

- **ARTICLE VII. - GRAPE PHYLLOXERA CONTROL**

- **Sec. 8.12.610. - Title.**

This article shall be known and may be referred to in all proceedings as the Grape Phylloxera Control Ordinance.

(Prior Code, § 16,601; Code 1997, § 8.28.010)

- **Sec. 8.12.620. - Purpose.**

Recognizing that the plantings of grapes for commercial purposes in the County have generally not been rootstock resistant to grape phylloxera and further recognizing that grape phylloxera has been known to cause serious losses to the grape industry, it is therefore necessary to take steps to prevent the pest from becoming established within the County.

(Prior Code, § 16,602; Code 1997, § 8.28.020)

- **Sec. 8.12.630. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Certification* means that the agriculture commissioner at origin has issued a certificate indicating the shipment meets the conditions set in this article.

*Competent annual survey* means a survey conducted using known methods for the detection of grape phylloxera.

*Grape phylloxera* means the insect designated *Phylloxera vitifoliae* .

*Infested with grape phylloxera* means that evidence shows that grape phylloxera is present.

(Prior Code, § 16,603; Code 1997, § 8.28.030)

- **Sec. 8.12.640. - Intercounty shipments.**

A.

All intercounty shipments of grapevines and cuttings, rooted or otherwise, must be certified by the agricultural commissioner at the point of origin as free of grape phylloxera or treated as stated in this article.

B.

Certification may be granted if a competent annual survey of the point of origin has been made by the County Agricultural Commissioner and a certificate has been issued stating that no grape phylloxera is known to exist in the area where the vines or cuttings were grown.

C.

If no annual competent survey has been made, or if a survey has been made and the area is found to be infested with grape phylloxera, then all vines and cuttings originating from that area must be subjected to one of the following methods of treatment, and so certified:

1.

*Hot water treatment.* Complete submergence in water at a temperature not less than 125 degrees nor more than 130 degrees for not less than three or more than five minutes;

2.

*Nicotine-oil dip.* Complete submergence in oil and nicotine for a period of not less than ten minutes. The solution shall consist of 1½ gallons of medium summer oil of viscosity from 72 to 80 (unsulphonated residue test of 95 or above), to which is added one pint of Blackleaf 40, one pint of sulphonated alcohol liquid spreader and 100 gallons of water. The dip shall be renewed after dipping no more than four lots of vines, and at least once every 24 hours, and the solution shall be thoroughly agitated immediately prior to each dipping;

3.

*Methyl bromide fumigation.* Atmospheric fumigation in an approved gastight fumigation chamber, equipped with a heating unit, fan for dispersal of gas and clearing chamber of gas after fumigation, and an interior thermometer (visible from the outside), with a dosage of not less than two pounds of methyl bromide per 1,000 cubic feet for a period of at least three hours at a temperature of not less than 65 degrees Fahrenheit, the fan to be operated during and for ten minutes after the injection of the gas.

(Prior Code, § 16,604; Code 1997, § 8.28.040)

- **Sec. 8.12.650. - Holding shipments.**

All shipments of grapevines and cuttings, rooted or otherwise, originating from outside the County, must be held for inspection by the County Agricultural Commissioner at the point of destination within the County.

(Prior Code, § 16,605; Code 1997, § 8.28.050)

- **Sec. 8.12.660. - Equipment controls.**

A.

These rules govern the movement of any farming implements, machinery and field equipment, tractors, grape picking boxes, used grapestakes or other appliances which have been used or operated in culturing, harvesting or transporting within the vineyard.

B.

All such equipment shall be held upon arrival in the County until released by the County Agricultural Commissioner or his or her inspector. All such equipment will be inspected and released if:

1.

Accompanied by a certificate signed by the agricultural commissioner or his or her inspector at origin stating that the equipment has not previously been used in an infested area; or

2.  
Certified by the agricultural commissioner or his or her inspector at origin as having been thoroughly cleaned and free of all soil and debris immediately prior to leaving that area of infestation.

C.  
All such equipment found contaminated with soil and debris, and not certified as in Subsection B.1 of this section:

1.  
May be refused movement from that area;

2.  
Shall be treated at the owner's expense in an area designated by and under the supervision of the Agricultural Commissioner or his or her inspector. The location of the cleaning operation shall be designated by the Agricultural Commissioner.

(Prior Code, § 16,606; Code 1997, § 8.28.060)

- **Sec. 8.12.670. - Treatment.**

A.  
If an infestation of grape phylloxera is located within the County, any vines or cuttings from the infested property shall be treated by one of the methods described in [Section 8.12.640](#).

B.  
Any equipment as described in [Section 8.12.660](#) may be refused movement from the infested area or be treated at the owner's expense under the direction of the Agricultural Commissioner.

(Prior Code, § 16,607; Code 1997, § 8.28.070)

- **Sec. 8.12.680. - Penalty for violation.**

Any person, firm, partnership, association or corporation who violates or causes the violation of any of the provisions of this article shall be guilty of a misdemeanor.

(Prior Code, § 16,608; Code 1997, § 8.28.080)