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Governor

State of Nebraska

DEPARTMENT OF AGRICULTURE
GREGORY A. IBACH
Director

February 29, 2012

MEMO TO: Farmers Market Managers and Vendors

FROM: Julie C. Van Meter, Program Manager/State Entomologist

SUBJECT: License Requirements for Vendors of Perennial and Woody Nursery Stock

The Nebraska Department of Agriculture (NDA) regulates the distribution of nursery stock under the Nebraska Plant Protection and Plant Pest Act. **This requires a nursery license for anyone distributing herbaceous perennials, perennial herbs, trees, and/or shrubs.** Annual plants, vegetable plants, cut flowers, and house plants are not regulated, and no license is required for their distribution.

NDA requires all persons distributing nursery stock to hold a valid Nebraska Nursery Dealer's License or Nursery Grower's License.

A Nursery Grower's License is required for anyone growing and distributing nursery stock in the state of Nebraska. The plants must be grown within the state, and be inspected and certified by NDA, prior to distribution. A single Growers License is valid for all market locations.

A Nursery Dealer's License is required for anyone who distributes nursery stock but does not grow nursery stock, or for anyone who grows nursery stock in another state, but distributes it in Nebraska. A separate Dealer's License is required for each location where nursery stock is distributed. If you sell at multiple markets, a Dealer License is needed for each market. Vendors originating from outside Nebraska must also provide proof that they are licensed and the nursery stock was inspected and certified prior to entry into Nebraska. All nursery stock must be in compliance with Nebraska law, and state and federal quarantines, including the National Japanese Beetle Harmonization Plan.

NDA Inspectors will be conducting inspections at markets this year, to ensure compliance with the law. Vendors found distributing nursery stock without the appropriate license will be required to obtain a license, and a Withdrawal-From-Distribution Order may be issued on all nursery stock, prohibiting distribution until the appropriate license is obtained. Vendors distributing nursery stock at a farmers' market must display a copy of their valid Nursery License at their booth.

Please contact Julie Van Meter at (402) 471-2351, if you have any questions. Thank you for your cooperation.

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