RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DIVISION OF AGRICULTURE & RESOURCE MARKETING
235 Promenade Street, Providence, RI 02908-5767
Phone: 401-222-2781 Fax: 401-222-6047 TDD: 711

Nursery Licensing, Inspection & Certification
http://www.dem.ri.gov/programs/agriculture/nursery.php

Matt Green
Matt.Green@dem.ri.gov
235 Promenade Street, Providence, RI 02908-5767
Tel: (401) 222-2781 ext. 4516; Fax: (401) 222-6047

What license is needed to offer plants for sale in Rhode Island?
RI Nursery Law requires that, prior to offering Nursery Stock for sale in RI, either a Nursery Worker's License or a Nursery Stock Dealer's License must be obtained through the RI DEM Division of Agriculture. Links to RI Nursery Law and related laws and regulations are at the end of this document.

What plants are considered Nursery Stock?
"Nursery stock" means all hardy, deciduous and evergreen trees, shrubs, vines and other plants having a persistent woody stem, whether wild or cultivated, and plant parts, for and capable of propagation. For questions about specific plants, contact the Division of Agriculture.

Should I apply for a Nursery Stock Dealer's License or a Nursery Worker's License?
"Nursery worker" means the person who owns, leases, manages, or is in charge of a *"Nursery"*, which is any grounds or premises where nursery stock is propagated, grown, or cultivated, or from which nursery stock is collected for sale purposes. A *"Dealer"* is any person, not a grower or an original producer of nursery stock, and who is independent of the control of any nursery worker or other dealer, who sells, offers to sell, solicits orders for or otherwise traffics in nursery stock from a supply at hand or which is obtained from a nursery or another dealer. A Dealer's activity may include holding nursery stock by heeling-in, for purposes other than propagation or growth.

What are the fees and terms for a license to sell Nursery Stock in Rhode Island?
Nursery Worker's License annual fee is $50; Nursery Stock Dealer's License annual fee is $50 per sales location. All licenses expire annually on March 31. In order to maintain a license, an application must be submitted with payment of fees annually prior to the March 31 date of expiration.

I would like to apply for a Nursery Worker's License. Is an inspection of my nursery required?
To obtain a Nursery Worker's License, your nursery stock will be inspected and certified. At least once each year during the growing season, all nurseries in the state of Rhode Island are inspected to ascertain whether they are infested with injurious plant pests. If the nursery and the nursery stock are apparently free from injurious plant pests, a nursery stock inspection certificate is issued.

Where can I get an application form for a Nursery Stock Dealer's License or a Nursery Worker's License, or request inspection of plants for phytosanitary certification?
Contact Matt Green at the Division of Agriculture.

Which plants are prohibited or restricted in Rhode Island?
All plants in the genus Ribes are either restricted (permits required) or prohibited, depending on the species. Currants, Gooseberries and their crosses are regulated. The White Pine Blister Rust Control Act was enacted in Rhode Island to protect native white pines from white pine blister rust, which is transmitted by plants of the genus Ribes. According to this Act, permits from DEM/Div. of Agriculture are required for import into or transport within the state ($50 permit fee) and planting ($50 permit fee) of Ribes species plants in Rhode Island.
This Act prohibits the possession, transport, planting, propagation or sale of black currants (Ribes nigrum) and the planting of flowering currants (Ribes aureum and Ribes odoratum) in the state and limits the planting of other Ribes species such as red and white currants and gooseberries to designated low-hazard areas with a permit.
Permit application instructions: http://www.dem.ri.gov/programs/bnatres/agricult/pdf/ribesspp.pdf

Plants on the federal noxious weed list are prohibited: Movement into or within Rhode Island is prohibited for all Federal noxious weeds designated by USDA APHIS in 7CFR Part 360-Noxious Weed Regulations.
http://www.aphis.usda.gov/plant_health/plant_pest_info/weeds/downloads/weedlist.pdf

