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## NURSERY GROWER INFORMATION

NDCC 4-21.1-06. No person may sell nursery stock without a license issued by the commissioner.

NDCC 4-21.1-14. Exemptions. The commissioner may exempt certain nursery stock, nurseries, or persons from all or part of the sections of this chapter. Exemptions from licenses and fees include:

1. Persons growing and propagating nursery stock for research or experimental purposes.
2. Soil conservation districts selling nursery stock for the prevention of soil and wind erosion or other conservation plantings.
3. Persons growing nursery stock for noncommercial purposes or that the commissioner designates as exempt.

- "Noncommercial" means sales made by nonprofit and charitable organizations, occasional sales or nursery stock that has not been specifically grown for sale purposes, and sales from hobby-type growers or propagators.

- "Occasional sales" means the sale of not more than twelve trees, shrubs, or woody vines within one calendar year. This exemption is restricted to only nursery stock grown by the seller. NDAC 7-04-02-01

NDCC 4-21.1-05. A certificate of inspection may be issued annual by the commissioner for nursery stock grown in licensed nurseries within North Dakota that is found to be practically free from damaging pests. Certificates expire December thirty-first unless canceled at an earlier date. Certification may be withheld when nursery stock is infested with a pest or if weeds or other objects prevent the commissioner from making an adequate inspection of the nursery stock. All nursery stock being offered for sale within North Dakota must be from officially inspected sources. A copy of a certificate of inspection from the state of origin must accompany each commercial lot or shipment of nursery stock that is transported into or offered for sale within North Dakota.

1. Growers are reminded that under NDCC 63, it is everyone's responsibility to control noxious weeds and prevent their spread. . Prevention and early detection and control of noxious weeds is critical. Certification may be withheld because of noxious weed infestations. Control recommendations are available from NDSU Extension. Refer to the list of available publications. Weeds designated as noxious in North Dakota are:

Leafy spurge	Russian Knapweed	Musk Thistle	Yellow Starthistle
Spotted knapweed	Field Bindweed	Absinth Wormwood	Dalmatian Toadflax
Diffuse knapweed	Canada Thistle	Purple Loosestrife	Saltcedar

2. Field grown nursery stock must be maintained by mechanical or chemical, or both, vegetation control.
3. Persons growing Christmas trees and persons with overgrown trees or shrubs that will no longer be sold as nursery stock will need to clearly identify which trees are to be inspected for certification.
4. Plan your nursery layout carefully to avoid overcrowded conditions that result in difficulties properly maintaining your nursery stock. Be aware of nearby hosts of insects, diseases, or weeds that can result in serious management problems in future years. The most common problems observed in North Dakota that may become problems due to poor planning include Rhizosphaera needlecast of spruce, Western gall rust of pines, blacknot of stone fruits, and various noxious weed problems. Other problems include various wood-boring insects.
5. Growers who plan to ship nursery stock out of state should consult with their nursery inspector regarding any special requirements of the importing state or country. Consultations the year prior to intended shipment are advised so that any special inspections or trapping surveys can be conducted.
6. Do not grow barberry without first consulting with your nursery inspector. Provisions of State and Federal Black Stem rust quarantines must be observed and the source of planting stock must be clearly demonstrated. Failure to comply may result in destruction of plant material.
7. Growers are advised to avoid planting hosts of soybean cyst nematode within their nursery. Introduction of soybean cyst nematode could compromise your ability to ship nursery stock.