

Regulations, Licensing, and Certifications: Working with the Industry to Provide Better Plants

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New Hampshire Department of Agriculture, Markets & Food



- Plant pests and diseases thrive on live plants...
- Trade in live plants can spread pests locally, nationally, and internationally...
- The goal of plant health regulations are to support trade in live plants while reducing trade in live plant pests...

APHIS



U.S. Customs and
Border Protection



International Plant Protection Convention

Protecting the world's plant resources from pests



NAPPO

North American Plant Protection Organization
Organización Norteamericana de Protección a las Plantas

New Hampshire
Department of Agriculture,
Markets & Food

Authorizing federal regulations:

Plant Protection Act 7 U.S.C 7701 *et seq.*

Authorizing state regulations:

RSA 430: 1 - 8 Insect Pests and Plant Diseases

RSA 433: 21 – 36 Nurseries and Nursery Stock

RSA 430:55 Invasive Species

Agr 2500 Nurseries and Nursery Stock

Agr 3800 Invasive Species



Goal of nursery program: support NH agriculture and ensure that NH plants offered for sale locally, nationally, and internationally are free of quarantine pests and diseases, with all other pests under effective control



Nursery Regulatory Activities:

- Import / export
- Plant dealer / landscaper licensing
- Inspections & survey
- Quarantines
- Nursery Certification programs
- Compliance agreements

