

### 3263. EUROPEAN CORN BORER

#### State Exterior Quarantine

A quarantine is established against the following pest, its hosts and possible carriers.

**A. Pest.** European Corn borer (*Ostrinia nubilalis*). A moth, family Pyralidae, which is damaging to a wide variety of important food and floral crops.

**B. Area Under Quarantine.** All states, districts, and territories of the United States.

##### 1. Infested Area.

a. Alabama, Arkansas, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, Wyoming, and the District of Columbia.

b. In Florida, the counties of Calhoun, Escambia, Gadsden, Hamilton, Holmes, Jackson, Jefferson, Madison, Okaloosa, and Santa Rosa.

c. In Louisiana, the parishes of Bossier, Caddo, Concordia, East Carroll, Franklin, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Tensas, and West Carroll.

d. In Texas, the counties of Carson, Dallam, Deaf Smith, Gray, Hansford, Hartley, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, and Sherman.

##### 2. Noninfested Area.

All parishes, counties, states, districts, and territories of the United States not named in the infested area shall be known as the non-infested area.

#### C. Articles and Commodities Covered.

**1. Corn, broomcorn, sorghum, and sudangrass plants** and all parts thereof (including shelled grain and stalks, ears, cobs, and all other parts, fragments, or debris of said plants);

**2. Beans in the pod and pepper fruits;**

**3. Plants of aster, chrysanthemum, geranium, hollyhock, dahlia and gladiolus.**

#### D. Restrictions.

**1. Articles and commodities covered** are prohibited entry into California from the infested area unless accompanied by a certificate, issued by an authorized representative of the origin state Department of Agriculture, as provided in (a) or (b) below:

a. Certificate of Treatment specifying that all of the commodities and articles in the lot or shipment were treated by a method and in a manner prescribed by the Secretary; or

b. \*Certificate of Processing and Inspection specifying that all of the commodities and articles in the lot or shipment were processed and inspected in conformity with a method and in a manner prescribed by the director.

c. Articles and commodities covered originating in the parishes of Louisiana and the counties of Florida and Texas which are not infested with European corn borer may enter California if accompanied by a certificate of origin issued by an authorized representative of the origin state Department of Agriculture specifying that no portion of the articles or commodities in the lot or shipment was grown in an area where the European corn borer is known to occur. Origin certification is not required for entry into California of articles and commodities covered which originated in states, districts, and territories in the non-infested area.

All certificates must be dated and set forth the kind and quantity of articles or commodities constituting the lot or shipment covered thereby, the initials and number of the railway car or license number of the truck, and the names and addresses of the shipper and consignee.

**2. Exemptions.** Certification requirements are waived on the following articles and commodities covered:

a. Shelled popcorn, seed for planting, or clean, sacked grain for human consumption.

b. Beans in the pod or pepper fruits in lots or shipments of ten pounds or less.

c. Seedling plants or divisions without stems of the previous year's growth of aster, chrysanthemum or hollyhock.

d. Dahlia tubers without stems.

e. Gladiolus corms without stems.

f. Very pungent types of pepper fruit.\* See Appendix H

g. Articles and commodities covered when they have been processed or manufactured in a manner that eliminates all danger of carrying European corn borer.

#### E. All lots or shipments in violation of this regulation shall be disposed of with the following exceptions:

**1. Inspecting officers** may release small lots or shipments of articles and commodities covered which may be adequately inspected provided no living stage of European corn borer is found; or such small lots may be treated in a manner approved by the Secretary under official supervision and thereafter released.

**2. Certified Shipments** of Shelled Corn Not in Conformity May be Treated or Processed in California.

a. Shipments of shelled corn entering California under certificate from states in the European corn borer infested area, which are found to be contaminated with plant portions or fragments capable of or actually harboring larvae of European corn borer, may be treated or processed in California to destroy such larvae if the state which issued the certificate has entered into a program to strengthen its origin

inspection and certification for European corn borer. If a state wishes to enter this program, a signed agreement from the origin state agricultural regulatory agency must be received and accepted by the director. The agreement shall affirm that the origin state agricultural regulatory agency agrees to:

