation is present when:

(A) In urban areas either eggs, a larva, a pupa, a mated female or eight or more adult guava fruit flies of either sex are detected within three miles of each other and within one life cycle and all detections shall be more than 4.5 miles from any commercial host production area; or

(B) In rural or commercial host production areas either eggs, a larva, a pupa, a mated female or six or more adult guava fruit flies of either sex are detected within three miles of each other and within one life cycle; or

(C) Satellite infestations: a detection of a single life stage of guava fruit fly within any established quarantine area may be considered a satellite infestation and may be used as the epicenter using an additional 4.5 mile radius surrounding the detection to expand the quarantine area.

(3) The initial area under quarantine shall be a minimum of a 4.5 mile radius surrounding the qualifying detections being used as an epicenter.

Commercial host properties shall not be split by the quarantine boundary line and the boundary line shall be expanded beyond the 4.5 miles as necessary to encompass such host material in its entirety. Wherever possible, known accepted mapping features, including but not limited to roads, streets, highways, creeks, streams, rivers, canals, city, county, State, park and forest boundary lines are used first and if there are no acceptable features such as these then imaginary lines with or without latitude and longitude points may be used.

(4) Any interested party or local entity may appeal an area designation by submission to the Department of a written request for review of the designation accompanied by clear and convincing evidence justifying a change in the designation. The appeal must be submitted no later than ten (10) working days following receipt of the notice of designation. The Department must respond with a written decision no later than ten (10) working days following receipt of the appeal. During the pending of the appeal, the designation under appeal shall remain in effect.

(5) The infested area designation shall be removed if no additional life stages are detected by trapping or visual surveys for three life cycles after the last detection within the quarantine area.

(6) A life cycle is an estimate of insect phenology based on a heat degree day temperature driven model. Base developmental temperature thresholds are used in this model's calculations and it estimates the generation time period necessary for the completion of a generation of guava fruit fly. Daily minimum and maximum temperatures are used to produce a sine curve over a 24-hour period. The degree days for that day are estimated by calculating the area above the threshold and below the curve, assuming that the temperature curve is symmetrical around the maximum temperature. For guava fruit fly the Department uses the lifecycle model with 54.7° Fahrenheit base developmental temperature and 818 degree days Fahrenheit per generation.

(c) Articles and Commodities Covered. The following are declared to be hosts and possible carriers of guava fruit fly.

(1) All fruit, vegetables or berries of the following:

<b><u>Scientific Name</u></b>	<b><u>Common Name</u></b>
<u>Anacardium occidentale</u>	<u>cashew</u>
<u>Areca catechu</u>	<u>areca palm</u>
<u>Artocarpus chama</u>	<u>chaplasha</u>
<u>Artocarpus integer</u>	<u>chempedak</u>
<u>Averrhoa carambola</u>	<u>carambola, star fruit</u>
<u>Baccaurea racemosa</u>	<u>kapundung, menteng</u>
<u>Benincasa hispida</u>	<u>winter-melon</u>
<u>Bouea gandaria</u>	<u>gandaria, ma prang</u>
<u>Bouea oppositifolia</u>	<u>mariantree, plum-mango</u>
<u>Capparis sepiaria</u>	
<u>Capparis thorelii</u>	<u>cáp thorel</u>
<u>Careya arborea</u>	<u>slow match tree, kumbhi</u>
<u>Careya sphaerica</u>	<u>kra doon</u>
<u>Carica papaya</u>	<u>papaya</u>
<u>Carissa carandas</u>	<u>Bengal-currants, karanda</u>
<u>Citrus maxima</u>	<u>pummelo</u>
<u>Citrus reticulata</u>	<u>mandarin (tangerine)</u>
<u>Clausena lansium</u>	<u>wampi</u>
<u>Coccinia grandis</u>	<u>ivy gourd</u>
<u>Coffea canephora</u>	<u>robusta coffee</u>
<u>Cucumis melo</u>	<u>cantaloupe, honeydew</u> <u>melon</u>
<u>Dimocarpus longan</u>	<u>longan</u>
<u>Dipterocarpus obtusifolius</u>	<u>kok sat, keruing, mai sat</u>
<u>Elaeocarpus hygrophilus</u> (synonym: <i>madopetalus</i> )	<u>ma-kok-nam, Spanish</u> <u>plum</u>
<u>Flacourtia indica</u>	<u>governor's plum, Indian-</u> <u>plum</u>

<u>Flacourtia jangomas</u>	<u>greater krekup, Indian-plum</u>
<u>Flueggea virosa</u>	<u>Chinese waterberry, common bushweed</u>
<u>Garcinia dulcis</u>	<u>Claude mangosteen, eggtree</u>
<u>Garcinia xanthochymus</u>	<u>sour mangosteen</u>
<u>Heynea trijuga</u>	<u>buah pasat, kalibaian</u>
<u>Irvingia malayana</u> (Synonym: ( <i>oliveri</i> ))	<u>bok, pau kinjang</u>
<u>Knema angustifolia</u>	<u>horse blood</u>
<u>Lepisanthes fruticosa</u>	
<u>Luffa aegyptiaca</u>	<u>smooth loofah, sponge gourd</u>
<u>Madhuca longifolia</u>	<u>mahua, mowra-buttertree</u>
<u>Maerua siamensis</u>	
<u>Malpighia emarginata</u>	<u>Barbados or West Indian cherry</u>
<u>Malpighia glabra</u>	<u>aceerola</u>
<u>Mangifera indica</u>	<u>mango</u>
<u>Manilkara zapota</u>	<u>sapodilla</u>
<u>Mimusops elengi</u>	<u>medlar, Spanish-cherry</u>
<u>Muntingia calabura</u>	<u>calabur-tree</u>
	<u>strawberry-tree</u>
<u>Musa x paradisiacal</u>	<u>banana, plantain</u>
<u>Olax scandens</u>	<u>namchai Khrai</u>
<u>Opuntia monacantha</u>	<u>drooping prickly-pear</u>
<u>Phyllanthus acidus</u>	<u>gooseberry-tree</u>
<u>Polyalthia longifolia</u>	<u>cemetery or mast tree</u>
<u>Prunus avium</u>	<u>sweet cherry</u>
<u>Prunus cerasus</u>	<u>sour cherry</u>
<u>Prunus domestica</u>	<u>European prune (plum)</u>