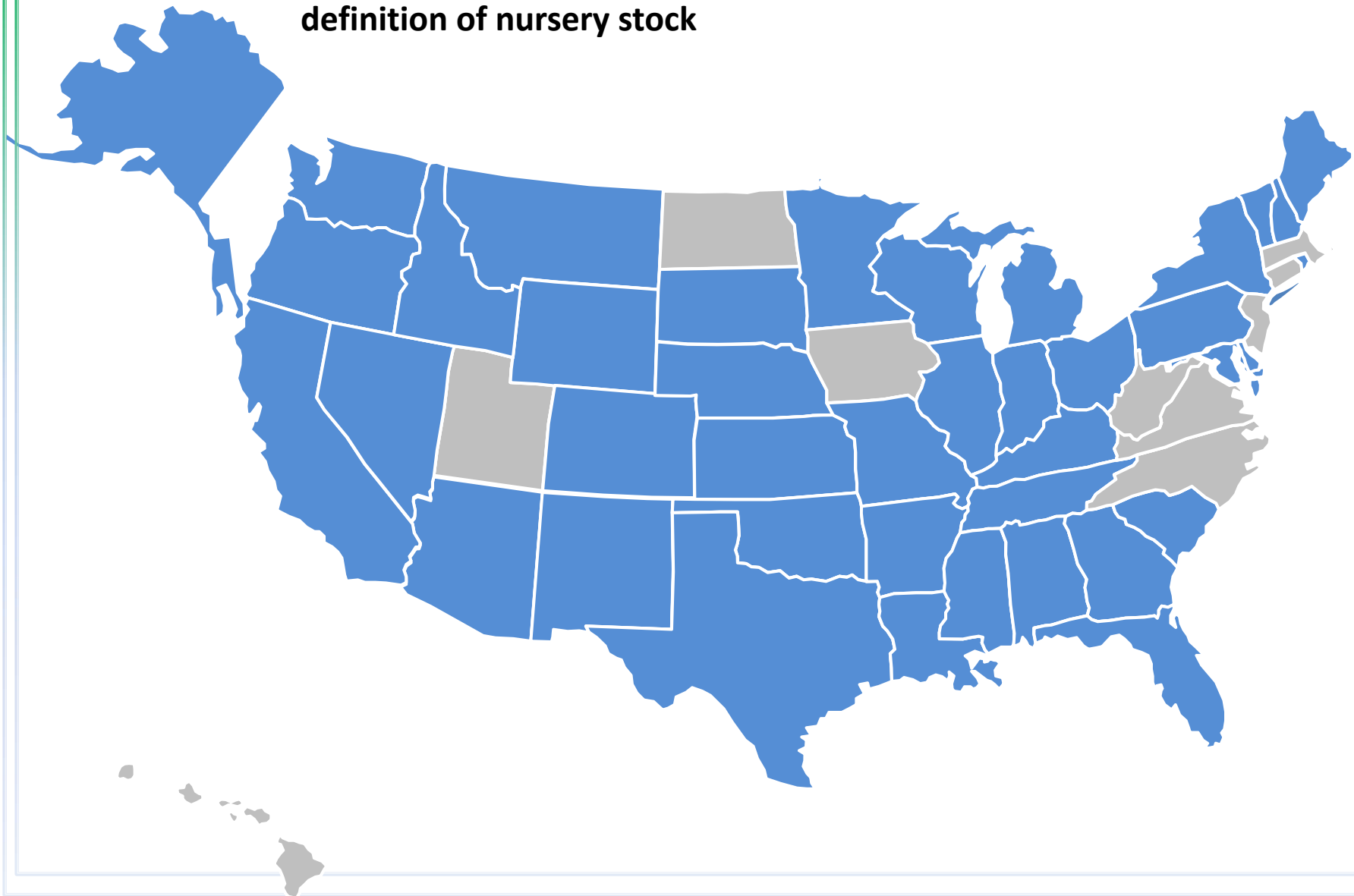


Question - what is nursery stock?

“...any woody or herbaceous plant material being offered for sale. Woody plant material includes, but is not limited to: ornamental and fruiting trees, shrubs, vines, and all viable parts of these plants; and any other plant or plant part designated by the commissioner. Herbaceous plant material includes, but is not limited to: annuals, perennials, bulbs, tubers, root stock, or any other type of plant or plant part designated by the commissioner. Nursery stock does not include cut Christmas trees, wreaths, seeds, dried herbs, vegetables, cut flowers, or such plant products.” *RSA 433:21, Agr 2501.02(q)*



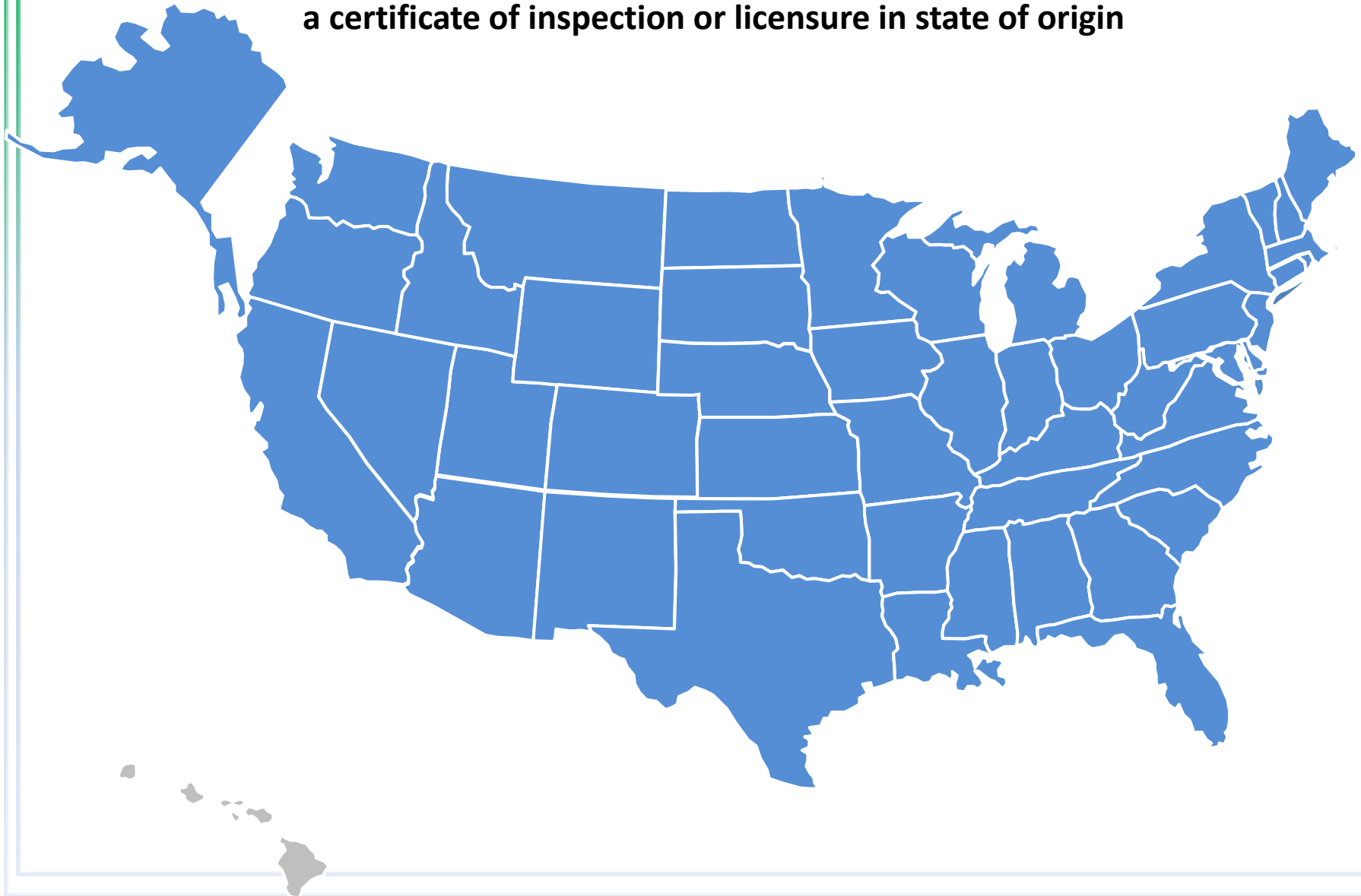
States whose regulations **INCLUDE** all herbaceous plants in the definition of nursery stock



