

**ADOPTED REGULATION OF THE  
STATE QUARANTINE OFFICER**

**LCB File No. R036-02**

Effective September 20, 2002

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 554.110.

**Section 1.** NAC 554.885, 554.895 and 554.905 are hereby repealed.

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**TEXT OF REPEALED SECTIONS**

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**NAC 554.885 Establishment of quarantine.**

1. The director finds that stem and bulb nematode (*Ditylenchus dipsaci*) and white rot fungus (*Sclerotium cepivorum*) are not known to occur in Fish Lake Valley, Nevada.
2. To prevent the introduction into Fish Lake Valley, Nevada, of stem and bulb nematode (*Ditylenchus dipsaci*) and white rot fungus (*Sclerotium cepivorum*), and their hosts and possible carriers, the director hereby establishes a quarantine of Fish Lake Valley that is bordered on the west by California, on the north by the north boundary of Township 1 South, on the east by the west boundary of Range 37 East and on the south by California.

**NAC 554.895 Permit to plant or cultivate garlic plant or bulb onion in quarantined area.**

1. A person shall not plant or cultivate in the area of Fish Lake Valley that is quarantined pursuant to NAC 554.885 a garlic plant or any part thereof or a bulb onion unless he:

- (a) Makes a written application on a form provided by the department; and
- (b) Receives a permit issued by the department.

2. The department will issue a permit if the application is accompanied by a certificate issued by a state or county agricultural officer verifying that the garlic or bulb onion is apparently free of stem and bulb nematode (*Ditylenchus dipsaci*) and white rot fungus (*Sclerotium cepivorum*).

**NAC 554.905 Conditions for bringing equipment used to transport garlic or bulb onion into quarantined area; inspection and removal of equipment.**

1. Except as otherwise provided in subsection 3, a person shall not bring into the area of Fish Lake Valley that is quarantined pursuant to NAC 554.885 any machinery, box, truck or other equipment used to transport garlic or bulb onion which has been used outside of the area unless:

(a) The machinery, box, truck or other equipment has been washed with water to remove all soil and debris; and

(b) The department is notified before the machinery, box, truck or other equipment is brought into the area.

2. The department may:

(a) Inspect any machinery, box, truck or other equipment brought into the area of Fish Lake Valley that is quarantined pursuant to NAC 554.885; and

(b) Remove the machinery, box, truck or other equipment if any soil or debris is found.

3. The provisions of subsection 1 do not apply to any machinery, box, truck or other equipment used to transport garlic or bulb onion that has been used in the area of California contiguous to the area of Fish Lake Valley which is quarantined pursuant to NAC 554.885.

**NOTICE OF ADOPTION OF REGULATION  
LCB File No. R036-02**

The Department of Agriculture, adopted regulations assigned LCB File NO. R036-02 which pertain to Chapter 554 of the Nevada Administrative Code on August 15, 2002.

**Notice date:** 2/8/2002  
**Hearing date:** 3/12/2002

**Date of adoption by agency:** 8/15/2002  
**Filing date:** 9/20/2002

**INFORMATIONAL STATEMENT**

1. A public workshop was held on March 12, 2002, in Reno, Nevada, at the Nevada Department of Agriculture Office, 350 Capitol Hill Avenue.
2. A public hearing was held on March 12, 2002 in Reno, Nevada, at the Nevada Department of Agriculture Office, 350 Capitol Hill Avenue.

Notice of workshop and notice of hearing was posted at all six Department offices, the Nevada State Library in Carson City, Nevada, and all Nevada county libraries. The notice of workshop and hearing was posted on the Department's web site. Copies could be requested from the Nevada Department of Agriculture by writing to 350 Capitol Hill Avenue, Reno, Nevada, 89502, calling (775) 688-1180, contacting all other Department offices, the Nevada State Library in Carson City, and all Nevada county libraries. All persons who have requested to be notified of amendments were notified by fax or e-mail.

3. Workshop held March 12,2002 – Reno

Number attended:	0
Number testified:	0
No written statements were submitted:	0

Summary of comments: None.

4. Hearing held March 12,2002 – Reno

Number attending:	0
Number testifying:	0
Number of written statements submitted:	0

5. Comments were solicited from business and the public by posting in public locations and through direct fax and e-mail notices as outlined in #1 above. A copy of the comments and oral and written testimony may be obtained by calling the Nevada Department of Agriculture office, (775) 688-1180.

The Nevada Board of Agriculture adopted the amendments without changes.

6. The economic effects of the adopted amendments on the business which it is to regulate include:
  - a. Adverse effects: None
  - b. Beneficial effects: Repeal of a quarantine that is no longer needed removes any requirements on businesses.
  - c. Immediate and long-term economic effects: The adverse and beneficial effects are the same for immediate and long-term.
7. Economic effects of the proposed amendments on the public include:
  - a. Adverse effects: None
  - b. Beneficial effects: None.
  - c. Immediate and long-term economic effects: The adverse and beneficial effects are the same for the immediate and long-term.
8. Economic cost to the agency for the enforcement of the regulation:  
There will not be any additional cost to the agency to enforce the amendments adopted.
9. There are no other state or federal agency regulations which the adopted amendments overlap or duplicate.
10. The amendments adopted do not include any provisions more stringent than any federal regulation with the same activity.
11. This regulation does not establish or increase any fees.