

CALIFORNIA QUARANTINE POLICY - WEEDS

1. Noxious Weed Defined

[Food and Agricultural Code 5004](#) (Division 4) defines a "noxious weed" as any species of plant that is, or is liable to be, troublesome, aggressive, intrusive, detrimental, or destructive to agriculture, silviculture, or important native species, and difficult to control or eradicate, which the director, by regulation, designates to be a noxious weed. In determining whether or not a species shall be designated a noxious weed for the purposes of protecting silviculture or important native plant species, the director shall not make that designation if the designation will be detrimental to agriculture.

2. List of California Noxious Weeds

[California Code of Regulations 4500](#) Title 3, Division 4, Chapter 6, Subchapter 6) lists noxious weeds as defined by [Food and Agricultural Code 5004](#) (Division 4). Species included in [CCR 4500](#) have been designated by the Department as noxious weeds.

3. Noxious Weeds in California Nursery Stock

Noxious weeds are prohibited from being produced, held or offered for sale as nursery stock in California as outlined in [CCR 3060.3](#).

Noxious weeds listed in [CCR 4500](#) that are being produced, held or offered for sale as nursery stock should be rejected and destroyed under the authority of [CCR 3060.4](#).

4. Plant Species Not Listed in CCR 4500 in Nurseries

Plant pests infesting nursery stock are a violation of the Nursery Stock Standards of Cleanliness ([CCR 3060.2](#)) as follows:

- Nursery stock must be free from pests of limited distribution and pests not known to be established in the state.
- Nursery stock must be "Commercially clean" with respect to pests of general distribution, including common weeds.

If plant pests not listed in CCR 4500 are infesting nursery stock, enforcement action may be taken under the authority of [CCR 3060.4](#).

For plant pests being sold as nursery stock:

- Pests of limited distribution and pests not known to be established in the state that are not listed in [CCR 4500](#), counties may take abatement action under the authority of [FAC 5401-5405](#).
- Pests that are of general distribution and are not listed in [CCR 4500](#) may be sold as nursery stock in California.

5. Noxious Weeds in Shipments

The Plant Quarantine and Pest Control section of the FAC (Division 4) provides quarantine authority against weed pests listed in [CCR 4500](#) entering California under Sections:

- [FAC 6305](#) (weed pests in shipments)
- [FAC 6341-6344](#) (unlawful to transport seed pests)
- [FAC 6461-6465](#) (abatement, reshipment, or treatment)

Shipments found infested with noxious weeds listed in [CCR 4500](#) should be rejected under [FAC 6305](#).

[FAC 6461.5](#) is only applicable to weeds when a specimen has been collected from a shipment; "reasonable cause" cannot be used to reject without a sample of the weeds or weed seeds.

6. Plant Species Not Listed in CCR 4500 in Shipments

The Plant Quarantine and Pest Control section of the FAC (Division 4) provides quarantine authority against weed pests entering California under Sections:

- [FAC 6305](#) (weed pests in shipments)
- [FAC 6341-6344](#) (unlawful to transport seed pests)
- [FAC 6461-6465](#) (abatement, reshipment, or treatment)

Shipments found infested with pests of known economic or environmental detriment and either not known to be established in California or of limited distribution that allows for the possibility of eradication or successful containment and not listed in [CCR 4500](#) should be rejected under [FAC 6305](#).

[FAC 6461.5](#) is only applicable to weeds when a viable specimen has been collected from a shipment. "Reasonable cause" cannot be used to reject without a viable sample of the weeds or weed seeds.

7. Federal Noxious Weed Regulations

7 Code of Federal Regulations (CFR) 360

Mature plants, seeds, or other parts capable of propagation of species listed under [7 CFR 360](#) are within the federal definition of a "noxious weed" and shall not be moved interstate unless under permit from the USDA, Plant Protection and Quarantine Programs. For species listed in [7 CFR 360](#) moving within the State, a State permit is sufficient.

Noxious weeds listed in [7 CFR 360](#) found entering the state should be rejected under the authority of [7 CFR 360](#).

Note: [CCR 3161](#) adopts through reference all Federal Quarantine Regulations (Title 7, Parts 301-369).

8. Noxious Weeds in Commercial Seed

Food and Agriculture Code Division 18, Chapter 2, California Seed Law [Sections 52251 through 52515](#) regulates "noxious weed" ([FAC 5004](#)) seed found in commercial agricultural or vegetable seed. The law allows for the designation of seeds from species of noxious weeds into two categories when present in planting seed; "prohibited noxious weed seed" ([CCR 3854](#)) and "restricted noxious weed seed" ([CCR 3855](#)). There are no tolerance levels for prohibited noxious seeds found in planting seed; however restricted noxious weed seeds are subject to tolerance standards when properly noted on the label of the planting seed container. Rejection and disposition of planting seed shipments, if not based on quarantine action, are based on label requirements for planting seeds.