

# PROPOSED REGULATION OF THE STATE BOARD OF AGRICULTURE

## LCB File No. R089-11

### Notice of Workshop to Solicit Comments on Proposed Regulation

The Nevada Department of Agriculture, 405 South 21<sup>st</sup> Street, Sparks, Nevada, 89431, is proposing the Amendment of regulations pertaining to chapter NAC 554 of Nevada Administrative Code. A workshop has been set for 10:00 A.M. on November 7, 2011 at:

Nevada Department of Agriculture  
405 South 21<sup>st</sup> Street  
Sparks, Nevada, 89431

The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations:

**NAC 554.906-554.910: A regulation relating to the quarantine of white rot (*Sclerotium cepivorum*) and stem bulb nematode (*Ditylenchus dipsaci*).**

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting:

Steve Marty  
Organic Program Manager  
Nevada Department of Agriculture  
405 South 21<sup>st</sup> Street  
Sparks, NV 89434  
(775) 353-3773  
[s\\_marty@agri.state.nv.us](mailto:s_marty@agri.state.nv.us)

A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations:

Nevada Department  
of Agriculture  
405 South 21<sup>st</sup> Street  
Sparks, NV 89434

Nevada Department  
of Agriculture  
2300 McLeod  
Las Vegas, NV 89104

Nevada Department  
of Agriculture  
4780 E. Idaho Street  
Elko, NV 89801

Nevada Department  
of Agriculture  
4780 E. Idaho Street  
Elko, NV 89801

NEVADA COUNTY PUBLIC LIBRARIES

Carson City Library  
900 North Roop Street  
Carson City, Nevada 89702

Churchill County Library  
553 South Main Street  
Fallon, Nevada 89406

Clark County District Library  
833 Las Vegas Boulevard North  
Las Vegas, Nevada 89101

Douglas County Library  
1625 Library Lane  
Minden, Nevada 89423

Elko County Library  
720 Court Street  
Elko, Nevada 89801

Esmeralda County Library  
Corner of Crook & 4th Streets  
Goldfield, Nevada 89013

Humboldt County Library  
85 East 5th Street  
Winnemucca, Nevada 89445

Lander County Library  
625 South Broad Street  
Battle Mountain, Nevada 89820

Lincoln County Library  
63 Main Street  
Pioche, Nevada 89043

Lyon County Library  
20 Nevin Way  
Yerington, Nevada 89447

Mineral County Public Library  
110 1st Street  
Hawthorne, Nevada 89415

Pershing County Library  
1125 Central Avenue  
Lovelock, Nevada 89419

Storey County Public Library  
95 South R Street  
Virginia City, Nevada 89440

Tonopah Public Library  
167 Central Street  
Tonopah, Nevada 89049

Washoe County Library  
301 South Center Street  
Reno, Nevada 89501

White Pine County Library  
950 Campton Street  
Ely, Nevada 89301

Date: 18 October 2011

# PROPOSED REGULATION OF THE STATE BOARD OF AGRICULTURE

## LCB File No. R089-11

### QUARANTINES AGAINST STEM AND BULB NEMATODE, WHITE ROT FUNGUS AND GARLIC VIRUSES

#### ~~[Quarantine of Kings River Valley]~~

~~[NAC 554.906 Establishment of quarantine. (NRS 554.020, 554.030) To prevent the introduction of stem and bulb nematode (*Ditylenchus dipsaci*) and white rot fungus (*Sclerotium cepivorum*) and their hosts and possible carriers into the Kings River Valley of this State, the State Quarantine Officer hereby establishes a quarantine of the area that is bordered on:~~

- ~~—1. The north by Township 46N;~~
- ~~—2. The south by Township 43N;~~
- ~~—3. The east by Range 34E; and~~
- ~~—4. The west by Range 33E.]~~

~~[NAC 554.907 Permit to plant or cultivate garlic plant or bulb onion in quarantined area. (NRS 554.020, 554.030)~~

- ~~—1. A person shall not plant or cultivate a garlic plant or any part thereof or a bulb onion in the area quarantined pursuant to NAC 554.906 unless the person receives a permit from the Department.~~
- ~~—2. The Department will not issue a permit pursuant to this section unless:~~
  - ~~—(a) An application is made to the Department on a form provided by the Department; and~~
  - ~~—(b) The application is accompanied by a certificate verifying that the garlic plant or any part thereof or bulb onion is apparently free of stem and bulb nematode and white rot fungus. The certificate may be issued by an agricultural officer of this State or a county of this State.]~~

~~[NAC 554.908 Conditions for bringing equipment used to transport garlic plant or bulb onion into quarantined area; inspection and removal of equipment. (NRS 554.020, 554.030)~~