1. Use specified type of uniform screening and/or treatment certificates.
  2. Certify as to all the following conditions:
    - aa. Inspection of each car or truck before loading;
    - bb. Constant checking of screens and loading procedures (includes replacement of damaged or broken screens as necessary);
    - cc. Moving corn through screening and loading process at an established rate which assures only clean corn going into the railroad car or truck; and
    - dd. Checking corn after screening and prior to loading to make certain it is free of debris capable of carrying European corn borer larvae.
  3. Each lot of shelled corn grown in or shipped from the infested area shall be accompanied by a certificate issued by an authorized representative of the origin state Department of Agriculture stating:
    - aa. The grain has passed through a 1/2 inch or smaller size mesh screen, or
    - bb. The grain has been treated for European corn borer in a manner approved by the Secretary.
  4. Screening, processing, or treating shall be done under state supervision.
  5. California agricultural regulatory officials will monitor shelled corn shipped from infested states to determine program conformity. If within a one-year period more than three violations from one location are found, the agricultural regulatory officials of the origin state will be informed and they will terminate issuance of the specified program certificates for shelled corn from that location. The origin state will be required to tighten its certification program before resumption of shelled corn certification shipments from that location.
- b. Before any shelled corn is treated or processed in California under (E.2.a), permission must be obtained from the Secretary (through the Pest Exclusion Branch). The location where treatment or processing will take place will be specified when permission is given.

APPENDIX A

All European Corn Borer approved mills should be covered by an agreement similar to the recommended one shown below. Mills not under agreement should not be placed on the list of European Corn Borer approved mills.

RECOMMENDED  
EUROPEAN CORN BORER APPROVED MILL AGREEMENT  
(For Rail Cars Only)

**A. Agreement:**

THIS AGREEMENT is made and entered into by (name of approved mill) hereinafter known as the "Owner" as a condition to approval by (name of county) county agricultural commissioner of feed mill owned or operated by "Owner" as being approved to receive and process corn and milo from the European Corn Borer infested area.

The owner in executing this agreement agrees to operate and maintain his feed mill operation in such a manner that no adverse effect to agriculture will result.

**B. Provisions of Agreement:**

**I. Mill Area**

- a. Adequate protection shall be afforded at the unloading site to prevent dissemination by the wind of any debris.
- b. After each truck or hopper is unloaded into the pit, pit area will be swept clean before removal from unloading area.
- c. All rail car hoppers shall be inspected before being removed from the unloading site to ascertain all grain and debris has been unloaded. (Trucks are cleared at the border.)
- d. All corn and milo will be screened to remove debris.

**C. Methods of Treating or Processing Debris:**

- 1. Debris will be collected in barrels and handled in one of the following manners:
  - a. Burned.
  - b. Fumigated.
  - c. Put in plastic bags, sealed, and taken to an approved landfill.
  - d. Or any method approved by the county agricultural commissioner.

**D.** It is understood that personnel from the agricultural commissioner's office will inspect the operation semi-annually to see that conditions of this agreement are being met and any unsatisfactory conditions corrected immediately.

**E.** The name of a responsible employee of said feed mill shall be designated in a letter to the commissioner as the person responsible to ascertain that all phases of this agreement are in compliance.

**F. Revocation:**

If the mill owner or his operation should in any manner violate this agreement, then and in that event, this agreement shall be revoked and considered null and void.

APPROVED:

\_\_\_\_\_  
County Agricultural Commissioner

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**EUROPEAN CORN BORER APPROVED MILLS**  
APPENDIX B

As permitted under (e.2) of the European Corn Borer Quarantine, the mills listed below are approved to process feed grain found not be in compliance with the quarantine.

FRESNO COUNTY

Zacky Farms, Fresno

LOS ANGELES COUNTY

California Milling Company, Los Angeles

Caltex Corn, Los Angeles - White Corn Only

Coast Grain Company, Norwalk

Kruse, O.H., Grain and Milling, El Monte

Hills Pet Products, Inc., Los Angeles

Honeyville Grain, Los Angeles

Western Consumers Feed Company, Paramount

**MADERA COUNTY**

**Valley Grain Products #1, Madera – Masa Only**

**Valley Grain Products #2, Madera – Masa Only**

MERCED COUNTY

Foster Farms, Livingston

RIVERSIDE COUNTY

AAA Egg Ranch, Lakeview

Brookhurst Mill, Arlington

Dan's Feed and Seed, Perris

McAnally Enterprises, Inc., Perris

Diamond Pacific, Perris

Perisits, J., Egg Farm, Yucaipa

Star Milling Company, Perris

SAN BERNARDINO COUNTY

Coast Grain Co., Ontario

Doane Products Co., San Bernardino

George Verhoeven, Fontana

Honeyville Grain Inc., Rancho Cucamonga

Kaytee West, Rialto

Kruse, O.H., Grain and Milling, Colton

Kruse, O.H., Grain and Milling, Ontario

Kaytee West, Rialto

Sunnyslope Ranch Mill, Redlands

SAN JOAQUIN COUNTY

Corn Products, Stockton

SAN LUIS OBISPO COUNTY

Templeton Feed and Grain, Templeton

(For pelleting only)

SANTA CLARA COUNTY

Gunther Bros. Feed, Morgan Hill

Isaacson Grain Co., Morgan Hill

TULARE

Dairyman's Cooperative Creamery, Tulare

Heiskell, J.D. and Co., Inc.

