

3277. CEREAL LEAF BEETLE

State Exterior Quarantine

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

A. Pests. Cereal leaf beetle (*Oulema melanopus*).

A beetle, family Chrysomelidae, which is a destructive leaf feeder. Wheat, barley, and oats are the principal crops attacked by both larva and adult.

B. Area Under Quarantine. All states and districts of the United States east of and including Minnesota, Iowa, Missouri, Arkansas and Louisiana (see Appendix B for additional quarantined areas).

1. **Infested Area.** The states of Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia shall be known as the Infested Area (see Appendix B for additional infested areas).

2. **Area Not Known To Be Infested.** Any state in the Area Under Quarantine (see B above) but not named in the Infested Area (see B.1 above) shall be known as the Area Not Known To Be Infested.

C. Commodities and Items Covered. Small grains such as barley, oats, and wheat (see Appendix A1); ear corn; straw and hay, including marsh hay (*Spartina patens*) (see Appendix A2), (pelletized is not covered); grass sod (see Appendix D); grass and forage seed; fodder and plant litter; Used harvesting equipment or machinery; and cut or balled Christmas trees of Scotch pine (*Pinus sylvestris*), red pine (*Pinus resinosa*), and Austrian pine (*Pinus nigra*), including all subspecies thereof.

D. Restrictions

1. Exemption of Commodities Covered.

The following commodities are exempt from all restrictions of this quarantine.

- a. Grain sorghum, shelled corn, and soybeans.
- b. Seed: Small grain seed, grass seed, and forage seed when cleaned and shipped in bags or small packages (see Appendix A4).
- c. All straw and hay that has been used as bedding for animals during shipment and all compressed baled hay and straw (see Appendix A3).
- d. Small grains shipped during the period of February 1, to April 30 inclusive, each year (see Appendix C).

2. Commodities and Items Covered

Items From the Quarantined Area if Treated at Origin

- a. Commodities and items covered are admissible into California from the Area Under Quarantine provided each lot or shipment is officially certified by an authorized representative of the origin

state department of agriculture or the United States Department of Agriculture affirming that it was treated under official supervision prior to shipment in a manner approved by the Secretary of the Department of Food and Agriculture and was not exposed to re-infestation.

3. Commodities and Items Covered

Admitted Under Certification as to Origin

- a. Commodities covered which are grown in and shipped from the Area Not Known To Be Infested are enterable into California provided each lot or shipment is officially certified by an authorized representative of the state department of agriculture where shipment was made, or the United States Department of Agriculture, giving the date and state or states where the commodities were produced.

A rubber stamp that bears a facsimile signature of the proper state official may be issued to shippers that are under state supervision. Imprints of such a stamp placed on the waybills accompanying shipments will be acceptable as an authorized certificate.

- b. Used harvesting equipment or machinery from the Area Not Known To Be Infested may be admitted under certification from an agricultural official of the origin state. To be eligible for such certification, the used harvesting equipment or machinery shall not have been used in any infested state for a period of one year prior to shipment.
- c. Used harvesting equipment or machinery from the area under quarantine may be admitted under certification from an agricultural official of the origin state. To be eligible for such certification, the used harvesting equipment or machinery shall not have been used from April through August of the current year.

4. Small Grains, Grass Seed, and Forage Seed from Area Not Known to be Infested

Admitted Under Certificate of Inspection

- a. Small grains such as barley, oats, and wheat; and grass and forage seed, produced in an Area Not Known to be infested as specified in subsection B.2 (above) may be admitted under certification signed by an agricultural official of the state of origin. The certificate shall affirm that the lot or shipment has been inspected and found free of cereal leaf beetle (both live and dead). The inspection for such certification shall consist of representative samples from individual truck or rail car lots to be shipped and at least ten (10) representative samples from the tip and intermediate areas (inspection holes) of silos.

5. Commodities and Items Covered Allowed Movement Under Permit From the Secretary.

- a. The Secretary may issue permits admitting commodities and items covered, subject to limitations, conditions, and provisions that may be prescribe therein.

**CLARIFICATIONS
APPENDIX A**

07-17-03

1. For the purpose of this quarantine "Small grains such as..." means barley, oats, wheat, ear corn, and rye.

For the purpose of this quarantine the following are not considered "small grains" and are exempt from the quarantine: millet, rice, sesame seed, flax, grain sorghum, shelled corn, soy beans, and buckwheat.