- ~~—1. A person shall not bring into the area quarantined pursuant to NAC 554.906 any machinery, box, truck or other equipment used to transport garlic plants or any part thereof or bulb onions which has been used outside of the area quarantined unless:~~
- ~~—(a) The machinery, box, truck or other equipment has been washed, at a location outside of the area quarantined, with water to remove all soil and debris; and~~
- ~~—(b) The Department is notified pursuant to subsection 2 before the machinery, box, truck or other equipment is brought into the area quarantined.~~
- ~~—2. A person may notify the Department as required pursuant to paragraph (b) of subsection 1:~~
- ~~—(a) By contacting the Department at (775) 623-6502; or~~
- ~~—(b) By writing to the State Department of Agriculture, 350 Capitol Hill Avenue, Reno, Nevada 89502.~~
- ~~—3. The Department may:~~
- ~~—(a) Inspect any machinery, box, truck or other equipment brought into the area quarantined pursuant to NAC 554.906; and~~
- ~~—(b) Remove any machinery, box, truck or other equipment brought into the area quarantined pursuant to NAC 554.906 if any soil or debris is found in or on the machinery, box, truck or other equipment.]~~

#### Quarantine of All States and District of Columbia

NAC 554.910 Establishment of quarantine, *fee*. (NRS 554.020, 554.030)

1. A quarantine is hereby established against stem and bulb nematode (*Ditylenchus dipsaci*) and the white rot disease fungus (*Sclerotium cepivorum*) and their hosts and possible carriers.
2. All states of the United States and the District of Columbia are subject to the quarantine.
3. The quarantine applies to propagative bulbs, cloves, sets or seedlings of garlic, onion and other *Allium* species to be used for commercial production.
- 4. For all commercial plantings of *Allium* species, the State Quarantine Officer will charge and collect an inspection fee of \$14 per acre.**

NAC 554.920 Certification of commodities entering Nevada. (NRS 554.020, 554.030)

1. Except as otherwise provided in subsection 2, each shipment of the quarantined commodities must be accompanied by a certificate of origin signed by an authorized official of the state of origin. The certificate of origin must contain declarations that:

(a) The planting stock was grown in an area not known to be infested with stem and bulb nematode or with white rot disease;

(b) The crop was inspected during the growing season and was found apparently free from stem and bulb nematode and white rot; and

(c) The seed-garlic was presoaked in hot water with or without formalin at 100 degrees Fahrenheit, plus or minus 2 degrees Fahrenheit, for 30 minutes followed immediately by a 20-minute soaking at 120 degrees Fahrenheit, plus or minus 2 degrees Fahrenheit, in a solution of the same composition, but variations of this treatment may be substituted with prior approval of the Director.

2. If stock for the commercial propagation of garlic or onions is accompanied by a certificate issued under a state or federally supervised program which has been specifically designed to prevent infection of such stock by stem and bulb nematode or white rot fungus, the stock may be brought into Nevada or a control area within this State without meeting the requirements of subsection 1.

NAC 554.930 Inspection by Director; replanting of garlic bulbs; imported machinery and bins. (NRS 554.020, 554.030)

1. The Director will inspect onions or garlic or the planting areas for those plants during any time of the year which may be appropriate to determine the presence of any stem and bulb nematode or any white rot fungus.

2. Garlic bulbs grown in Nevada may be replanted if they have been inspected by the Director during the growing season and found apparently free from stem and bulb nematode and white rot.

3. All machinery and all bins and other equipment which have been used in handling, digging, planting, cultivating, harvesting or fertilizing an Allium crop must be free of any dirt, garlic, onions and other residue of the Allium species before being brought into Nevada.

NAC 554.940 Reports by growers to Department. (NRS 554.020, 554.030)

1. A grower shall report to the Department information concerning the planting of onions, garlic or other Allium species on or before May 1 of each year on the form prescribed by the Department.

2. The report must include:

- (a) The location of each field of onions, garlic or other *Allium* species;
- (b) The date each field was planted; and
- (c) The proposed date of harvesting for each field.

NAC 554.950 Treatment of fields infested with white rot fungus; decontamination of machinery and equipment. (NRS 554.020, 554.030)

1. A field found to be infested with white rot fungus (*Sclerotium cepivorum*) must be placed under quarantine and fumigated or treated in the manner approved by the Director. As used in this subsection, “quarantine” includes the restriction of movement of equipment and crop from an infested field.

2. All machinery and equipment that has been used in the handling or treatment of onions, garlic or other *Allium* species which is found to be infested with white rot fungus (*Sclerotium cepivorum*) must be decontaminated in a manner approved by the Director before it is removed from the infested field.