



Office of the
Agricultural Commissioner
Sealer of Weights & Measures

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights & Measures

Jolene Dessert
Asst. Agricultural Commissioner
Asst. Sealer of Weights & Measures

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To all Landscapers, Nurseries, Retailers, and Homeowners:

This letter is to remind you of the legal requirements associated with transporting plants and plant materials into Imperial County. Numerous quarantines are in effect to safeguard the landscape and agricultural industry of Imperial County and the whole of California from exotic and invasive pests and diseases. Please see the attached summary of quarantines that most commonly affect Imperial County, their requirements, and associated penalties for failing to comply with them.

ALL PLANTS coming into Imperial County **ARE REQUIRED BY LAW** to be held for inspection by the Agricultural Commissioner prior to being planted or made available for sale. This applies to plants brought in by commercial businesses, homeowners, and everyone else. It is important to never commingle incoming nursery stock with other plants before being inspected.

Call our office as early as possible to schedule an inspection. Inspectors are usually available Monday through Friday, 8:00 a.m. to 4:00 p.m. If you intend to bring a shipment in on a weekend or County holiday, please call ahead to see if an inspector will be available to perform an inspection.

If you have any questions or concerns, our office is here to help. Please call us at (442) 265-1500.

Sincerely,

Margo Sanchez
Deputy Agricultural Commissioner
Pest Detection and Eradication

In General and for All Shipments of Nursery Stock

- Landscapers and other entities that have a growing ground or holding yard where nursery stock is held prior to delivery to the planting site must also be licensed as a nursery.
- All nursery stock must be accompanied by valid proof of ownership.
- Nursery stock shipments may be released by phone at the discretion of the Agricultural Commissioner.

Pierce's Disease and the Glassy-winged Sharpshooter

The Pierce's Disease Control Program (PDCP) exists in California to prevent the artificial movement and spread of the glassy-winged sharpshooter (GWSS), a vector of Pierce's Disease. Pierce's Disease is caused by the bacterium *Xylella fastidiosa*. It is deadly to many plant species, and its vector, GWSS, has an extensive list of hosts including many agricultural crops and landscape plants. Imperial County is the only Southern California County not infested with GWSS and so is an enforcing county.

It is unlawful to bring plants into Imperial County from inside the GWSS-infested area (including all of Southern California); however, nurseries located within the infested area may operate under a special compliance agreement from their county's Agricultural Commissioner. It is lawful to bring plants in from a nursery within the infested area so long as they continue to meet the terms of their GWSS compliance agreement. These terms include (but are not limited to):

- Notify the Imperial County Agricultural Commissioner (CAC) at least 24 hours prior to shipment.
- Shipment paperwork stamped with a GWSS compliance agreement number.
- Shipment accompanied by a "Blue Tag" shipping permit stating "Warning – Hold for Inspection".
- Shipment accompanied by a valid Certificate of Quarantine Compliance (CQC), if applicable.

For additional information regarding the PDCP or GWSS, please visit <https://www.cdfa.ca.gov/pdcp/>.

Other Common Plants with Quarantine Restrictions

- All **citrus species** from other California counties and other states.
- All **palms of the Phoenix genus**, except when originating from certain areas of Riverside County.
- Nursery stock originating in **Florida** (specifically Burrowing and Reniform Nematode [3 CCR § 3271] and Imported Fire Ant [7 CFR § 301.81]).
- Nursery stock originating in **Arizona** (specifically Ozonium Root Rot [3 CCR § 3261]).
- All **lettuce plants** are prohibited unless tested for Lettuce Mosaic Virus (LMV).
- All plants shipped *from* Imperial County must be certified free from Ozonium Root Rot by the CAC.

Penalties (found in the California Food and Agricultural Code [FAC])

Any violation of quarantine requirements is an infraction punishable by a fine of one thousand dollars (\$1,000) for the first offense. Second and subsequent offenses within three years are punishable as misdemeanors. (FAC § 5309)

In addition to any other penalties, any person violating quarantine requirements may be liable civilly in an amount not exceeding ten thousand dollars (\$10,000) for each violation. (FAC § 5310)

In lieu of civil action, the Agricultural Commissioner (CAC) may levy a civil penalty of up to two thousand five hundred dollars (\$2,500) for each violation. (FAC § 5311)

Anyone who negligently or intentionally violates any state or federal law or regulation by importing any plant or other article infested by pest or disease and causes an infestation or causes the spread of an existing infestation beyond quarantine boundaries is liable civilly up to twenty-five thousand dollars (\$25,000) for each act that constitutes a violation. (FAC § 5028)