2. Straw and hay means straw and hay from the small grains, it does not include alfalfa hay, or straw from any grain not listed as "small grains." Hay or straw made into wreaths is considered a processed product and would be exempt from the quarantine.
3. For the purposes of this quarantine, bales of hay may be inspected and released if no signs of cereal leaf beetle are found. All compressed baled hay shipments must be inspected and found free of pests (adults and larvae).
4. For the purpose of this quarantine (see D.1.b) "seed when cleaned and shipped in bags or small packages" is exempt from all quarantine restrictions when shipped in bags or packages of 100 pounds or less, regardless of the number of bags per shipment. Bags or packages larger than 100 pounds would require applicable certification.

**ADDITIONAL AREAS AND PORTIONS THEREOF
UNDER QUARANTINE
APPENDIX B**

11-21-11

Any state listed below is regulated as an area under quarantine. Listed also are the counties in each state known to be infested.

State Infested Area

- Colorado** Boulder, Larimer, Routt, and Weld counties.
- Idaho** Ada, Adams, Bannock, Bear Lake, Benewah, Bingham, Blaine, Boise, Bonner, Bonneville, Boundary, Butte, Camas, Canyon, Caribou, Cassia, Clark, Clearwater, Custer, Elmore, Franklin, Fremont, Gem, Gooding, Idaho, Jefferson, Jerome, Kootenai, Latah, Lemhi, Lewis, Lincoln, Madison, Minidoka, Nez Perce, Oneida, Owyhee, Payette, Power, Teton, Twin Falls, Valley, and Washington counties.
- Kansas** Allen, Anderson, Atchison, Bourbon, Brown, Cherokee, Coffey, Crawford, Doniphan, Douglas, Franklin, Jackson, Jefferson, Johnson, Leavenworth, Linn, Lyon, Miami, Nemaha, Neosho, Osage, Pottawatomie, Shawnee, Wilson, Woodson, and Wyandette counties.
- Montana** Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Choteau, Custer, Dawson, Deer Lodge, Fergus, Flathead, Gallatin,

Garfield, Glacier, Golden Valley, Granite, Jefferson, Judith Basin, Lake, Lewis and Clark, Lincoln, Madison, McCone, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Pondera, Powder River, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Treasure, Wheatland, Wibaux, and Yellowstone counties.

- Nevada** Elko
- New Hampshire** Entire state
- North Carolina** Entire state
- North Dakota** McKenzie and Williams counties
- Oregon** Baker, Benton, Clackamas, Columbia, Crook, Deschutes, Grant, Jackson, Jefferson, Lane, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Tillamook, Umatilla, Union, Wallowa, Washington, and Yamhill counties.
- Utah** Box Elder, Cache, Carbon, Davis, Duchesne, Emery, Juab, Morgan, Piute, Rich, Salt Lake, Sanpete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, and Weber counties.
- Washington** Entire state.
- Wyoming** Albany, Big Horn, Campbell, Converse, Fremont, Goshen, Hot Springs, Johnson, Laramie, Lincoln, Park, Platte, Sheridan, Sweetwater, and Washakie counties.
- Canada** Provinces of Alberta, British Columbia (the Regional Districts of East Kootenay and Central Kootenay), Labrador, **Manitoba**, New Brunswick, New Foundland, Nova Scotia, Ontario, Prince Edward Island, Quebec, and **Saskatchewan**.

Commodities and items covered under the Cereal Leaf Beetle Exterior Quarantine should be admitted from the above infested areas only if certified as treated by a state agricultural official at origin. Covered commodities and items originating from the above infested areas, which are not certified as treated by a state agricultural official at origin, should be rejected under authority of Section 6461.5 of the FAC.

Commodities and items covered originating from un-infested areas should be admitted only under a certificate of origin or inspection issued by the origin state agricultural official. Regulated commodities from un-infested areas without an origin certificate should be rejected under authority of Section 6461.5 of the FAC.

PERMITS FOR THE SHIPMENT OF REGULATED ARTICLES

APPENDIX C

01-26-11

Small grains. Pending a formal amendment of the regulation, Master Permit No. QC 523 has been issued to various states to authorize producers/shippers in those states to ship small grains grown and stored in those states into California during the period of December 1 to April 30 inclusive, subject to conditions of the permit available at <http://phpps.cdfa.ca.gov/PE/InteriorExclusion/pdf/InterstateQCPermits.pdf>

CLARIFICATION OF GRASS SOD

APPENDIX D

04-29-08

For the purpose of this quarantine, "grass sod" also refers to ornamental grasses. "Grass sod" does NOT include plants that are considered rushes or sedges (members of the Juncaceae and Cyperaceae families).