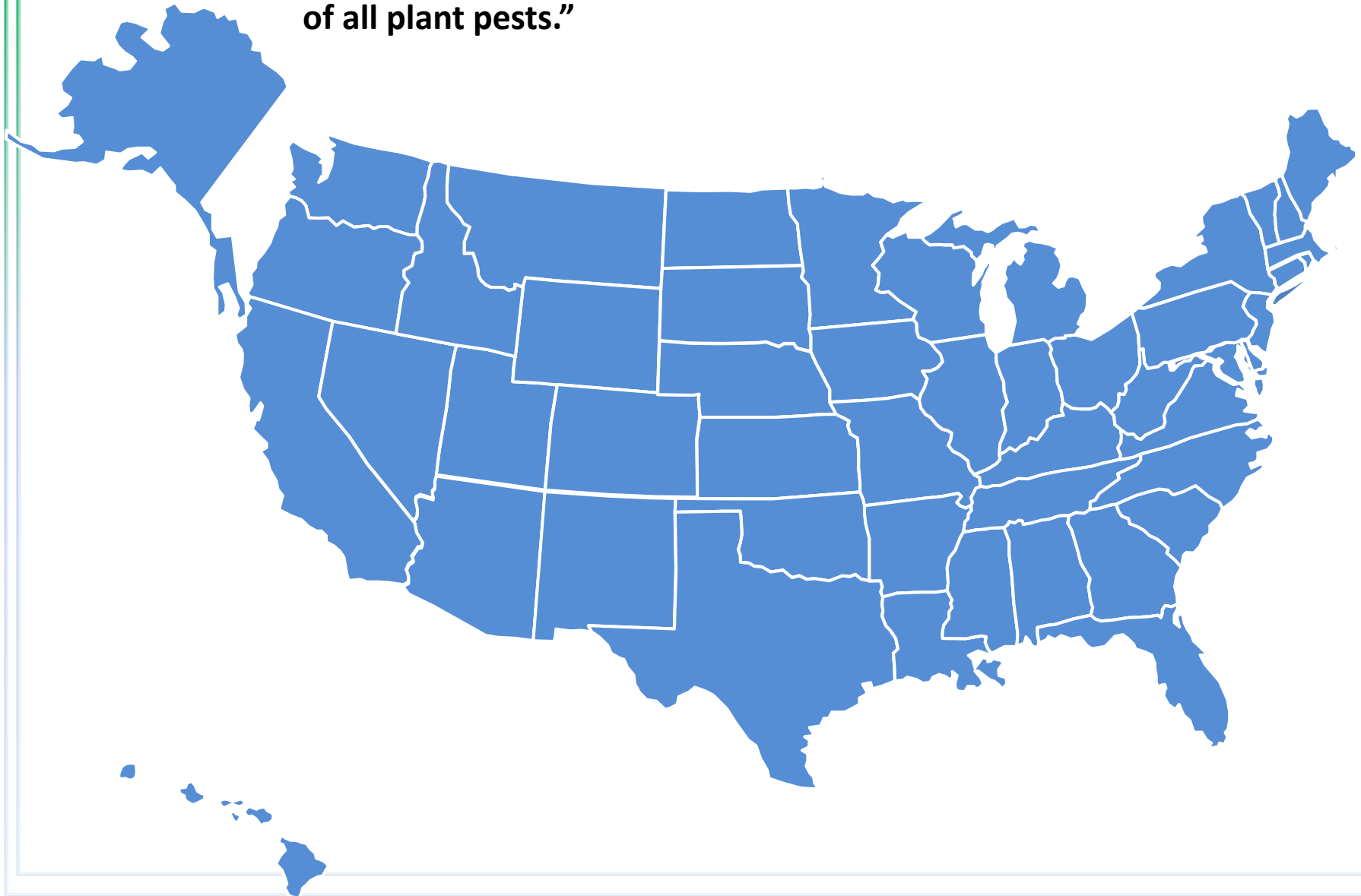
Overview NH Nursery Stock Regulations & Rules:

- **Import:** Nursery stock shipped into NH is apparently free from dangerous insects and plant diseases and authorized by a certificate or license
- **Export:** Nursery stock exported from NH originates from a licensed nursery, is subject to inspection, is free from quarantine pests with non-quarantine pests under effective control, and meets the importer's phytosanitary requirements
- **New Hampshire Plant Dealers shall:**
 - Obtain a Plant Dealer license to sell nursery stock
 - Offer nursery stock that is not infected with plant diseases or infested by plant pests
 - Nursery stock offered for sale should be of a condition that will permit it to live and grow with reasonable care
 - Make nursery stock available for inspection, including placement of traps for long-term monitoring & survey, during reasonable hours
 - Comply with all NH Nursery and Nursery Stock rules including licensure, stop sale, treatment, and destruction orders, state and federal quarantines, state and federal invasive species rules, inspections.

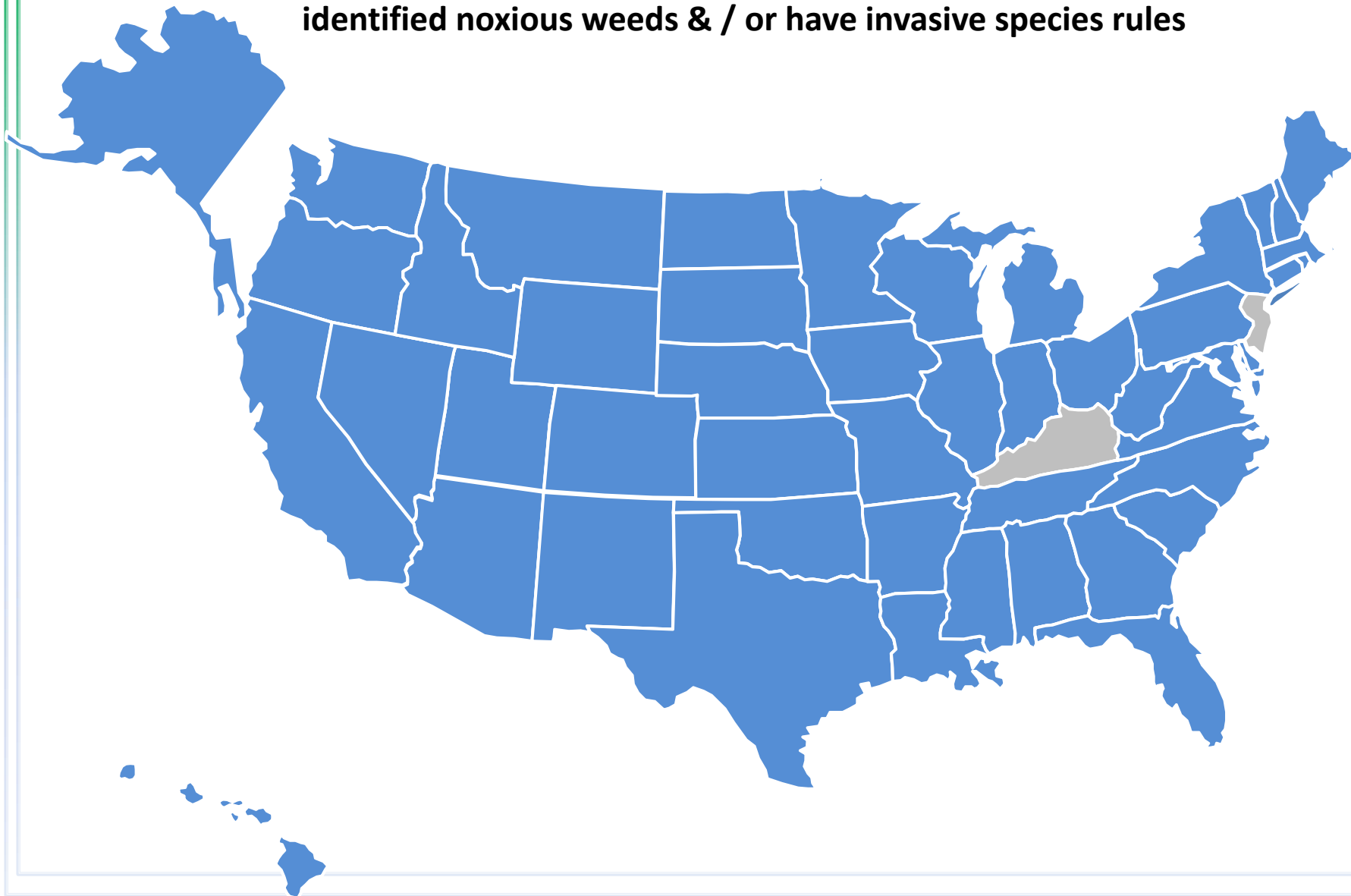
States which **REQUIRE** imported nursery stock to be accompanied by a certificate of inspection or licensure in state of origin



