

## Certification of Avocado Nursery Stock

The following sections are extracts from the California Code of Regulations. They have been prepared by the Nursery, Seed, and Cotton Program, Pest Exclusion Branch, California Department of Food and Agriculture. These extracts are provided for information purposes only. For the official text, the user should consult the California Code of Regulations published by Barclays Law Publishers.

### California Code of Regulations

#### Title 3. Food and Agriculture

#### Division 4. Plant Industry

#### Chapter 3. Entomology and Plant Quarantine

#### Subchapter 2. Nursery Stock

#### Article 6. Certification of Avocado Nursery Stock

### 3030. Disclaimer of Warranties and Financial Responsibility.

The provisions of Section 3069 shall apply to this article.

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

### 3031. Definitions.

(a) "Certified block" means a planting of nursery stock for the production of certified nursery stock.

(b) "Certified nursery stock" means trees propagated and certified in accordance with the provisions of this article.

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

### 3032. Requirements for Plantings and Stock.

(a) Generally. Participation in this program is voluntary and may be withdrawn at the option of the applicant. Certification, approvals and supervision shall be conducted by the Department.

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

- (1) The selection of the location of the planting.
- (2) The proper maintenance of all planting and storage areas.
- (3) Maintaining the identity of all plants entered in the program.
- (4) Farming and sanitation practices.
- (5) Submitting the application for certification or approvals.
- (6) Placing the information required on each certification tag furnished by the Department.
- (7) Maintaining records of the certification tags used.

(c) Location of Plantings.



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

(2) A certified block shall be a separate planting at least 12 feet apart from other nursery stock to maintain its identity.

(d) Treatment and Handling.

(1) Avocado nursery stock for certification shall be grown in soil or other planting media treated by the following approved methods and materials.

(A) Two pounds of actual methyl bromide per 100 cubic feet of soil with the soil depth not exceeding 12 inches with the soil temperature, in accordance with the product label, between 40 degrees F. and 80 degrees F. (4.4 degrees C. and 26.7 degrees C.) and enclosed by a gas proof tarp of not less than 1.5 mil. thickness. Soil in containers shall be enclosed by a gas proof tarp of not less than 6 mil. thickness and soil in containers shall not be more than 15 inches in depth. When treated with methyl bromide, the soil shall be prepared to a fine seed bed condition and there shall be no excessive moisture in the soil at time of treatment.

(B) Aerated steam in a closed chamber may be used provided all soil reaches a temperature of not less than 140 degrees F. (60 degrees C.) and is maintained for a period of not less than 30 minutes.

(C) Live steam in a closed chamber may be used provided all soil reaches a temperature of not less than 180 degrees F. (82 degrees C.) and is maintained for a period of not less than 30 minutes.

(2) Vegetation shall not be permitted within 25 feet of a certified block except other nursery stock meeting similar sanitary conditions subject to approval of the Department. When a certified block is grown in an approved enclosure, the 25 foot isolation barrier may be waived.

(3) A certified block shall be enclosed by an approved fence. At the discretion of the Department, the 25 foot isolation barrier may also be required to be enclosed by the approved fence.

(4) Avocado seed for growing certified avocado nursery stock shall be immersed in hot water at a temperature of 120 degrees F. to 122 degrees F. for 30 minutes in a suitable dipping vat with adequate agitation to maintain even temperature. The treatment shall be conducted in an approved manner and in an approved vat.

(5) Containers shall be treated in an approved manner except no treatment shall be required of new clean containers.

(6) Certified nursery stock and treated seed shall be stored in an approved area to protect against infection by *Phytophthora cinnamomi*

(7) Storage areas shall be treated in an approved manner.

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

**3032.2. Inspection and Testing Procedures and Requirements; Refusal, Suspension or Cancellation of Certification.**

(a) Inspection and Testing.

(1) Avocado nursery stock for certification may be required to be inspected and tested for *Phytophthora cinnamomi* by using approved laboratory methods.

(b) Refusal, Suspension or Cancellation of Certification. Certification may be refused, suspended or cancelled for any plants in part or all of a planting if:

(1) The requirements of this article have not been met,

(2) A planting for certification is found infected with *Phytophthora cinnamomi*

(3) The pest cleanliness requirements for nursery stock in the Nursery Inspection Regulations, Section 3060.2, have not been met.

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

Reference: Section 5822, Food and Agricultural Code.

**3033. Application and Fees.**

(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 or registration 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 procedures that may be required.

(b) Fees. The Department shall establish a schedule of fees for service provided in this Article. The fee shall be based upon the approximate cost of the services rendered.

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

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

Reference: Section 5822, Food and Agricultural Code.