Amend Article 3. Registration and Certification of Deciduous Fruit and Nut Trees to read:


The provisions of Section 3069 shall apply to this article.

(a) “Applicant” means any person or legal entity whose application has been submitted to but not yet accepted by the Department.

(b) “Approved by the Department” means written consent from the Department.

(c) “Canceled” means registration status is permanently withdrawn from tree(s) entered in the program and they may no longer serve as a source of G1 foundation, G1a parent, G2 mother, G3 registered, or G4 certified stock.

(d) “Common stock” means plant materials from trees not registered in the California Deciduous Fruit and Nut Tree Registration and Certification Program.

(e) “Department” means the California Department of Food and Agriculture.

(f) “Diseased” means infected with a pathogen or pathogenic agent listed in Section 3015.5.

(g) “Foundation Plant Services” or “FPS” is a self-supporting service unit in the College of Agricultural and Environmental Sciences at the University of California, Davis.

(h) G-level signifies the degree to which plant stock is related to the original virus tested material entering a production system. G-levels represent successive steps of propagation from the original tested material.
(i) “G1 foundation block” means a planting of trees propagated and maintained by the University of California in accordance with the provisions of this article and registered with the Department as a source of G1 foundation stock.

(j) “G1 foundation block candidate trees” means trees that will be planted in the G1 foundation block if all requirements specified in Section 3015.5 are met.

(k) “G1 foundation stock” means propagative materials or trees propagated from registered trees in a G1 foundation block.

(l) “G1a parent block” means a planting of trees propagated and maintained by the participant in accordance with the provisions of this article and registered with the Department as a source of G1a parent stock.

(m) “G1a parent block candidate trees” means trees that will be planted in the G1a parent block if all requirements specified in Section 3015.5 are met.

(n) “G1a parent stock” means propagative materials or trees propagated from registered trees in a G1a parent block.

(o) “G2 mother block” means a planting of trees propagated from G1 foundation or G1a parent stock maintained by the participant and registered with the Department as a source for G2 mother stock.

(p) “G2 mother stock” means propagative materials from registered trees in a G2 mother block.

(q) “G3 nursery increase block” means a planting of trees propagated from G1 foundation, G1a parent, or G2 mother stock maintained by the participant and registered with the Department which may be used as a source for G3 registered stock.
(r) “G3 rootstock increase block” means a planting of trees propagated from G1 foundation, G1a parent, or G2 mother stock maintained by the participant and registered with the Department that may be used as a source of vegetatively propagated G3 registered rootstock cultivars.

(s) "G3 scion block" means a registered planting of trees propagated from G1 foundation, G1a parent, or G2 mother stock maintained by the participant and registered with the Department which may be used as a source for G3 registered stock propagative materials, except seed.

(t) "G3 seed block" means a registered planting of trees propagated from G1 foundation, G1a stock, or G2 mother stock maintained by the participant and registered with the Department which may be used as a source of G3 registered stock seed.

(u) “G3 registered stock” means propagative materials from registered trees in a G3 nursery increase block, G3 rootstock increase block, G3 scion block, or G3 seed block.

(v) "G4 certified nursery block" means a planting of trees propagated from G1 foundation, G1a parent, G2 mother, or G3 registered stock maintained by the participant and registered with the Department as G4 certified nursery stock.

(w) “G4 certified nursery stock” means trees produced in a G4 certified nursery block.

(x) "Off-type" means different from the variety or selection listed on the application for registration or certification or exhibiting characteristics of a genetic or non-transmissible disorder.

(y) “Participant” means any person or legal entity who agrees to fulfill the responsibilities of the participant described in Section 3015.2, who has submitted an application to the Department, and whose application has been accepted by the Department.
(z) “Propagative materials” means dormant cuttings, green cuttings, buds, budsticks, graftsticks, or seeds taken from a tree.

(aa) “Provisional G1 foundation stock” and “provisional G1a parent stock” means propagative materials taken from trees planted in the G1 foundation block or G1a parent block that have completed all the required disease tests but have yet to have true-to-variety status verified.

(bb) “Registered” means the Department has approved a tree or propagative material that has been propagated, planted, inspected, tested, and documented in accordance with the provisions of this article to serve as a source of G1 foundation, G1a parent, G2 mother, G3 registered, or G4 certified stock.

(cc) “Suspended” means registration status is temporarily withdrawn from tree(s) or propagative materials.

(dd) “Testing” means any test procedure using plant material or its extracts to determine the presence or absence of a disease or disease agent in or on the tested plant material. For the purposes of this article, testing will be in accordance with the procedures adopted by the Department for diseases and disease agents listed in Section 3015.5.

(ee) “Tissue culture line” means in vitro material introduced into culture from nodal cuttings at a particular time and from a single tree and grown in aseptic conditions to be used as a source of propagative material.

(ff) “Topworking” means budding or grafting of another variety on top of existing stock.

(gg) “Tree” means a rooted Prunus sp. plant.
(hh) “True-to-variety” means the same as the variety listed on the application for registration or certification.

Note: Authority cited: Sections 407 and 5823, Food and Agricultural Code.
Reference: Sections 5821 and 5822, Food and Agricultural Code.


(a) “Virus-infected” means infected by a virus or having symptoms or behavior characteristic of a virus disease listed in this article.

(b) “Index” means testing a plant for specific virus infection using specific indicator plants listed in Sections 3015.3 and 3015.4.

(c) “Off-type” means different from the variety or selection listed on the application for registration or certification.

