

ATTACHMENT 1

California Fruit Tree, Nut Tree, and Grapevine Improvement Program 2023 Sales – Assessment Exemption List

In Title 3, California Code of Regulations, Division 4, Chapter 3, Subchapter 2, adopt:

Article 16. Nursery Stock Assessment

§ 3070. Fruit Tree, Nut Tree, and Grapevine Assessment

If you produce almond, apple, apricot, cherry, chestnut, nectarine, olive, peach, pear, plum, prune, quince, walnut, or grapevine nursery stock, including seeds, seedlings, rootstocks, budwood, graftwood, topstock, and cuttings, whether standard, dwarf, or semi-dwarf, fruit bearing or ornamental, you must pay an annual assessment of one percent (1%) of gross sales of such stock for your previous fiscal year.

Sales of the Following Nursery Stock are Exempt from the Assessment

(a) The Secretary exempts from assessment sales of the following species of pome and stone fruit trees, nut trees, and grapevines, varieties of olive trees, and ornamental varieties of apple, apricot, crabapple, cherry, nectarine, olive, peach, pear, and plum:

- (1) Amur chokecherry (*Prunus maackii*)
- (2) Butternut (*Juglans cinerea*)
- (3) Canada red chokecherry (*Prunus virginiana* ‘Shubert’)
- (4) Carolina laurel cherry (*Prunus caroliniana*)
- (5) Catalina cherry (*Prunus lyonii*)
- (6) Crabapple (*Malus* spp.)
- (7) English laurel (*Prunus laurocerasus*)
- (8) Evergreen pear (*Pyrus kawakamii*)
- (9) Flowering almond (*Prunus glandulosa* and *Prunus triloba*)
- (10) Flowering plum (*Prunus americana* and *Prunus cistena*)
- (11) Hazelnut/filbert (*Corylus* spp.)
- (12) Hickory (*Carya* spp.)
- (13) Hollyleaf cherry (*Prunus ilicifolia*)
- (14) Macadamia (*Macadamia* spp.)
- (15) Olive varieties Manzanillo and Gordal Sevillano
- (16) Otto Luyken laurel (*Prunus laurocerasus*)
- (17) Pecan (*Carya illinoensis*)
- (18) Pistachio (*Pistacia* spp.)
- (19) Portugal laurel (*Prunus lusitanica*)
- (20) Zabel laurel (*Prunus laurocerasus* ‘Zabeliana’)

Note: Authority cited: Sections 407 and 6981, Food and Agricultural Code.

Reference: Sections 6981, 6982, 6983 and 6986, Food and Agricultural Code.