

**State of California
Office of Administrative Law**

In re:
Department of Food and Agriculture

Regulatory Action:

Title 03, California Code of Regulations

Amend section: 3602

**NOTICE OF APPROVAL OF REGULATORY
ACTION AND FILING AND PRINTING**

**Government Code Sections 11343.8 and
11349.3**

OAL Matter Number: 2025-0904-01

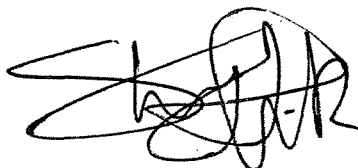
OAL Matter Type: Regular (S)

In this regular rulemaking partially exempt from the APA pursuant to Government Code section 11340.9(g), the Department of Food and Agriculture is amending regulations regarding assessments for the control of broomrape.

The amendments to subsections (a) and (b) of Section 3602 are exempt from the APA pursuant to Government Code section 11340.9(g). Those changes are being filed with the Secretary of State and printed in the California Code of Regulations pursuant to Government Code section 11343.8. Regarding the addition of subsections (d), (d)(1), and (e) to Section 3602, OAL approves this regulatory action pursuant to section 11349.3 of the Government Code.

This regulatory action becomes effective on 1/1/2026.

Date: October 16, 2025



**Steven J. Escobar
Senior Attorney**

**Original: Karen Ross, Secretary
Copy: Sara Khalid**

**For: Kenneth J. Pogue
Director**

NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

REGULAR

For use by Secretary of State only

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

OCT 16 2025

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2025-0402-02	REGULATORY ACTION NUMBER 2025-0904-015	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

OFFICE OF ADMIN. LAW
2025 SEP 4 PM 4:11AGENCY WITH RULEMAKING AUTHORITY
Department of Food and Agriculture

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE ☐ Notice re Proposed Regulatory Action ☐ Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE ☐ Approved as Submitted ☐ Approved as Modified ☐ Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2025, 16-2	PUBLICATION DATE 4/18/25

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Assessments for Control of Broomrape		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT	
TITLE(S)		AMEND	
3		3602	
		REPEAL	
3. TYPE OF FILING			
☒ Regular Rulemaking (Gov. Code §11346) ☐ Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) ☐ Emergency (Gov. Code, §11346.1(b))		☐ Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. ☐ Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	
		☐ Emergency Readopt (Gov. Code, §11346.1(h)) ☒ File & Print ☒ Other (Specify) Gov. Code §11346.9(g)	
		☐ Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) ☐ Print Only	
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1) July 11, 2025- July 26, 2025.			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
☒ Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))		☐ Effective on filing with Secretary of State ☐ \$100 Changes Without Regulatory Effect ☐ Effective other (Specify)	
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
☐ Department of Finance (Form STD. 399) (SAM §6660)		☐ Fair Political Practices Commission ☐ State Fire Marshal	
☐ Other (Specify)			
7. CONTACT PERSON Sara Khalid		TELEPHONE NUMBER 916-708-5609	FAX NUMBER (Optional) E-MAIL ADDRESS (Optional) Sara.Khalid@cdfa.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE Victoria Hornbaker	DATE Digitally signed by Victoria Hornbaker Date: 2025.08.27 13:21:54 -0700
TYPED NAME AND TITLE OF SIGNATORY Victoria Hornbaker, Director Plant Health & Pest Prevention Services Division	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

OCT 16 2025

Office of Administrative Law

PER AGENCY
REQUEST
SJE
10/16/2025

Amend the following:

3 CCR § 3602

§ 3602. Assessments for Control of Broomrape.

(a) This section establishes a schedule of, and procedures for the collection of, assessments for the crops shown in subsection (b) below for the purpose of broomrape control as authorized in sections 7430 to 7434.5 inclusive of the Food and Agricultural Code.

(b) The Secretary of Food and Agriculture, ~~pursuant to Sections 7430-7434.5 of the Food and Agricultural Code,~~ hereby establishes an assessment of \$0.14 per ton of processing tomatoes tomatoes for processing purposes, as defined in Section 40702 of the Food and Agricultural Code, produced in each district, as defined and referenced in Section 7405(c) of the Food and Agricultural Code. The assessment is to be paid equally by the handler and producer-and handler, as defined in Section 7405(d) and (f), respectively, of the Food and Agricultural Code. The producer's half of the assessment shall be collected from the producer by the handler at the point and time that the crop is purchased or received by the handler.

(c) The assessment collected from producers by handlers shall be paid to the Secretary before the 15th day of the month following the month in which the handler collected the assessment.

(d) Each handler or producer-handler shall accompany payments with a statement that identifies that the payment is intended for the Broomrape Management Account and includes the name of the handler or producer-handler, and the total number of tonnage per each district assessed.

(d)(1) The definition of "producer-handler" in Section 3601(a)(1) applies to "producer-handler" as that term is used in this section.

(e) Each handler shall maintain books or records for amounts paid by the handler, producer-handler, and producer assessments collected by the handler, for five years as are necessary to verify reports and remittances to the Secretary. All such records shall be made available for inspection by the Secretary upon request.

Authority cited: Sections 407, 7401, 7405, 7421, 7423, 7430, 7431, 7432, 7433, 7434 and 7434.5, Food and Agricultural Code. Reference: Sections 7401, 7421, 7423, 7430, 7431 and 7434.5, Food and Agricultural Code.