States which **REQUIRE** imported nursery stock to be: “Apparently free of all plant pests.”



States which **REQUIRE** imported nursery stock to be free of state identified noxious weeds & / or have invasive species rules



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Plant Dealer / Landscaper licensing:

- A license is required to engage in the sale of live plants in New Hampshire
- A license is required for growers of nursery stock, sellers of nursery stock, and importers and transporters of nursery stock that temporarily or permanently retain nursery stock in their possession *RSA 433:29-a, Agr 2501.03*

Licensure:

- Identifies who is engaged in the sale and trade of live plants **(2018: 670 Plant Dealers renewed thus far)**
- Allows communication about new and emerging pests
- Strengthens early detection & rapid response activities
- Protects NH agriculture and environment from introduced pests and diseases
- Provides a local contact for assistance with interstate and international plant protection requirements



Do landscapers require a New Hampshire Plant Dealer / Landscaper license?

- Agr 2501.03 Licensing: Any nurseryman, plant dealer, or landscaper that **temporarily or permanently retains nursery stock in his or her possession** shall obtain a Plant Dealer / Landscaper license
- Do you off-load plants at a location other than at your customer's jobsite?
- If you do, then you need a Plant Dealer license.

Application available at:

agriculture.nh.gov/publications-forms/documents/plant-dealer-application.pdf

Questions?

Contact Division of Plant Industry



Inspections & Survey:

- Surveys & inspections for **quarantine plant pests** support trade
- Surveys & inspections for **dangerous plant pests** support NH agriculture & the environment
- Surveys & inspections for **all other plant pests** support consumer protection

Quarantines:

- NH: emerald ash borer, hemlock woolly adelgid, external firewood
- Federal: emerald ash borer, gypsy moth, pine shoot beetle
- Other states: Japanese beetle, European corn borer, chrysanthemum white rust, boxwood blight, etc.

Compliance agreements:

- Voluntary agreement to use specific growing BMP's to meet plant health trade requirements: **Japanese beetle, hemlock woolly adelgid**



State Quarantines for Plant Pests per State

Key:

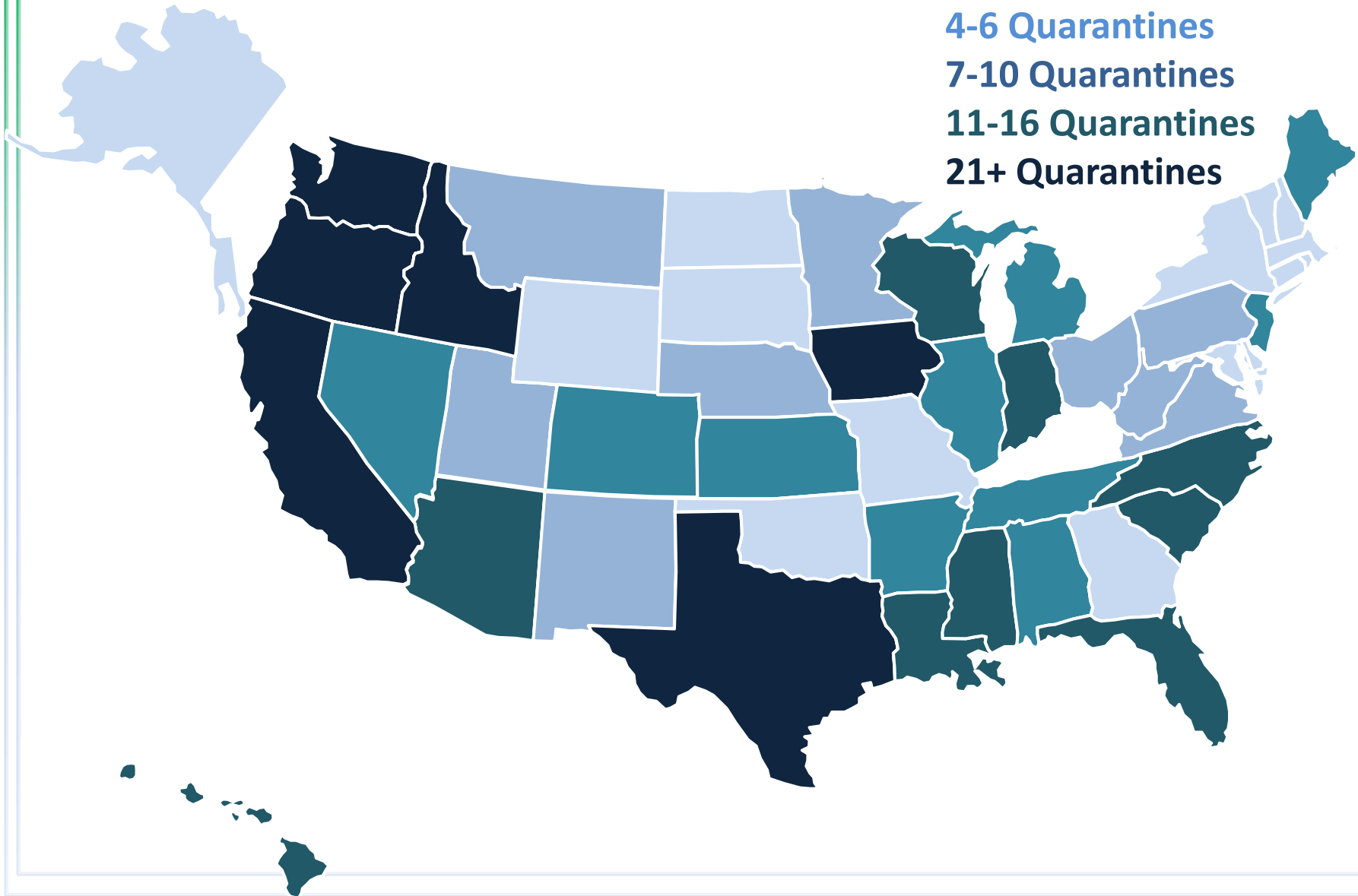
1-3 Quarantines

4-6 Quarantines

7-10 Quarantines

11-16 Quarantines

21+ Quarantines



A NEW Approach to Certification...Nursery Certification Programs

SANC: pilot program developed in partnership with the National Plant Board and AmericanHort



US-Canadian Greenhouse Certification Program (GCP): a US - Canada trade agreement providing expeditious movement of approved plants between the countries



- Verification of good growing practices to produce better plants and mitigate risk
- More comprehensive than end-point inspections
- Voluntary
- Not for every facility

Basic approach: Working with NHs state plant regulatory office...

- Identify facility specific risks (critical control points, CCPs)
- Make a plan to mitigate the CCPs using best management practices, BMPs
- Follow the plan
- Document that you are following the plan
- Facility and regulators verify that the plan is being followed through regular verification checks / audits



Benefits to Grower:

- Reduce risk of moving plant pests in your nursery stock
- Risk assessment process identifies production hazards
- Use of BMPs to manage risk
- Improved communication across all levels of production
- Improved communication with your state / local plant protection agency
- Less reliance on end-point inspections
- Potential marketing advantage



Benefits to Retailer &/or Consumer:

- Confidence that the plants have a reduced pest risk
- Less likely to be subject to a stop sale or destruction order during an inspection
- Part of an industry-driven continuum to provide clean nursery stock to consumers