YOLO COUNTY

Adams Schwab, and Adams, Woodland

Cargill, Sacramento Port, West Sacramento

**EUROPEAN CORN BORER APPROVED PROCESS AND INSPECTION**

APPENDIX C

11-22-93

1. Shelled Grain may be certified under (D.1.b) provided it had passed through a ½ inch or less mesh screen prior to loading and is believed to be free of stalks, cobs, stems, or portions of plants or fragments capable of harboring larvae of ECB, and, further, that the car or truck has been found to be free of any such host plant fragments at the time of loading.

2. Certain Vegetable and Ornamental Plants and Plant Products may be certified under (D.1.b).

Plants or cut flowers of aster, chrysanthemum, geraniums, hollyhock, dahlia, gladiolus, dahlia tubers with stems, and gladiolus corms with stems, may be certified provided; all of the commodity in the lot or shipment has originated from an approved greenhouse or growing grounds and has been properly certified by an origin state agricultural inspector for ECB. To qualify, greenhouses must have received stock plant material from either an origin free of, or properly certified for ECB, be inspected and found free of ECB, be tightly screened to exclude ECB, and have the inside area trapped with negative results for ECB. For shipping cut flowers originating from outside growing grounds, the origin state agricultural regulatory officials must contact the California Department of Food and Agriculture for details and approval prior to shipping.

**UNIFORM PROCEDURE FOR MONITORING SHIPMENTS OF FEED CORN**

APPENDIX D

11-22-93

1. Certified Shipments of Feed Corn.
  - a. Shipments moving to ECB approved mills need not be inspected.
  - b. Release if properly certified fumigated at origin. All shipments are still subject to inspection for other reasons as required (weed seed, cottonseed, soil, etc.).
  - c. Reject, if on inspection of a shipment, corn cobs or large pieces of stalk are found that would indicate improper screening. Also, reject only if five or more small pieces of debris over 3/4 inch in diameter are found. Most corn is screened over ½-inch square screens. A 3/4 inch piece of debris several inches long could "squeeze" through this ½-inch square opening even if the corn was properly screened. "Pencil" size pieces of debris should be split open and the load rejected only if a live ECB is found.

Research studies conducted in Kansas indicates that the ECB larvae can survive for only a limited time in stored grain.

- d. Reject any shipment of corn if a live larva of the ECB is found during inspection of the corn or anywhere on the car.

**2. States with Strengthened Origin Inspection Programs**

- a. The following states in the infested area have signed agreements and entered into a program to strengthen origin inspection and certification. When approved by California, contaminated shipments may be treated in California from these states:

Colorado, Kansas, Missouri, Nebraska, Iowa and Minnesota

- b. Inspect a random number of carriers from each shipper location when shipping state has signed agreement.
- c. If excessive violations are found from one shipper location the regulatory official of the origin state will be notified and they will terminate the signing of such certificates from that location. Shipments en route prior to the notification date may be treated in California if in violation. Shipments made after the notification date should be rejected and shipped out of state.
- d. Shipper locations in violation may re-enter the origin certification program when origin state officials notify California officials that corrective action has been taken to assure only clean grain will be shipped from that location.
- e. Recommended Random Sample from States under Agreement
  - 1. 20% from each shipper location (1 out of 5) when there have been no rejections for debris during the past year.
  - 2. 40% from each shipper location (2 out of 5) when there was a rejection for debris over six months ago but less than one year ago.
  - 3. 60% from each shipper location (3 out of 5) when there was a rejection for debris over three months ago but less than six months ago.
  - 4. 80% from each shipper location (4 out of 5) when there was a rejection for debris over one month ago but less than three months ago.
  - 5. 100% from each shipper location with a rejection for debris within the past one month.
- f. Excessive Violations from One Location
  - 1. Three within any one-month period.
  - 2. Four within any consecutive two-month period.

