Adopt the following:

§ 3445. Queensland Fruit Fly Interior Quarantine.

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

(a) Pest. The fruit fly Queensland fruit fly (*Bactrocera tryoni*).

(b) 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. An interested party may also go to the website and elect to receive automatic notifications of any changes in quarantine areas through the list serve option.

(1) An infestation is present when:

(A) Either eggs, a larva, a pupa, a mated female or two or more adult Queensland fruit flies of either sex are detected within three miles of each other and within one life cycle.

(B) Satellite infestations. A detection of a single life stage of Queensland 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.

(2) The initial area under quarantine shall be a minimum of a 4.5-mile radius surrounding the 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.

(3) 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 to the Department's Legal Office at 1220 N Street, Suite 315, Sacramento, CA 95814 or emailed to CDFA.LegalOffice@cdfa.ca.gov no later than ten (10) working days following publication 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.

(4) 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.

(5) The time determined for Queensland fruit fly to complete three life cycles begins from the date of the most recent detection and is measured by a life cycle estimate. A life cycle estimate is an assessment of insect development based on a model derived from the temperatures recorded for each day at the time and in the area of an infestation. Daily minimum and maximum temperatures are used to produce an interpolated temperature curve over each 24-hour period and a calculation of how much time is above and below a base developmental (minimum) temperature needed for insect development. This information is used to estimate the time period necessary for the completion of one full lifecycle of Queensland fruit fly under the specific local and temporal circumstances. The total amount of heat required to develop from one stage to another is calculated in units called degree-days. If the average temperature in 24 hours is one degree higher than the minimum temperature required for a particular pest, one degree-day's temperature is accumulated in the life cycle estimate. Accumulating degree-days is used to determine the generation time. For Queensland fruit fly, the Department uses 1125 degree-days Fahrenheit as the length of one life cycle.

(c) Articles and Commodities Covered. All fruit, vegetables, pericarp of nuts, seeds, or berries listed in Title 3 California Code of Regulations Section 3591.30 (b)(1) Queensland Fruit Fly Eradication Area.

(1) Soil within the drip area of plants producing, or which have produced, fruit or berries as listed in Title 3 California Code of Regulations Section 3591.30 (b)(1) above.

(2) 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 Queensland fruit fly and the person in possession thereof has been so notified, either by public notice, written communication, or verbally by a county, state, or federal agricultural official;

(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 to eliminate Queensland fruit fly, is transported in a manner to preclude exposure to Queensland 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 or processing to eliminate Queensland fruit fly, is transported in a manner to preclude exposure to any Queensland 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 stopping except as dictated by traffic controls and by a direct route in an enclosed vehicle or container or completely enclosed by a covering to prevent exposure to the Queensland fruit fly while enroute 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 Queensland 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 proof of sale 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 securely indoors or covered to minimize exposure to the environment in a manner to effectively preclude Queensland fruit fly access. No commodity covered shall be held for sale or sold from a truck, trailer, or other mobile vehicle within the area under quarantine.

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

Adopt the following:

§ 3591.30. Queensland fruit fly Eradication Area.

(a) Proclamation of Eradication Area. That portion of the State of California described as follows, within which a certain pest, Queensland fruit fly (*Bactrocera tryoni*), is known to exist, is hereby proclaimed to be an eradication area with respect to said pest:
The entire county of Ventura.

(b) Hosts.

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

Scientific Name	Common Name
Acca sellowiana (O. Berg) Burret	pineapple guava
Actinidia deliciosa (A. Chev.) C.F. Liang & A.R. Ferguson	kiwifruit
Anacardium occidentale L.	cashew
Annona cherimola Mill.	cherimoya
Annona muricata L.	soursop
Annona reticulata L.	bullock's heart
Annona sp.	
Annona squamosa L.	Custard-apple
Artocarpus altilis (Parkinson) Fosberg	breadfruit
Artocarpus heterophyllus Lam.	jackfruit
Asimina triloba (L.) Dunal	pawpaw
Averrhoa carambola L.	carambola
Barringtonia asiatica (L.) Kurz	fish killer tree
Barringtonia edulis	pau nut
Calophyllum inophyllum L.	Alexandrian laurel
Cananga odorata (Lam.) Hook. f .& Thomson	ylang ylang tree

Canarium vulgare Leenh.	Chinese olive
Capsicum annuum L.	chile/sweet pepper
Carica papaya L.	papaya
Casimiroa edulis LaLlave & Lex.	white sapote
Chrysophyllum cainito L.	star apple
Citrus aurantiifolia (Christm.) Swingle	keys lime
Citrus latifolia (Yu. Tanaka) Tanaka	Persian lime
Citrus limon (L.) Burm. F	lemon
Citrus maxima (Burm.) Merr	pomelo
Citrus medica L.	citron
Citrus xparadisi Macfad.	grapefruit
Citrus reticulata Blanco	mandarin
Citrus sinensis (L.) Osbeck	orange
Citrus xtangelo J.W. Ingram & H.E. Moore	tangelo
Coffea sp.	coffee
Cucurbita pepo L.	acorn squash
Cydonia oblonga Mill.	quince
Dimocarpus longan Lour.	longan
Diospyros bicolor (=*D. mespiliformis*)	jackalberry
Diospyros digyna Jacq.	black sapote
Diospyros kaki Thunb.	Japanese persimmon
Diospyros mespiliformis Hochst. Ex A. DC.	jackalberry
Diospyros sp.	persimmon
Durio zibethinus L.	Durian
Eriobotrya japonica (Thunb. Lindl.)	Loquat
Eugenia brasiliensis Lam	Brazil-cherry
Eugenia uniflora L.	Surinam-cherry
Ficus carica L.	common fig