(d) “Registered” means that a registration number has been assigned by the Department to a tree that has been inspected and tested in accordance with the provisions of this article to serve as a source of propagating material for certified nursery stock.

(e) “Foundation block” means a planting of trees, maintained by the University of California, which are to serve as a primary source of propagating material.

(f) “Mother block” means a planting of trees to be registered and maintained by an applicant as a source for growing certified nursery stock.
(g) “Nursery increase block” means a planting of nursery stock which may be used as a propagating source to produce registered stock for the growing of certified nursery stock, or which may be used for growing trees which may be planted in a scion orchard.

(h) “Scion orchard” means an orchard planting of trees which may be registered to serve as a source of registered scion wood for the growing of certified nursery stock.

(i) “Certified block” means a planting of nursery stock for the production of certified nursery stock.

(j) “Foundation stock” means propagative material from the foundation block.

(k) “Registered stock” means propagating material produced in a mother block, in a nursery increase block, from registered trees in a scion orchard, and/or seed or liners grown from seed from registered seed source trees.

(l) “Certified nursery stock” means yearling or younger trees propagated from registered stock and certified in accordance with the provisions of this article.

(m) “Virus-tested” means tested for virus or other graft-transmissible disease listed in and using procedures outlined in this article.

(n) “Seed source tree” means a tree which may be tested and registered to produce registered seed.

(a) Participation in this program is voluntary and may be withdrawn at the option of the participant.

(b) The participant shall annually sign and file a California Nursery Stock Registration and/or Certification Program Agreement, provided by the Department, acknowledging
the responsibilities of participation in this program according to Title 3, Division 4, Section 3069, California Code of Regulations.

(c) Approvals, supervision, inspections, tests, determinations, registration, and certification shall be conducted by the Department or its authorized agents.

Note: Authority cited: Sections 407 and 5823, Food and Agricultural Code.
Reference: Sections 5821-5822 5821 and 5822, Food and Agricultural Code.

3015.2. Requirements for Participants' Plantings and Stock. Program Responsibilities.

(a) Generally. Participation in this program is voluntary and may be withdrawn at the option of the applicant. Registration, certification, approvals and supervision shall be conducted by the Department. Except as otherwise provided, certification is based solely on visual inspections of sample plants from each variety in a planting which are found not to exceed the percentages stated in Section 3015.3(c)(6).

(b) Responsibility of Applicant. The applicant shall be responsible for:

   (1) The selection of the location and the proper maintenance of a planting being grown under the provisions of this article.
   (2) Maintaining the identity of all plants entered in the program.
   (3) Application for registry or re-registry of plants being grown under the provisions of this article.
   (4) Selection of the trees for index-testing for the Prunes ring-spot virus and prune dwarf virus.
   (5) Farming and sanitation practices.
   (6) Notifying the Department at least one week in advance of the harvesting as to when harvesting will commence.
(7) Placing the information required on each certification tag furnished by the Department.

(c) Location of Plantings.

(1) Each planting location shall be subject to approval and shall be in an area having minimal risks for spread of infectious pests by drainage, flooding, irrigation, or by other means.

(2) A mother block shall be located not less than 300 feet from any other plant of the same genus not entered in this program and not less than 1/2 mile from any commercial planting of the same genus and the ground in such planting and a distance of 25 feet surrounding the planting shall be kept free of other vegetation. Trees in a mother block shall be planted in rows which are at least 10 feet apart, and trees in each row shall be at least five feet apart.

(3) A scion orchard, a nursery increase block or a certified block shall be a separate planting sufficiently apart from other nursery stock to maintain its identity and shall be located at least 300 feet from any commercial orchard planting of peach and nectarine.

(4) No restrictions are placed on the location for a registered seed source tree.

(d) Maintenance of Plantings.

(1) Plantings entered in this program shall be kept in a thrifty growing condition and pests shall be effectively controlled. Suitable precautions shall be taken in cultivation, irrigation, movement and use of equipment, and in other farming practices to guard against spread of soil-borne pests to plantings entered in this program.

(2) To assure that inspections may be made properly and to provide close working knowledge of field operations, the applicant shall notify the Department in advance of any planting, propagating or pruning operation or removal of nursery stock or trees in any planting entered in this program so that approval can be granted before the work is done.
Any plant found to be off-type or virus-infected may be required to be removed immediately from any planting. Approval may be given to remove off-type parts of a registered tree without revoking registration of the tree.

Identification of each registered tree and of nursery stock growing in plantings entered in the program to identify it as to rootstock and scion sources shall be done in an approved manner.

(e) Eligibility and Planting Requirements. Any variety of deciduous fruit and nut tree when approved by the Department is eligible for entry in this program as provided in this article.

(1) Eligibility of Stock. To be acceptable for registration or certification or to be eligible for any planting entered in this program, a plant shall have been inspected and tested, and not found to be virus-infected or off-type, as provided in Sections 3015.3 and 3015.4, or the plant shall have an equivalent known history which has been approved. In addition:

(A) Registered stock scion wood shall be taken from a nursery increase block within four years from the time the scions were initially placed in the nursery increase block.

(B) For planting and registration of a tree in a scion orchard, the Department shall be notified at the time of planting of the applicant's intention to seek registration and application for registration shall be filed within six years of the time of the original planting of the scion orchard. Verification of trueness of the fruit shall be the responsibility of the applicant. Prior to registration of a tree in a scion orchard it shall be tested by indexing in a Shirofugen cherry or by other methods approved by the director for the detection of Prunes ring-spot virus and prune dwarf virus and shall be given a visual inspection. Information regarding such other methods may be obtained from the Department's Pest Exclusion Unit.