SHIPPING TODAY

**SANC-CERTIFIED
Plant Material**

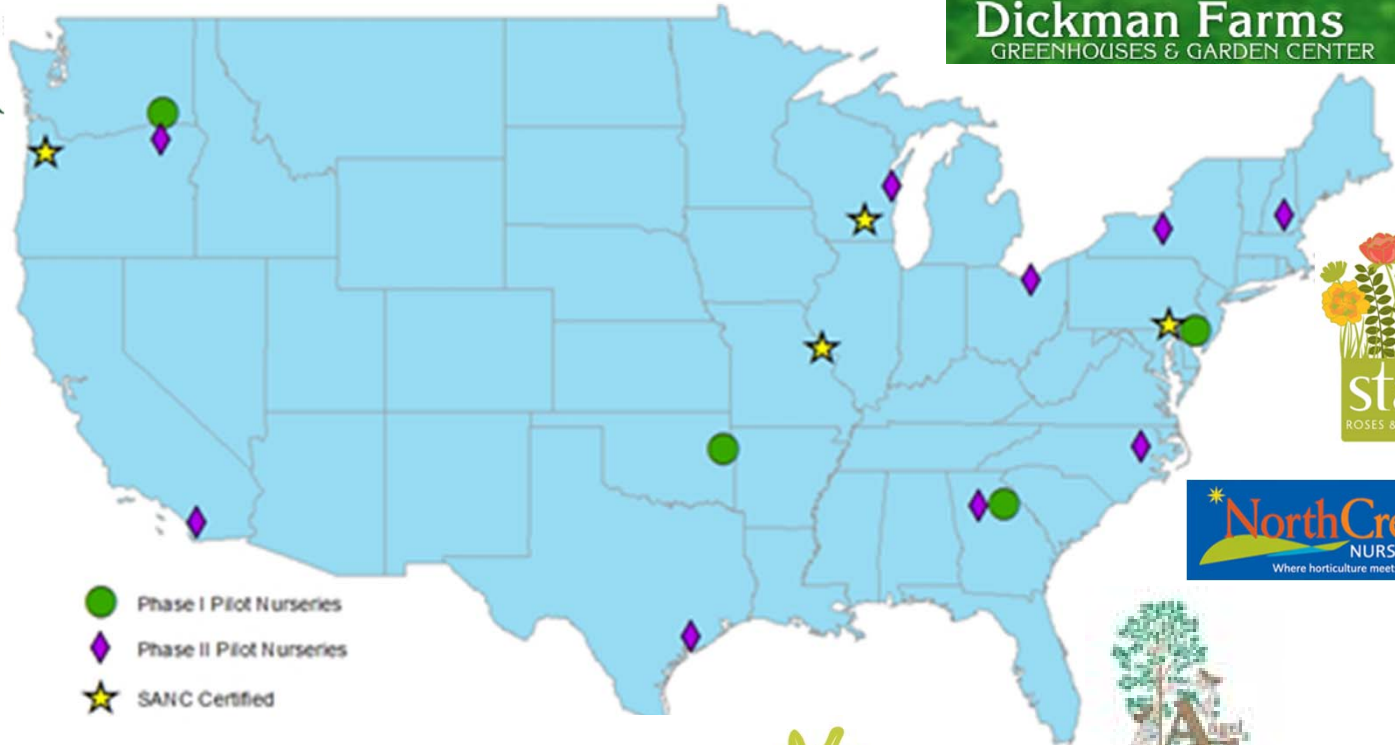


Look for the SANC label. Several Phase I pilot nurseries have successfully completed SANC certification and are shipping plants to all 50 states.

The SANC Pilots



- Phase I Pilot Nurseries
- ◆ Phase II Pilot Nurseries
- ★ SANC Certified



Nursery Certification in New Hampshire...

- DS Cole Growers, Inc. is under compliance agreement as a GCP participant
- DS Cole Growers, Inc. is a pilot nursery in SANC working to harmonize the two certification programs into a single set of requirements
- Division of Plant Industry staff have gone through audit training, SANC training, and are active in the SANC Outreach, Evaluation, Inspector, and Steering committees
- Following successful certification of DS Cole Growers, Inc. in the SANC program, the Division will be able to begin the SANC process with other interested NH interstate shipping nurseries



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