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Bismarck, ND 58505-0020

Summary of North Dakota Nursery Stock Requirements

Nursery stock includes all trees, shrubs, and woody vines and parts thereof, which are capable of propagation or growth except seed. Only those plants intended for outdoor planting are considered nursery stock. All Clematis, Rosa, and Yucca species are exempt.

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.

No person may sell nursery stock without a license (see NDCC 4-21.1-14 and NDAC 7-04-02.01).

All nursery stock offered for sale within the state must be labeled in accordance with the International Code of nomenclature for cultivated plants with the complete correct botanical or approved recognized common name.

All nursery stock offered for sale or distribution must be in a viable condition and must be stored and displayed under conditions that will maintain its viability and must conform with the American Association of Nurserymen American Standard for Nursery Stock.

It is unlawful for any person to misrepresent the name, age, origin, grade, variety, quality, or hardiness of any nursery stock being offered for sale.

All nursery stock designated as nonhardy must be labeled as `Nonhardy in North Dakota. A list of nonhardy plant material is available on request.

All **Berberis**, **Mahoberberis**, and **Mahonia** shipped into the state must comply with the Federal (7CFR 301.38) and State Black stem rust quarantines. All such plants shipped into the state must be accompanied by a Federal certificate or stamp. Plants and shipping documents must be properly labeled with approved rust-resistant varieties listed in the Federal Quarantine. Out of state shippers should work closely with their state department of agriculture to assure that provisions of the quarantines are followed.

All Federal quarantines including the Gypsy Moth, Pine Shoot Beetle, and Black Stem Rust (barberry) must also be complied with.

North Dakota is classified as a category 2 state under the Japanese Beetle Harmonization Agreement. JB is not known to be established in North Dakota although single trap catches have been made on rare occasions during the annual JB survey. Nursery stock from infested areas must meet certification requirements.