**3. States Without Signed Agreement to Strengthen Origin Inspection Programs:**

Inspect all shipments from states which have not entered into a program to strengthen origin inspection and certification. When excessive debris is found in shipment from these states, reject and ship out of state.

**4. Terminal Facilities**

If screening procedures are used at destination, inspect at regular intervals any available debris screened out of the commodity. Also inspect the unloading and storage facilities at regular intervals.

**5. Recommended Intervals of Inspection of Terminal Facilities**

- a. Inspect daily if shipments are being unloaded daily.
- b. Inspect bi-weekly if two or four shipments are being unloaded weekly.
- c. Inspect other facilities on a weekly basis or after shipment is unloaded.

Require all debris originating from an infested state and found at unloading and storage facilities to be cleaned up and disposed of immediately upon discovery.

**DESTINATION TREATMENT**

APPENDIX E

11-22-93

- 1. Destination treatment is permitted for feed corn that is found to be in violation due to excessive debris.
- 2. Because there have been so few rejections in the past year, this appendix gives all counties, with treatment facilities available, permission to treat at destination any shipment found to be in violation, provided the shipment originated in a state that is under agreement (Appendix D of the quarantine).
- 3. County personnel must report to the Pest Exclusion area office each shipment that is treated.
- 4. Pest Exclusion will contact the shipping state officials and request corrective action be taken if excessive treatments are noted from any one shipper.

**ADDITIONAL INFESTED AREAS**

APPENDIX F

09-16-02

**New Mexico**

The counties of Chaves, Curry, Quay, Roosevelt, San Juan, Santa Fe, Torrance, Union, and Valencia.

**Texas**

The counties of Bailey, Castro, Floyd, Hale, Lamb, Parmer and Swisher.

Commercial shipments of regulated items from the above must be certified. New Mexico and Texas have agreed to certify potentially infested materials to facilitate their movement across state lines.

All noncommercial shipments of articles and commodities covered by this quarantine should be rejected under the authority of Section 6461.5, Food and Agricultural Code, when originating from one of the above infested counties.

**Canada**

All provinces of Canada except British Columbia are infested with ECB. Shipments of regulated articles/commodities from all provinces except British Columbia must meet the requirements of this quarantine. Regulated articles/ commodities not

meeting the requirements of this quarantine should be rejected under Section 6461 of the Food and Agricultural Code.

borer larvae. These shucks are admissible without certification.

## PERMITS FOR SWEET CORN

### APPENDIX G

08-26-09

1. **Permit No. QC 712** has been issued to the Colorado Department of Agriculture to authorize firms to ship unfumigated fresh sweet corn to California which was grown in western Colorado. Each shipment of fresh sweet corn will be accompanied by a certificate issued by the Colorado Department of Agriculture, naming the shipper; stating the identification number of the lot, the size of the shipment, and the name and address of the consignee; and affirming that the shipment is in compliance with the requirements of Permit No. **QC 712**. Sweet corn shipped to California under this permit is subject to inspection upon arrival.

## CLARIFICATION OF REGULATED ARTICLES

### APPENDIX H

08-21-06

Regulated Articles further defined:

#### 1. **Chrysanthemum**

Under regulated articles and commodities the common name "chrysanthemum" refers to both genera *Chrysanthemum* and *Dendranthema*.

Exemptions further defined:

#### 2. **Geranium**

Under regulated articles and commodities the common name "geranium" refers to plants of the genus *Pelargonium* which have fleshy stems and are a host to European Corn Borer. Plants of the genus *Geranium* commonly known as "cranesbill," "true geranium" or "perennial geranium" are not regulated articles under this quarantine. Plants of the genus *Geranium* are readily distinguished from *Pelargonium* by their "wire-thin" stem caliper.

#### 3. **Seedling Plants**

Seedling geraniums (*Pelargonium*) and dahlia may be exempted from the European Corn Borer Quarantine as are other flowers listed in Section (D.2.c)

#### 4. **Very Pungent Chili Peppers Exempt**

##### a. *Capsicum annuum*

##### 1. Ornamental Groups

aa. *Cerasiforme* (cherry pepper) very pungent

bb. *Fasciculatum* (red pepper) very pungent

##### 2. Non-Ornamental Groups

aa. *Longum* (capsicum, cayenne, chili, long red, and should include: Big Jim, hot banana, jalapeno, serrano, Anaheim, and hot cherry) very pungent.

#### 5. **Bleached Cornhusks**

The sulphuring process used in bleaching corn husks intended for use in wrapping tamales, etc., will eliminate all danger of such shucks carrying live European corn