**Responses to 2022 Comments from the California Citrus Nursery Society**

1. Can USDA APHIS assist in unifying interstate and intrastate movement in California by persuading California to recognize select registered pesticides mentioned in the CNS Protocol?

*Our Response:* APHIS does not persuade states in the selection of registered pesticides. Every state has their own pesticide regulations in addition to federal regulations. APHIS recognizes that the protocol allows the use of safe and effective pesticide registered products that are not recognized under California regulations. APHIS urges the citrus industry in California to work with California’s Department of Pesticide Regulation to get the select pesticides registered for use in their state.

1. Can the CNS protocol be modified to update the definition in the November 25, 2019, CNS version, to match the definition reported in Section 3701 - Citrus nursery stock pest cleanliness program (California Code of Regulations) "Breach" means any detectable opening of a size approximately 0.3 square millimeters inadvertently made in an insect-resistant structure?

*Our Response:* Not at this time. APHIS has previously discussed and evaluated this request. We believe that the requested update to the definition of ‘breach’ is less restrictive than the definition in Section 3701 - Citrus nursery stock pest cleanliness program (California Code of Regulations). Our definition allows some flexibility for interpretation based on the pest prevalence in the area where the breach has occurred. Additionally, a breach could be more than a tear to the screen.

1. Can APHIS provide what’s an appropriate response to a breach, and include a list of actions to be taken by growers once a breach has been identified in their facility with a timeline?

Our Response: This CDFA site has information for a breach protocol: <https://www.cdfa.ca.gov/citrus/pests_diseases/acp/nurseries.html>: <http://phpps.cdfa.ca.gov/PE/InteriorExclusion/pdf/Recommended_ACP_Breach_Protocol.pdf>

1. The 2019 CNS protocol includes a definition for “Commercial citrus producing states” but does not include a definition and/or an updated list for “non-citrus producing states”. Can APHIS provide an updated list for “non-citrus producing states” in the CNS protocol?

*Response:* The list of non-commercial citrus-producing states would be all states not included in the list. The list of commercial citrus-producing states is referenced in the Code of Federal Regulations section 301.75.

1. Can APHIS modify the requirement in Section 3(C)(i) of the 2019 CNS protocol for the treatment with systemic insecticide to state “at least 3 days but no more than 3 months (90 days)” to be in line with the results of research conducted in the past several years?

*Response:* APHIS reviewed the scientific literature presented and at this time will not change the requirement in Section 3(C)(i) as requested.

1. Can APHIS modify the requirement in Section 1(G) of the 2019 CNS protocol to remove the wording “within a contiguous quarantine area”?

*Response:* No. At this time APHIS will not remove the wording as per the regulations it ensures an understanding that movement outside of a quarantine area will have to meet the requirements for interstate movement when a state regulates less than an entire state.

1. Can APHIS modify Section 3(B)(i) of the following sentence “The interval between inspections must not exceed 30 calendar days” and replace it with “Inspections shall occur once each calendar month with no greater than 35 days between inspections.”?

*Response:* APHIS can make this modification during a future revision of the protocol for which we will request stakeholder comments.

1. Can APHIS modify Section 4(B)(ii) to revise the first sentence to remove “by a diagnostician certified by APHIS” and read as “Testing for CG must be conducted by

a laboratory accredited by APHIS.”?

*Response:* No. APHIS cannot revise this sentence because even if a laboratory is APHIS accredited, not all employees within such a laboratory are certified to perform diagnostic screening for citrus greening.

*Note:* Comments or requests made in 2019 that have since been included in the 2019 version of the CNS Protocol are not addressed in this document; please refer to this site for responses to those comments: https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/pests-and-diseases/citrus/nursery-stock/cns-comments