(2) Plants eligible for planting shall be as follows:

(A) In a Mother Block—Foundation stock. Only mahaleb-rootstock shall be used for cherries.
(B) In a Nursery Increase Block - Foundation stock or registered stock scions directly from a registered mother block tree.
(C) In a Certified Block - Foundation stock or registered stock.
(D) In a Scion Orchard - Foundation stock produced in a nursery increase block.

(a) Responsibilities of Foundation Plant Services (FPS).

(1) Select source trees from which G1 foundation block candidate trees are propagated.
(2) Conduct tests, in accordance with Section 3015.5 of this article, to qualify candidate trees for planting in the G1 foundation block, and test established trees in the G1 foundation block in accordance with the provisions of this article.
(3) Select the planting location for G1 foundation block plantings and submit application for site approval to the Department.
(4) Identify Prunus variety experts who will inspect or test trees in the G1 foundation block for trueness-to-variety, document variety inspection results, and apply to the Department to register trees growing in the G1 foundation block after they are reported to be true-to-variety.
(5) Perform all cultural practices required to maintain health and vigor of G1 foundation block. Conduct visual disease inspections of all trees in the G1 foundation block, in accordance with the provisions of this article.
(6) Maintain an inventory of all registered trees in the G1 foundation block and provide to the Department upon request.
(7) Maintain records of all trees removed from the G1 foundation block or from registration including the specific row and tree location and reason for the removal.
(8) Maintain records for all trees planted in the G1 foundation block including records showing that tests and inspections, in accordance with the provisions of Section 3015.5 of this article, have been completed.
(9) Upon request, provide a report to the Department showing all of the G1 foundation stock that was distributed by FPS. The report shall include the names
and addresses of recipients, quantity received, date, variety, selection number, and foundation tree source.

(10) Notify the Department, and all program participants who are affected, of any trees in the G1 foundation block that are found to be diseased or off-type.

(11) At time of sale of G1 foundation stock or provisional G1 foundation stock, provide participants with documentation for all tree propagation materials and trees the participant received from FPS. The documentation shall include the variety name, FPS selection number, specific G1 foundation block source, and registration status for all propagation materials and trees distributed from FPS to the participant.

(12) Notify the Department and recipients of provisional G1 foundation stock when the trueness to variety testing has been completed and if the provisional G1 foundation stock qualifies as G1 foundation stock.

(b) Responsibilities of the participant.

(1) Pay all costs associated with fulfilling the responsibilities of the participant. Costs may be offset by assessments.

(2) Select the planting location for all blocks to be registered, submit application to the Department for site approval, and obtain written permission from the Department to plant in that site.

(3) Procure qualified propagative materials for planting in the registered block(s).

(4) Apply to the Department at the time of planting in the participant's scion block(s) of the intention to register the trees within its relative registration time frame.

(5) Maintain, and provide to the Department upon request within five business days, a record of all trees registered in the participant's block(s), which should include:

(A) Variety name and FPS selection number or source tree. G2 mother or G3 registered stock sources may be reported by designating a group of trees in a registered block of the same variety.

(B) Block, row, and tree location in field plantings or greenhouse location.
(C) Date of planting, replanting (if applicable), and topworking (if applicable).

(6) Maintain, and provide to the Department upon request within five business days, records of all trees in the participant's block(s) which have been removed from registration, reason for the removal, and location of tree before removal.

(7) Use propagation, farming, and sanitation practices as required in Section 3015.4.

(8) Verify that all registered trees are true-to-variety and remove off-type trees.

(9) Properly use certification seals, tags, and other indicia approved by the Department.

(10) Maintain records for all registered and certified stock produced, sold, and/or traded by the participant for at least five years after the date of disposition, and provide to the Department upon request within five business days. Records shall include date harvested, disposition of such stock, name and address of customer, date, number of units, plant type, variety, selection of scion, and nursery block identification.

(11) Remove trees from the participant's registered block(s), other than certified nursery blocks, which have been canceled or identified as off-type by the Department within one month of notification by the Department. Trees in certified nursery blocks that have been canceled or identified as off-type by the Department may be retained and sold as common stock.

(12) Notify the Department at least one week in advance of harvesting G4 certified nursery stock in a certified nursery block.

(13) Notify the Department at least 24 hours in advance of any pest control treatments in plantings using a pesticide that has reentry or worker safety requirements that would create a health hazard for the Department's employees, or in any manner interfere with the Department's ability to conduct scheduled inspections or other field activities. This subsection shall apply when the Department has notified the participant of the date of a planned inspection or other program-related action that would bring the Department's representative(s) into a treated area or into contact with treated plants.
(14) Within fourteen days of receiving notification from the Department, notify in writing all who have received nursery stock from suspended or canceled trees.

(c) Responsibilities of the Department.
(1) Maintain records of all current registered blocks in the State of California.
(2) Process applications from applicants and/or requests for records from applicants within 30 days of receipt.
(3) Approve planting sites for registered blocks.
(4) Inspect and test participant’s blocks in accordance with the provisions of this article and as required by the Department.
(5) Suspend registration or certification of trees suspected of being diseased, off-type, and/or not produced in compliance with the provisions of this article based on preliminary tests or visual inspections performed by the Department or its designee.
(6) Cancel registration or certification of trees that are found by the Department to be diseased, off-type, and/or not produced in compliance with the provisions of this article, as provided in Section 3015.6.
(7) Enforce suspension or cancellation of registered or certified trees and propagative materials.

