

**ADOPTED REGULATION OF THE
STATE QUARANTINE OFFICER**

LCB File No. R002-03

Effective September 24, 2003

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

AUTHORITY: §1, NRS 554.020 and 554.030.

Section 1. Chapter 554 of NAC is hereby amended by adding thereto a new section to read as follows:

1. The State Quarantine Officer hereby adopts by reference the provisions of each domestic quarantine notice set forth in Part 301 of Title 7 of the Code of Federal Regulations, as those provisions existed on January 1, 2001, and any subsequent amendment to those provisions that is approved by the State Quarantine Officer pursuant to subsection 2. A copy of those provisions and any approved amendment to those provisions may be obtained free of charge from the State Department of Agriculture, 350 Capitol Hill Avenue, Reno, Nevada 89502.

2. Each amendment to a domestic quarantine notice specified in subsection 1 shall be deemed approved by the State Quarantine Officer unless the amendment is disapproved within 60 days after the amendment becomes effective. The State Quarantine Officer will review each amendment to a domestic quarantine notice specified in subsection 1 that is adopted after January 1, 2001, to determine its suitability for this state. If the State Quarantine Officer determines that such an amendment:

(a) Is suitable for this state, the State Quarantine Officer will:

(1) File one copy of the amendment with the Secretary of State and the State Library and Archives Administrator; and

(2) Make at least one copy of the amendment available for public inspection with the regulations of the Department; or

(b) Is unsuitable for this state, the State Quarantine Officer will:

(1) File with the Secretary of State and the State Library and Archives Administrator, together with a copy of the amendment, a written notice indicating that the amendment is disapproved; and

(2) Make at least one copy of the written notice and amendment available for public inspection with the regulations of the Department.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R002-03

On August 20, 2003, the State Board of Agriculture adopted regulations assigned LCB file number R002-03, which pertains to chapter 554 of the Nevada Administrative Code.

Notice date: 6/24/2003
Hearing date: 8/6/2003

Date of adoption by agency: 8/20/2003
Filing date: 9/24/2003

INFORMATIONAL STATEMENT

1. A public workshop was held on August 6, 2003, in Reno, Nevada, at:
The Nevada Department of Agriculture Office
350 Capitol Hill Avenue.
Reno, NV 89502

2. A public hearing was held on August 6, 2003 in Reno, Nevada, at:
The Nevada Department of Agriculture Office
350 Capitol Hill Avenue.
Reno, NV 89502

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 August 6, 2003 – Reno
Number attended: 0
Number testified: 0
No written statements were submitted: 0
Summary of comments: None.

4. Hearing held August 6, 2003– 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:
The business will only have one set of quarantines to comply with rather than separate state and federal quarantines.
 - 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:
Nevada will enforce these quarantines and prevent the pests covered by them from entering into Nevada and becoming established causing adverse economic and environmental effects on crops, livestock, public health, wildlife, water quality and beneficial uses of the land.
 - 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. Duplicates the Domestic Quarantine Notices, Code of Federal Regulations, Title 7, Volume 5, Part 301, Revised as of January 1, 2001 and any subsequent amendment to those provisions. The duplication is needed to take state enforcement actions on Federal Domestic Quarantines.

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.