

**PROPOSED REGULATION OF THE
STATE QUARANTINE OFFICER**

LCB File No. R089-11

November 4, 2011

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

AUTHORITY: §1, NRS 554.020, 554.030 and 587.360; §2, NRS 554.020.

A REGULATION relating to agriculture; providing for the imposition of a fee for certain inspections of commercial productions of onions and garlic; repealing provisions imposing a quarantine on onions and garlic in the Kings River Valley; and providing other matters properly relating thereto.

Section 1. NAC 554.930 is hereby amended to read as follows:

554.930 1. The ~~[Director]~~ *State Quarantine Officer or his or her designee* 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. *For each inspection of a commercial production conducted pursuant to subsection 1, the State Quarantine Officer will, in accordance with NRS 587.360, impose a fee of \$14 per acre.*

3. Garlic bulbs grown in Nevada may be replanted if they have been inspected by the ~~[Director]~~ *State Quarantine Officer or his or her designee* during the growing season and found apparently free from stem and bulb nematode and white rot.

~~[3.]~~ 4. 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.

Sec. 2. NAC 554.906, 554.907 and 554.908 are hereby repealed.

TEXT OF REPEALED SECTIONS

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.

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.

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.