Note: Authority cited: Sections 407 and 5823, Food and Agricultural Code.
Reference: Sections 5821 and 5822, Food and Agricultural Code.

3015.3. Inspection and Testing Procedures for Prunus Species. Eligibility Requirements.

(a) Generally. Inspection and testing procedures prescribed in this article for an applicant’s plantings will be made by the Department and shall be conducted at times determined as suitable by the Department. In the indexing procedures required in this section, the Department may approve the substitution of other indicator plants, if equally
suitable, or may approve other procedures for testing for virus infection if determined equally suitable. Additional inspections or tests other than provided in this section may be required by the Department if seasonal conditions or other factors tend to obscure virus symptoms or make adequate inspection impossible, or when virus infection is suspected, or when virus symptoms may be masked in a particular variety.

(1) At the Department's discretion and under its close supervision, the applicant may provide the Shiro-fugen cherry indicator trees and the labor to collect budwood from selected trees and to perform the budding and related testing tasks. However, the Department shall make all of the disease readings and determinations.

(b) Qualification of Stock.

(1) Registered Trees - Mother Block. Each registered tree in the mother block shall be tested each year by indexing in Shiro-fugen cherry or by other methods approved by the director for the detection of Prunes ring-spot virus and prune dwarf virus and shall be visually inspected prior to stock distribution.

(2) Registered Trees - Scion Orchard. Registered trees in a scion orchard shall be indexed in Shiro-fugen cherry or by other methods approved by the director for the detection of Prunes ring-spot virus and prune dwarf virus and visually inspected each year in which scion wood is harvested.

(3) Seed Source Trees. A Prunes species tree may be registered as a seed source tree after being tested by indexing in Shiro-fugen cherry or by other methods approved by the director for the detection of Prunes ring-spot virus and prune dwarf virus and at least one visual inspection.

(4) Nursery Increase Block, Certified Block. At least one visual inspection shall be made each year of plants in a nursery increase block or in a certified block.

(5) Information regarding other methods approved by the director in (1), (2) and (3) may be obtained from the Department's Pest Exclusion Unit.
Refusal, Suspension or Cancellation of Registration or Certification. Registration or certification may be refused, suspended or canceled for any plants in part or all of a planting if:

1. The requirements of this article have not been met.
2. The plant is found to be virus-infected or off-type.
3. A registered tree is found virus-infected and it is determined that plants propagated from it also are liable to be infected.
4. Yellow leaf roll virus disease of peach is found within 300 feet.
5. The pest cleanliness requirements for nursery stock in the nursery inspection regulations, Section 3060.2, have not been met.
6. An accumulated percentage of more than 1/2 percent of the trees of the same variety on the same kind of rootstock are found virus-infected in an increase block or more than 2 percent in a certified block unless all such virus-infected trees are removed under the supervision of the Department. Either visual inspections or the results of indexing or both may be used as a basis for calculating the number of trees that may be infected.
7. For any reason the identity of a plant becomes uncertain or has not been properly maintained.
8. A registration number is misused or misrepresented.
9. Registered stock is not used primarily to produce certified nursery stock.

(a) To be acceptable for approval of registration or certification or to be eligible for any planting entered in this program, a tree shall have been inspected and/or tested as provided in Section 3015.5 and meet planting and maintenance requirements as provided in Section 3015.4.

(b) The Department may approve registration or certification of trees propagated from source trees not maintained in the State of California which have been certified by the origin department of agriculture to meet all other requirements of this article. Approval of eligibility shall be received in writing from the Department prior to shipment of
propagative materials or trees to the participant. In addition, it is the responsibility of the participant to ensure that any state or federal requirements for movement are met.

(c) G1 foundation block.
   (1) To be eligible for planting into the G1 foundation block, a candidate selection shall pass all required disease tests specified in Section 3015.5. Trees propagated from existing G1 foundation block trees will also be eligible for planting in a G1 foundation block.
   (2) Trees shall be verified true-to-variety before they are registered in the G1 foundation block. Trees that have not yet been verified true-to-variety may be planted in the G1 foundation block and may be used as a source of provisional G1 foundation stock.
   (3) No topworking shall be allowed in the G1 foundation block.

(d) G1a parent block.
   (1) To be eligible for planting in a G1a parent block, a candidate selection shall pass all required disease tests specified in Section 3015.5. Trees propagated from existing G1a parent block trees will also be eligible for planting in a G1a parent block.
   (2) Trees shall be verified true-to-variety before they are registered in a G1a parent block. Trees that have not yet been verified true-to-variety may be planted in the G1a parent block and may be used as a source of provisional G1a parent stock.
   (3) No topworking shall be allowed in the G1a parent block.

(e) G2 mother block.
   (1) To be eligible for planting in a G2 mother block, propagative materials and/or trees shall be G1 foundation or G1a parent stock.
   (2) Trees in a G2 mother block may be topworked once. Topworking requires prior approval by the Department.
(f) **G3 nursery increase block.**
   1. To be eligible for planting in a G3 nursery increase block, propagative materials and/or trees shall be G1 foundation, G1a parent, or G2 mother stock.
   2. Registered trees in a G3 nursery increase block may be used as a source of G3 registered stock propagative materials for a period of up to 48 months from date of propagation with no additional testing.
   3. Trees shall be prevented from flowering.

(g) **G3 rootstock increase block.**
   1. To be eligible for planting in a G3 rootstock increase block, propagative materials and/or trees shall be G1 foundation, G1a parent, or G2 mother stock.
   2. Registered trees in a G3 rootstock increase block may be used as a source of G3 registered stock propagative materials for a period of up to 10 years from date of propagation with no additional testing.
   3. Trees shall be prevented from flowering.