What are the requirements for movement of plant material to other states, territories or countries?
Inspection and certification provides the basis for compliance with laws and regulations governing the movement of plants domestically and internationally. Plant shipments that do not meet certification requirements of the destination state or country may be refused entry or require quarantine or treatment at the destination. DEM Division of Agriculture conducts Phytosanitary Inspection and Certification to assist Rhode Island exporters of plant material in complying with the phytosanitary requirements of other states and countries.
Summaries of requirements for shipments of plant materials domestically to US states and territories can be found on the National Plant Board website: http://nationalplantboard.org/laws-and-regulations/
Summaries of requirements for shipments of plant materials internationally can be found on the USDA Animal and Plant Health Inspection Service (APHIS) Phytosanitary Export Database (PExD):
https://pcit.aphis.usda.gov/pcit/

How do state and federal quarantine restrictions affect the movement of plant materials?
States, territories and the federal government all may place quarantines restricting the movement of regulated articles of plant material for the purpose of preventing the spread of certain harmful plant pests outside of a regulated area, or into or through protected areas.
Examples of quarantines for which nurseries must enter into a state/federal compliance agreement for interstate shipment of plant materials to destinations requiring certification are: Gypsy Moth (field-grown nursery stock); Black Stem Rust (Berberis, Mahoberberis, & Mahonia spp.); and Pine Shoot Beetle (Pinus spp.). The U.S. Domestic Japanese Beetle Harmonization Plan facilitates movement of plant materials and soil outside of the Japanese Beetle quarantine area. Movement of plant material into the state also is regulated to prevent entry of plant pests including Asian Longhorned Beetle, Emerald Ash Borer, and Phytophthora ramorum (Sudden Oak Death).
Information on these and other plant pests and related regulated articles can be found on the USDA APHIS Plant Pest Program website: http://www.aphis.usda.gov/plant_health/plant_pest_info/index.shtml
Other states' and territories' quarantine summaries are listed on The National Plant Board website:
http://nationalplantboard.org/laws-and-regulations/

What are the requirements that allow for plants to be represented as Organic?
In order for agricultural products, which are marketed for human or livestock consumption, to be represented as Organic in the US, they must have been produced and handled in accordance with the USDA National Organic Program Standards: http://www.ams.usda.gov/AMSv1.0/nop
RIDEM Division of Agriculture is an organic certification agency accredited by USDA NOP:
http://www.dem.ri.gov/programs/agriculture/orgcert.php

Rhode Island General Laws

RI Nursery Law, Chapter 2-18.1
http://webserver.rilin.state.ri.us/Statutes/title2/2-18.1/index.htm

Nurseries and Nursery Stock, Chapter 2-18
http://webserver.rilin.state.ri.us/Statutes/TITLE2/2-18/INDEX.HTM

Protection of Trees and Plants Generally, Chapter 2-15
http://webserver.rilin.state.ri.us/Statutes/TITLE2/2-15/INDEX.HTM

General Plant Pest Act, Chapter 2-16
http://webserver.rilin.state.ri.us/Statutes/TITLE2/2-16/INDEX.HTM

Diseases and Parasites, Chapter 2-17
http://webserver.rilin.state.ri.us/Statutes/TITLE2/2-17/INDEX.HTM

RI Seed Act, Chapter 2-6
http://webserver.rilin.state.ri.us/Statutes/TITLE2/2-6/INDEX.HTM

Rules and regulations

Production and Distribution of Nursery Stock
https://rules.sos.ri.gov/regulations/part/250-40-10-1

Suppression of White Pine Blister Rust
https://rules.sos.ri.gov/regulations/part/250-40-10-2

Rules Related to Cultural Practices for Branding Products of the Farm (Organic Certification Program)
https://rules.sos.ri.gov/regulations/part/250-40-20-9

Rules and Regulations under the Rhode Island State Seed Law
https://rules.sos.ri.gov/regulations/part/250-40-20-8