<u>Prunus persica</u>	<u>peach</u>
<u>Prunus persica var. nectarine</u>	<u>nectarine</u>
<u>Prunus salicina</u>	<u>Japanese plum</u>
<u>Psidium guajava</u>	<u>guava</u>
<u>Sandoricum koetjape</u>	<u>red sentol, sentol</u>
<u>Spondias dulcis</u>	<u>golden-apple, makopa</u>
<u>Spondias pinnata</u>	<u>hog-plum</u>
<u>Strychnos potatorum</u>	<u>clearing-nut-tree</u>
<u>Syzygium aqueum</u>	<u>water apple, watery rose-</u> <u>apple</u>
<u>Syzygium borneense</u>	<u>kelat, kerian</u>
<u>Syzygium cumini</u>	<u>Java plum, jambolana</u>
<u>Syzygium jambos</u>	<u>jambos, rose-apple</u>
<u>Syzygium malaccense</u>	<u>Malay or mountain--apple</u>
<u>Syzygium nervosum</u>	<u>Daly River satin ash</u>
<u>Syzygium samarangense</u>	<u>Java-apple, water-apple</u>
<u>Terminalia bellirica</u>	<u>myrobalan</u>
<u>Terminalia catappa</u>	<u>tropical or Indian almond</u>
<u>Trichosanthes costata</u>	<u>ribbed orange gourd</u>
<u>Trichosanthes cucumerina</u>	<u>annual or club gourd</u>
<u>Vitis vinifera</u>	<u>European grape</u>
<u>Ziziphus jujuba</u>	<u>Chinese-date, jujube</u>
<u>Ziziphus mauritiana</u>	<u>Chinese-date, jujube</u>
<u>Ziziphus nummularia</u>	<u>jujube</u>
<u>Ziziphus oenoplia</u>	<u>jackal jujube</u>

(2) Soil within the drip area of plants producing, or which have produced fruit, vegetables, or berries as listed in (c)(1) above.

(3) Any other product, article, or means of conveyance when it is determined by the Secretary or County Agricultural Commissioner to present a hazard of spreading live life stages of guava fruit fly and the person in possession thereof has been so notified.

(d) Restrictions.

(1) At the wholesale level, articles and commodities covered in subsection (c) are prohibited movement within or from the area under quarantine except as provided in (A) or (B) below:

(A) If the article or commodity has been treated in a manner approved by the Department to eliminate guava fruit fly, is transported in a manner to preclude exposure to guava fruit fly, and is accompanied by a written certificate issued by an authorized State or county agricultural official affirming compliance with this subsection; or,

(B) The article or commodity is moving for treatment for guava fruit fly or processing and in a manner approved by the Department to preclude exposure to guava fruit fly and is accompanied by a written certificate issued by an authorized State or county agricultural official affirming such movement has been authorized under this subsection.

(2) At the wholesale level, articles and commodities covered in subsection (c) which have been commercially produced outside the area under quarantine are prohibited movement into the area under quarantine except when accompanied by a shipping document indicating the point of origin and destination and moved in compliance with (A), (B) or (C) below:

(A) If the article or commodity is moving directly through the area under quarantine without delay and by a direct route in an enclosed vehicle or container or completely enclosed by a covering to prevent exposure to the guava fruit fly while en route through the area; or,

(B) The article or commodity is destined to a wholesale or retail establishment within the quarantined area and, if moving between 9:a.m. and sunset, is transported in an enclosed vehicle or container or completely enclosed by a covering to prevent exposure to the guava fruit fly; or

(C) The article or commodity is destined to a commercial processing facility.

(3) At the retail level, articles and commodities covered which have been commercially produced are prohibited movement from or within the area under quarantine except when the person in possession has a sales slip or other comparable document showing the commodity was purchased from a commercial establishment.

(4) Articles and commodities covered which have been noncommercially produced within the area under quarantine, including “backyard” production, are prohibited movement from the premises where grown except under written authorization of the Department or county agricultural commissioner.

(5) Articles and commodities covered which have been noncommercially produced outside the area under quarantine are prohibited movement into the area under quarantine except when the person in possession has signed a statement showing the commodity, amount, origin, destination, and date of transportation.

(6) Within the area under quarantine, no wholesale or retail establishment shall handle, sell, or offer for sale any article or commodity covered unless such commodities at all times are maintained in a manner approved by the Department to preclude exposure to guava fruit fly. No commodity covered shall be held for sale or sold from a truck, trailer, or other mobile vehicle.

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

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