(h) **G3 scion block or G3 seed block.**
   1. To be eligible for planting in a G3 scion block or G3 seed block, propagative materials and/or trees shall be G1 foundation, G1a parent, or G2 mother stock.
   2. Trees shall be verified true-to-variety before they are registered in a G3 scion block or G3 seed block.

(i) **G4 certified nursery block.**
   1. To be eligible for planting in a G4 certified nursery block, propagative materials and/or trees shall be G1 foundation, G1a parent, G2 mother, or G3 registered stock.
   2. Propagative materials from a G4 certified nursery block which is less than 12 months old and where no flowering has occurred may be used as a supplemental source of propagative materials for production of additional G4 certified nursery stock, after inspection and approval by the Department.
(j) Tissue culture lines.

(1) G2 tissue culture line.
(A) To be eligible for use in a G2 tissue culture line, propagative materials shall be G1 foundation or G1a parent stock.
(B) A G2 tissue culture line produced may be used as a source of G2 mother stock propagative materials for a period of up to 48 months from date of propagation with no additional testing. The eligibility period may be extended to up to ten years through annual testing for Prunus necrotic ringspot virus and Prune dwarf virus.

(2) G3 tissue culture line.
(A) To be eligible for use in a G3 tissue culture line, propagative materials shall be G2 mother stock.
(B) A G3 tissue culture line may be used as a source of G3 registered stock propagative materials for a period of up to 48 months from the date of propagation with no additional testing.

(3) The source tree from which the tissue culture line is derived must maintain its registration status for as long as the tissue culture line is used to produce propagative materials.

(4) If a source tree is determined to be no longer eligible for registration, any tissue culture line derived from this source tree that was established during the previous 24 months will no longer be eligible for registration. Any such tissue culture line established greater than 24 months prior may continue to be used to produce propagative materials for the remainder of its registration period. The eligibility period may be extended for any such G2 tissue culture line up to ten years from the date of propagation through annual testing for Prunus necrotic ringspot virus and Prune dwarf virus.

(5) If a source tree dies or is otherwise disposed of while still eligible for registration, any tissue culture line derived from this source tree may continue to be used to produce propagative materials for a period of up to 24 months, or for the remainder of its registration period, whichever is less. The eligibility period for any such G2 tissue culture line may be extended to up to ten years from the
date of propagation through annual testing for *Prunus necrotic ringspot virus* and *Prune dwarf virus*.

(6) Upon removal from aseptic conditions, the propagative materials produced from a tissue culture line may be sold or used for a period of up to 48 months.

Note: Authority cited: Sections 407 and 5823, Food and Agricultural Code.
Reference: Sections 5821 and 5822, Food and Agricultural Code.

### 3015.4. Foundation Stock Requirements. Planting Location and Maintenance Requirements.

The University of California is responsible for the selection, propagation, trueness to variety, identification, index-testing and pest cleanliness of all plants in the foundation block.

An inventory of eligible trees in the foundation block shall be provided to the Department annually. A record of foundation stock distributed shall be provided to the Department within 60 days following distribution and shall include the names and addresses of the program participants to whom the stock was distributed.

To be eligible for foundation stock, the plant, including the rootstock if used, shall have been index-tested and found free of specific virus diseases by using the specific indicator plants listed in the following table:

<table>
<thead>
<tr>
<th>Indicator Plant</th>
<th>Disease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elberta Peach</td>
<td>Peach yellows, little peach, peach rosette, rosette mosaic, phony peach mosaic, x-disease complex, yellow bud mosaic, wart, peach-mottle, prunes stem pitting and astroid-spot.</td>
</tr>
<tr>
<td>Bing-Cherry</td>
<td>Western-x, rusty mottle, mottle leaf, rasp leaf, twisted leaf, tatter leaf, small-bitter-cherry, and peach mottle.</td>
</tr>
<tr>
<td>Variety</td>
<td>Disease/Complex</td>
</tr>
<tr>
<td>------------------</td>
<td>------------------------------------------------------</td>
</tr>
<tr>
<td>Kwanzan Cherry</td>
<td>Green ring-mottle</td>
</tr>
<tr>
<td>Shiro-fugen Cherry</td>
<td>Prunes ring-spot complex and prune dwarf virus.</td>
</tr>
<tr>
<td>Tilton Apricot</td>
<td>Ring pox.</td>
</tr>
<tr>
<td>Shiro Plum</td>
<td>Line Pattern.</td>
</tr>
</tbody>
</table>

The indicator plants shall be observed for two successive growing seasons, except Shiro-fugen cherry which shall be observed for a minimum of 30 days.

Each tree in a foundation block shall be tested for the Prunes ring-spot virus complex and prune dwarf virus by approved detection methods each year.

Other procedures for virus detection approved by the Department may be used if determined to be equally suitable.

The foundation block shall be located at least 300 feet from any other plant of the same genus not entered in the program and at least one-half mile from any commercial planting of the same genus.

Trees in a foundation block shall not be registered until variety identification is confirmed.

(a) Each registered block shall be located and maintained so that:

1. All planting sites shall be in the State of California.
2. All planting sites shall be approved in advance of planting by the Department.
3. Each planting shall be located in an area where contamination by infectious pests and pathogens from drainage, flooding, irrigation or other means is not likely to occur.
(b) G1 foundation block, G1a parent block, or G2 mother block:

(1) Trees shall be located at least 300 feet from non-registered trees, unless trees within the 300-foot buffer zone are G1 foundation, G1a parent, G2 mother, G3 registered, or G4 certified stock and are tested annually for *Prunus necrotic ringspot virus* and *Prune dwarf virus*. Any trees planted within the 300-foot buffer zone cannot meet the requirements of this article.

