

3640. NEMATODES: COMMERCIALLY CLEAN NURSERY STOCK FOR FARM PLANTING

State Miscellaneous Ruling

a. Nematode infested nursery stock for farm planting has been determined by the Secretary to be detrimental to agriculture.

b. Nursery stock for farm planting shall be commercially clean with respect to economically important nematode species detrimental to agriculture.

c. "Commercially clean" nursery stock for farm planting means nursery stock for commercial farm planting that is certified in accordance with the requirements of the Nursery Stock Nematode Certification program as provided in Sections 3055 through 3055.6; and nursery stock which is not so certified shall not be sold or shipped within the State.

d. Exemptions:

1. Nursery stock for farm planting produced in non-soil media and garlic, mint, onion, and seed potato nursery stock are exempt from the requirements of this section.
2. Nursery stock for farm planting found to be infested with economically important nematode species detrimental to agricultural production may be sold or shipped when, by written agreement, the buyer and the agricultural commissioner of the county where the stock is to be planted both agree to accept the stock for planting in an area where the nematode species infesting the stock is already present.

e. Enforcement: Enforcement of this regulation shall be the responsibility of the Department.