



## GEORGIA DEPARTMENT OF AGRICULTURE

Gary W. Black, Commissioner

[www.agr.georgia.gov](http://www.agr.georgia.gov)

**DATE:** September 3, 2019

**ACTION:** Notice of Intent to Consider the 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 accepting written comments regarding the adoption of Citrus Regulations and Quarantine. The Department will be accepting written comments from September 3, 2019, to the close of business (4:30 p.m. EST) on October 4, 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 specific arthropods and pathogens 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 may be designated as a regulated article if 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 the Rules.

Proposed Departmental Rule 40-4-26-.05 entitled “Citrus Plants, Budwood, and Rootstock Entering Georgia” sets forth requirements for importing citrus plants, budwood, and rootstock into Georgia.

Proposed Departmental Rule 40-4-26-.06 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, completion of an application and payment of an annual fee, participation in the Georgia Citrus Nursery Program, facility structural requirements, propagation 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-.07 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-.08 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-.09 entitled “Citrus Propagation for Variety Development” provides that all citrus breeding for variety development must be conducted and plants maintained in an exclusion structure as described in these Rules. No citrus variety may be released in Georgia that has not gone through a citrus clean stock program recognized by USDA-APHIS-PPQ.

Proposed Departmental Rule 40-4-26-.10 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-.11 entitled “Stop-Sale Notice and Hold Order” 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-.12 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-.13 entitled “Unlawful Acts” identifies actions constituting violations of the Rules.

Proposed Departmental Rule 40-4-26-.14 entitled “Enforcement and Penalties” explains that violations of the Rules 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 the Rules.

**COMMENT PERIOD AND ADDITIONAL INFORMATION:**

The Department will be accepting written comments from September 3, 2019, to close of business (4:30 p.m. EST) on October 4, 2019. Comments will be considered on October 7, 2019. Please submit written comments to:

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Georgia Department of Agriculture  
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Griffin, Georgia 30223  
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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](http://www.agr.georgia.gov).

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