(2) Trees shall be located at least 300 feet from any *Pyrus sp.* plant not registered in the Pome Fruit Tree Registration and Certification Program.

(3) Trees shall be located at least 0.5 miles from any commercial orchard planting of *Prunus sp.* or *Pyrus sp.* plants.

(4) Trees shall be planted in rows which are at least 10 feet apart; trees within each row shall be at least five feet apart. If the block is maintained in a greenhouse or screenhouse, trees shall be planted in rows which are at least 36 inches apart, and trees within each row shall be at least 30 inches apart.

(5) All vegetation within 25 feet around each tree shall be kept under sufficient control to allow passage for inspection.

(c) G3 nursery or rootstock increase block:

(1) Trees shall be located in a separate planting sufficiently apart from other nursery stock to maintain its identity.

(2) Trees shall be located at least 300 feet from any commercial orchard planting of *Prunus sp.* or *Pyrus sp.* plants.

(d) G3 scion block:

(1) Trees shall be located at least 100 feet from non-registered trees, unless trees within the 100-foot buffer zone are tested annually for *Prunus necrotic ringspot virus* and *Prune dwarf virus*. Any trees planted within the 100-foot buffer zone cannot meet the requirements of this article.

(2) Trees shall be located at least 100 feet from any *Pyrus sp.* plant not registered in the Pome Fruit Tree Registration and Certification Program.
(e) G3 seed block:
   (1) Trees shall be located at least 100 feet from non-registered trees, unless
trees within the 100-foot buffer zone are tested annually for Prunus necrotic
ringspot virus and Prune dwarf virus. Any trees planted within the 100-foot buffer
zone cannot meet the requirements of this article.

(f) G4 certified nursery block:
   (1) Trees shall be located in a separate planting sufficiently apart from other
nursery stock to maintain its identity.
   (2) Trees shall be located at least 300 feet from any commercial orchard planting
of Prunus sp. or Pyrus sp. plants, unless trees are prevented from flowering.

(g) Any tree to be found off-type or diseased shall be removed. The Department may
approve removal of off-type parts of a tree if the remaining parts of the tree are
determined to be true-to-variety.

(h) All plantings entered in this program shall be kept in good growing condition and
pests shall be kept under effective control.

Note: Authority cited: Sections 407 and 5823, Food and Agricultural Code.
Reference: Sections 5821 and 5822, Food and Agricultural Code.

3015.5. Application and Fees. Inspection and Testing Procedures.

(a) Application. The applicant shall furnish any information requested and shall give
consent to the Department to take plants from any planting for inspection or testing
purposes. An application shall be submitted for the acceptance of any planting and for
subsequent inspections, approvals, registration or certification therein and it may be
refused unless made sufficiently in advance of time of planting to permit the department
to establish the origin of the stock, to determine the suitability of the location and to supervise any treatment that may be required.

(b) Fees. The Department shall establish a schedule of fees for services provided in this article. Fees are payable in advance of the work to be done and are for the sole purpose of defraying expenses incurred in the inspection, approval, registration and certification procedures herein provided and are not to obtain any right or privilege.

(c) Exemption from Fees. No fees shall be charged the University of California or the United States Department of Agriculture for registration or for the inspection and testing of trees provided there is no additional expense to the Department other than for observation of the inspection and testing required in this article and for the keeping of records. When the procedures are conducted by the University of California or by the United States Department of Agriculture, they shall not be less than are provided in this article and the Department shall be notified each year of the trees to be entered or continued in the program.

(d) Refund. Fees paid for services that are not rendered shall be refunded to the applicant.

(a) Except as otherwise provided, inspection and testing procedures described in this section shall be made by the Department or its authorized agents which, for the purposes of testing, include Foundation Plant Services and the Clean Plant Center of the Northwest. All inspection and testing procedures shall be conducted at times determined suitable by the Department.