Ficus pancheriana Bureau	Pancher's fig
Ficus sp.	fig
Fortunella japonica (Thunb.) Swingle	round kumquat
Fragaria xananassa Duchesne ex Rozier	garden strawberry
Fragaria vesca L.	European strawberry
Garcinia mangostana L.	mangosteen
Hernandia cordigera Vieill.	Bois bleu
Hylocereus undatus (Haw.) Britton & Rose	dragon fruit
Inocarpus fagiferus (Parkinson) Fosberg	Tahiti chestnut
Litchi chinensis Sonn.	litchi
Malpighia glabra L.	acerola
Malus domestica Borkh.	apple
Mangifera indica L.	mango
Manilkara zapota (L.) P. Royen	sapodilla
Mimusops elengi L.	medlar
Morinda citrifolia L.	canary wood
Morus alba L.	Russian mulberry
Musa xparadisiaca L.	edible banana
Musa sp.	banana
Musa troglodytarum L.	fe'i banana
Nephelium lappaceum L.	rambutan
Opuntia ficus-indica (L.) Mill.	mission prickly-pear
Passiflora edulis Sims	passionfruit
Passiflora laurifolia L.	yellow granadilla
Passiflora quadrangularis L.	giant granadilla
Persea americana Mill.	avocado
Phoenix dactylifera L.	date palm
Phyllanthus acidus (L.) Skeels	gooseberry tree

Physalis peruviana L.	cape gooseberry
Planchonella sphaerocarpa (Baill.) Dubard	
Plinia cauliflora (Mart.) Kausel	Brazilian grapetree
Pometia pinnata J.R. Forst. & G. Forst.	Pacific lychee
Pouteria caimito (Ruiz & Pav.) Radlk.	caimito
Prunus americana Marshall	American plum
Prunus armeniaca L.	Apricot
Prunus avium (L.) L.	sweet cherry
Prunus xdomestica L.	European plum
Prunus persica (L.) Batsch	peach
Prunus persica (L.) Batsch var. nucipersica (Suckow) C.K. Schneid.	nectarine
Prunus simonii Carriere	apricot plum
Psidium acutangulum DC.	
Psidium cattleyanum Sabine	cattley guava
Psidium cattleyanum Sabine var. *littorale* (Raddi) Fosberg	strawberry guava
Psidium friedrichsthalianum (O. Berg) Nied.	Costa Rican guava
Psidium guajava L.	guava
Punica granatum L.	pomegranate
Pyriluma sphaerocarpum (Baill.) Aubrev	
Pyrus communis L.	pear
Pyrus pyrifolia (Burm. F.) Nakai var. *culta* (Makino) Nakai	Asian pear
Rubus fruticosus auct. Aggr.	European blackberry
Rubus idaeus L.	raspberry
Rubus xloganobaccus L.H. Bailey	loganberry
Sandoricum koetjape (Burm.f.) Merr.	santol
Solanum betaceum Cav.	tree tomato

Solanum lycopersicum L. var. *lycopersicum*	tomato
Solanum mauritianum Scop.	bugtree
Solanum melongena L.	eggplant
Solanum muricatum Aiton	pepino
Spondias dulcis Sol. Ex Parkinson	Juneplum
Spondias mombin L.	hog plum
Synsepalum dulcificum (Schumach.) Daniell	miracle fruit
Syzygium cumini (L.) Skeels	jambolan
Syzygium jambos (L.) Alston	Rose-apple
Syzygium malaccense (L.) Merr. & L.M. Perry	Malay-apple
Syzygium samarangense (Blume) Merr. & L.M. Perry	Java-apple
Terminalia catappa L.	tropical almond
Thevetia peruviana (Pers.) K. Schum	yellow oleander
Vaccinium corymbosum L.	blueberry
Vasconcellea xheilbornii (V.M. Badillo) V.M. Badillo	babaco
Vitis vinifera L.	European grape
Ximenia americana L.	false sandalwood
Ziziphus jujuba Mill.	Chinese jujube
Ziziphus mauritiana Lam.	Chinese-apple

(2) Soil or planting media within the drip area of plants producing, or which have produced, host fruit.

(c) Means and Methods. The following means and methods may be used in the eradication and control of said pest in said area:

(1) The use of insecticides, chemicals, or other materials as spray, dust, bait, or in any other manner as often as necessary to effect eradication.

(2) The removal and destruction of all plant parts known or suspected to harbor any stage of said pest.

(3) The search of all stages of Queensland fruit fly by visual inspection, the use of traps, or any other means.

(4) The removal and destruction of abandoned or unwanted plants bearing or capable of bearing hosts.
(5) The importation, rearing, liberation, and fostering of parasites and predators which attack Queensland fruit fly.
(6) The importation, rearing, or liberation of sterile forms of Queensland fruit fly.

Credits

NOTE: Authority cited: Sections 407 and 5322, Food and Agricultural Code. Reference: Sections 5761, 5762, 5763 and 5764, Food and Agricultural Code.