



GEORGIA DEPARTMENT OF AGRICULTURE

Gary W. Black, Commissioner

www.agr.georgia.gov

DATE: April 1, 2019

ACTION: Notice of Public Hearing - Proposed Adoption of Citrus Regulations and Quarantine

TO ALL INTERESTED PERSONS AND PARTIES:

Pursuant to the Official Code of Georgia Annotated, O.C.G.A. §§ 2-7-23 and 50-13-4, notice is hereby given that the Georgia Department of Agriculture will be holding a public hearing regarding the proposed adoption of Citrus Regulations and Quarantine.

Said hearing will be held on Wednesday, May 1, 2019, at 1:00 p.m. at the Macon State Farmers Market, located at 2055 Eisenhower Pkwy, Macon, Georgia 31206.

The Department previously accepted written comments regarding the proposed rules and will hereby extend the opportunity to submit written comments from April 1, 2019, to the close of business (4:30 p.m. EST) on April 30, 2019.

SYNOPSIS, MAIN FEATURES AND DIFFERENCES:

The Department is proposing to adopt new Chapter 40-4-26 entitled “Citrus Regulations and Quarantine.

Proposed Departmental Rule 40-4-26-.01 entitled “Establishment and Purpose of Regulations and Quarantine” explains that the purpose of this Chapter is to minimize the spread of serious graft-transmissible diseases as well as certain other pathogens and nematodes of citrus by requiring anyone propagating citrus to participate in a mandatory citrus nursery stock certification program and outlining established protocols for movement of citrus into the state of Georgia.

Proposed Departmental Rule 40-4-26-.02 entitled “Definitions” defines critical terminology with regard to the proposed citrus regulations and quarantine.

Proposed Departmental Rule 40-4-26-.03 entitled “Plant Pest Declaration” declares eighteen (18) specific pathogens, diseases, and insects to be agricultural and public nuisances.

Proposed Departmental Rule 40-4-26-.04 entitled “Regulated Articles” describes proposed regulated articles, which include citrus plants, plant pathogens, diseases, and insects in all life stages. The proposed rule also provides that any other article, product, or means of conveyance not listed above may be designated as a regulated article that the Commissioner determines that it presents a risk of spreading a citrus pathogen, disease, or insect pest and notifies the person in possession of the same that it is subject to the restrictions of these regulations.

Proposed Departmental Rule 40-4-26-.05 entitled “Regulated Areas” describes the proposed regulated physical areas, which include all States in the United States.

Proposed Departmental Rule 40-4-26-.06 entitled “Citrus Plants, Budwood, and Rootstock Entering Georgia” sets for requirements for importing citrus plants, budwood, and rootstock into Georgia and prohibits the importation of the same unless these requirements are met.

Proposed Departmental Rule 40-4-26-.07 entitled “Growing Citrus Nursery Stock in Georgia” sets forth the requirement for growing citrus nursery stock in Georgia. Requirements include, but are not limited to, participation in the Citrus Nursery Stock Certification Program, completion of an application and payment of an annual fee, facility structural requirements, adherence to best management practices for sanitation, propagation requirements, parent tree requirements, scion tree and block requirements, increase tree and block requirements, rootstock requirements, micropropagation requirements, plant identification and labeling requirements, and inspection requirements.

Proposed Departmental Rule 40-4-26-.08 entitled “Retail Sales and Wholesale of Citrus Plants” allows retail and wholesale locations to sell only nursery stock that originated from a Certified Citrus Nursery and advises that any retail citrus tree found to be infested with citrus pests or diseases will be subject to a Stop-Sale Notice and Hold Order.

Proposed Departmental Rule 40-4-26-.09 entitled “Georgia Citrus Clean Stock Program” provides that a Georgia Citrus Clean Stock Program may be initiated at the recommendation of certain organizations and will provide the care, maintenance, and security for all foundation trees in Georgia. The Rule would also explain requirements for establishment of a foundation block, maintaining foundation block status, and labeling and handling of budwood produced in foundation block.

Proposed Departmental Rule 40-4-26-.10 entitled “Recordkeeping Requirements” sets forth recordkeeping requirements for records of certified budwood purchases, records of Certified Citrus Nursery stock sales or distribution, records of certified budwood sales or distribution, records of scion block trees, and records of increase block trees.

Proposed Departmental Rule 40-4-26-.11 entitled “Experimental Citrus Propagation Requirements” requires that citrus nursery stock propagated for experimental use be inspected and tested, not offered for sale, and not commingled with Certified Citrus Nursery stock intended for sale or any other citrus nursery stock.

Proposed Departmental Rule 40-4-26-.12 entitled “Scientific Permits” states that shipment or transport of quarantined pathogens, diseases, or insects, in all lifeforms or stages, to Georgia is prohibited unless for the purpose of diagnostic testing or scientific purposes. Furthermore, the testing facility must possess a certificate or permit issued by USDA-APHIS-PPQ for the purposes of receiving and testing for citrus pests, or the testing facility must possess a permit issued by the Commissioner for the purposes of receiving and testing for citrus pests.

Proposed Departmental Rule 40-4-26-.13 entitled “Stop-Sale Notice and Hold Order” lists the various reasons for which a Stop Sale Notice and Hold Order will be issued.

Proposed Departmental Rule 40-4-26-.14 entitled “Release of Stop-Sale Notice and Hold Order” explains the conditions under which a Stop-Sale Notice and Hold Order will be released.

Proposed Departmental Rule 40-4-26-.15 entitled “Unlawful Acts” identifies actions constituting violations of the Chapter.

Proposed Departmental Rule 40-4-26-.16 entitled “Enforcement and Penalties” explains that violations of the Chapter are misdemeanor criminal offenses and that any foundation block status, citrus increase block certification, budwood certification, citrus nursery stock certification, or Live Plant License may be revoked or suspended by the Department for any violation of this Chapter

COMMENT PERIOD AND ADDITIONAL INFORMATION:

The Department will hold a public hearing on Wednesday, May 1, 2019, at 1:00 p.m. at the Macon State Farmers Market, located at 2055 Eisenhower Pkwy, Macon, Georgia 31206. The Department will also be accepting additional written comments from April 1, 2019, to the close of business (4:30 p.m. EST) on April 30, 2019. All comments will be considered on May 2, 2019. Please submit written comments to:

Mike Evans, Program Director - Plant Protection Section
Georgia Department of Agriculture
1109 Experiment Street
Redding Building, Room 213
Griffin, Georgia 30223
Telephone Number: 404-586-1140
Facsimile: 770-228-7219

Interested persons may call or submit a written request to obtain a copy of the proposed rules. A copy of the synopsis and the proposed rules may be downloaded from the Georgia Department of Agriculture website at www.agr.georgia.gov.

This notice is given in compliance with the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-4.