(b) The diseases and associated disease agents of concern to this program and approved test methods are listed below in Table I.
<table>
<thead>
<tr>
<th>Diseases of Concern</th>
<th>Disease Agent(s)</th>
<th>Test and/or Indicator Plant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apple chlorotic leaf spot</td>
<td><em>Apple chlorotic leafspot virus</em> <em>(ACLSV)</em></td>
<td>High throughput sequencing</td>
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<td></td>
<td></td>
<td>PCR</td>
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<td></td>
<td></td>
<td>ELISA</td>
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<td></td>
<td></td>
<td>Peach seedling GF 305 <em>(Prunus persica ‘GF 305’ seedling)</em></td>
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<td></td>
<td></td>
<td><em>Prunus tomentosa</em> (selection 473/1 or 474/1)</td>
</tr>
<tr>
<td>Arabis mosaic</td>
<td><em>Arabis mosaic virus</em> <em>(ArMV)</em></td>
<td>High throughput sequencing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PCR</td>
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<td></td>
<td></td>
<td>ELISA</td>
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<td></td>
<td></td>
<td>Peach seedling GF 305 <em>(Prunus persica ‘GF 305’ seedling)</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bing cherry <em>(Prunus avium ‘Bing’)</em></td>
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<tr>
<td>Cherry green ring mottle</td>
<td><em>Cherry green ring mottle virus</em> <em>(CGRMV)</em></td>
<td>High throughput sequencing</td>
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<td></td>
<td></td>
<td>PCR</td>
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<td></td>
<td></td>
<td>Kwanzan cherry <em>(Prunus serrulata ‘Kwanzan’)</em></td>
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<tr>
<td>Cherry leafroll</td>
<td><em>Cherry leafroll virus</em> <em>(CLRV)</em></td>
<td>High throughput sequencing</td>
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<td></td>
<td>PCR</td>
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<td></td>
<td></td>
<td>ELISA</td>
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<tr>
<td></td>
<td></td>
<td>Bing cherry <em>(Prunus avium ‘Bing’)</em></td>
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<tr>
<td>Little cherry</td>
<td><em>Little cherry virus 1</em> <em>(LChV-1); Little cherry virus 2</em> <em>(LChV-2)</em></td>
<td>High throughput sequencing</td>
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<td></td>
<td></td>
<td>PCR</td>
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<tr>
<td></td>
<td></td>
<td>Sam cherry <em>(Prunus avium ‘Sam’)</em></td>
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<tr>
<td></td>
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<td>Canindex I cherry <em>(Prunus avium ‘Canindex I’)</em></td>
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<tr>
<td>Plum pox</td>
<td><em>Plum pox virus</em> <em>(PPV)</em></td>
<td>High throughput sequencing</td>
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<td></td>
<td></td>
<td>PCR</td>
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<tr>
<td>Plant Disease</td>
<td>Diagnostic Methods</td>
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<tr>
<td>Prune dwarf</td>
<td>High throughput sequencing</td>
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<tr>
<td>Prune dwarf virus (PDV)</td>
<td>PCR</td>
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<tr>
<td>Peach seedling GF 305 <em>Prunus persica</em> 'GF 305’ seedling)</td>
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<tr>
<td>Shirofugen cherry <em>Prunus serrulata ‘Shirofugen’)</em></td>
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<tr>
<td>Prunus necrotic ringspot</td>
<td>High throughput sequencing</td>
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<tr>
<td>Prunus necrotic ringspot virus (PNRSV)</td>
<td>PCR</td>
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<tr>
<td>Peach seedling GF 305 <em>Prunus persica</em> 'GF 305’ seedling)</td>
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<td></td>
</tr>
<tr>
<td>Shirofugen cherry <em>Prunus serrulata ‘Shirofugen’)</em></td>
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<td></td>
</tr>
<tr>
<td>Tomato ringspot; Yellow bud mosaic; Prunus stem pitting</td>
<td>High throughput sequencing</td>
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</tr>
<tr>
<td>Tomato ringspot virus (ToRSV)</td>
<td>PCR</td>
<td></td>
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<tr>
<td>Peach seedling GF 305 <em>Prunus persica</em> 'GF 305’ seedling)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Prunus tomentosa</em> (selection 473/1 or 474/1)</td>
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</tbody>
</table>

(c) Testing. Tests shall be conducted as described in Table I unless the Department approves or requires changes.
(1) G1 foundation block or G1a parent block candidate trees:
   (A) Propagative materials collected from a single source tree shall be used to propagate new G1 foundation block or G1a parent block candidate trees and to conduct tests for the diseases of concern listed in Table I.
   (B) G1 foundation block and G1a parent block candidate trees shall meet the planting location requirements for G1 foundation block and G1a parent block trees while qualifying tests are in progress. Candidate trees for which tests for all diseases of concern listed in Table I are negative are eligible to be planted in a G1 foundation block or G1a parent block.

(2) Each tree in a G1 foundation block, G1a parent block, or G2 mother block shall be tested annually for *Prunus necrotic ringspot virus* and *Prune dwarf virus*.

(3) Each tree in a G3 scion block shall be tested for *Prunus necrotic ringspot virus* and *Prune dwarf virus* each year scion wood is to be harvested, and no more than 2 years after planting in the block. Regardless of harvest, trees shall be tested annually thereafter.

(4) Each tree in a G3 seed block shall be tested for *Prunus necrotic ringspot virus* and *Prune dwarf virus* within five years of propagation for planting in the block, and thereafter shall be tested each year seed is to be harvested. Regardless of harvest, trees shall be tested at least every fifth year.

(5) At the Department's discretion and under its supervision, the participant may provide the indicator trees and the labor to collect budwood from selected trees and to perform the budding and related testing tasks. However, the Department or its authorized agents shall make all of the disease readings and determinations.
(d) The Department may approve or require the substitution or addition of other tests, under generally accepted standards of scientific analysis, which are of equal or better reliability in detecting the diseases and disease agents of concern in this section.

(e) The Department shall publish a notice of approval of any test method which is substituted for or in addition to those listed in this section to program participants and on the Department’s web site.

(f) Inspection. Additional inspections to those listed below may be required if seasonal conditions or other factors tend to obscure disease symptoms, make adequate inspection impossible, if diseases/disease agents are suspected, or if disease symptoms may be masked in a particular variety.

1. In a G1 foundation block, G1a parent block, or G2 mother block, at least two visual disease inspections of each tree shall be made each growing season.
2. In a G3 scion block or G3 seed block, at least one visual inspection of each tree shall be made each growing season.
3. In a G3 nursery increase block or G4 certified nursery block, at least one visual inspection shall be made each growing season. In addition, nursery stock shall be inspected at the time of digging.


3015.6. Refusal, Suspension, or Cancellation of Registration or Certification.

(a) Registration may be suspended for any tree(s) or plantings if any of the conditions listed below apply.

1. Preliminary tests or visual inspections indicate that the tree(s) may be infected with an applicable disease or disease agent of concern listed in Section 3015.5; or
(2) The requirements of this article have not been met; or
(3) The tree(s) are off-type; or
(4) The pest cleanliness requirements for nursery stock in Title 3, Division 4, Section 3060.2 of the California Code of Regulations have not been met; or
(5) The source that the tree(s) were propagated from is diseased and the tree(s) and their progeny are also suspected of being diseased; or
(6) For any reason the identity of a plant or propagative material becomes uncertain or has not been properly maintained; or
(7) Misuse or misrepresentation of seals, tags, registration numbers or stock; or
(8) Any condition exists that would hinder or prevent the accurate determination of disease and pest status, trueness to variety, or other requirements of this article.

(b) Registration or certification may be canceled or refused approval for any tree(s) or planting if any of the conditions below apply.

(1) The tree(s) are infected with an applicable disease or disease agent of concern listed in Section 3015.5 and detected using a test listed in that section; or
(2) The requirements of this article have not been met; or
(3) The tree(s) are off-type; or
(4) The pest cleanliness requirements for nursery stock in Title 3, Division 4, Section 3060.2 of the California Code of Regulations have not been met; or
(5) The source that the tree(s) were propagated from is diseased and the tree(s) and their progeny are also determined to be diseased; or
(6) For any reason the identity of a plant or propagative material becomes uncertain or has not been properly maintained; or
(7) Misuse or misrepresentation of seals, tags, registration numbers or stock; or
(8) Any condition exists which that hinder or prevent the accurate determination of disease and pest status, trueness to variety, or other requirements of this article.
(c) Registration or certification may be canceled or refused approval for any block, or portion thereof, if trees planted within the block are infected with an applicable disease or disease agent of concern listed in Section 3015.5 and detected using a test listed in that section at a rate of:

(1) 5 percent or more of the total number of trees in a G3 seed block;
(2) 5 percent or more of the total number of trees in a G4 certified nursery block;
(3) 1 percent or more of seedling rootstocks of the same variety in a seed bed; or
(4) 1 percent or more of trees of the same variety on the same kind of rootstock in a G3 nursery increase block.

(d) Disposition of suspended and canceled trees.

(1) Suspended trees may be retained in the planting.
(2) Suspended trees shall be clearly identified and written records maintained.
(3) Propagative materials from suspended trees may, at the discretion of the Department, retain their registered status while testing to determine their disease status is in progress.
(4) Propagative materials from canceled trees are considered common stock.
(5) Canceled trees in a G1 foundation, G1a parent, G2 mother, G3 nursery increase, G3 rootstock increase, G3 scion, or G3 seed block shall be removed by the participant within a time period prescribed by the Department.

(e) Reinstatement of suspended trees and/or blocks.

(1) Registration or certification of suspended trees and/or propagative materials may be reinstated if the Department determines that the suspension is no longer necessary. The Department may use testing and/or inspections to make this determination.
(2) Trees may be reinstated if they test negative for the disease(s) shown to be infecting the source(s) from which they were propagated.
3015.7. Application and Fees.

(a) Application. An application shall be submitted for the initial acceptance of any planting, and each year thereafter to request continued registration. Application to register trees in any planting or to certify trees in a nursery row may be made after the trees have been planted. Upon submitting an application, the applicant shall consent to the taking of samples or plants from any planting by the Department for inspection or testing purposes. The applicant shall:

(1) Submit a separate application for each planting site and receive written approval for the site(s) before planting.
(2) Submit a new application every time trees are added in a new or existing block within six months after planting new trees.
(3) Submit a new application every time trees are added in a new or existing G4 certified nursery block within two months after planting new trees.
(4) Submit an application on a form provided by the Department and provide the following information:

(A) Applicant's name and mailing address;
(B) Applicant's telephone and fax numbers, email address;
(C) Applicant's California Nursery Stock License Number;
(D) County where applicant is located;
(E) Type of block;
(F) Type of planting:
   1. Field, including acreage or
   2. Greenhouse or screenhouse, including square footage;
(G) Location of planting, including county and a GPS coordinate for one corner of the field;
(H) Planting date(s);
(I) Names of the varieties in block and number of trees of each variety;
(J) Source of propagative stock;
(K) Signature and title of applicant; and
(L) Date application signed.

(b) Fees. Fees are payable for the work done and are for the sole purpose of defraying expenses incurred in the approval, inspection, testing, registration, and certification procedures herein provided and are not to obtain any right or privilege. Fees, in whole or in part, may be waived if the cost of the services rendered is covered by assessment.

   (1) Application fees shall be paid by the participant in advance of any work conducted.

   (2) A late fee for registration may be charged to the applicant if an application is submitted more than six months after new plantings are made in a block or two months after new plantings are made in a G4 certified nursery block.

   (3) The Department may charge additional fees because of conditions or total acreage entered or number of tests performed when established minimum fees will not cover the cost of services.

   (4) Fees paid for services that are not rendered shall be refunded to the participant. The amounts refunded may be prorated based on the direct costs incurred by the Department in the administration of the requirements of this article.

   (5) The Department's established schedule of fees for services provided in this article are found in Title 3, Division 4, Section 4603, Schedule of Charges, subsection (h), Deciduous Fruit and Nut Tree Registration and Certification Fees, of the California Code of Regulations.

(c) No fees will be charged to the University of California for the inspection, testing, or registration of trees in the G1 foundation block provided that there is no expense to the Department other than for observation of the inspection and testing required in this article and for keeping records.
Note: Authority cited: Sections 407 and 5823, Food and Agricultural Code.

Reference: Sections 5821 and 5822, Food and Agricultural Code.