

02 NCAC 48A .1204 CLASSIFICATION OF NURSERIES

All nurseries in North Carolina shall be classified as certified or registered. All nurserymen have the right to request the category to which they are assigned. Final assignment may be based on agreement between the inspector and nurseryman.

- (1) Certified. Any nursery that is one acre or more in size or that produces and distributes or sells nursery stock outside the state:
 - (a) Retail Nursery. Any nursery where 80 percent or more of the nursery stock sold is to the final consumer;
 - (b) Wholesale Nursery. Any nursery where 80 percent or more of the nursery stock sold is to other nurseries, dealers or persons for resale;
 - (c) Retail and Wholesale Nursery. Any nursery where sales consist of nursery stock which is sold as follows:
 - (i) directly to the final consumer, and
 - (ii) to other nurseries and/or dealers for resale with the percentage of sales for categories (a) and (b) being less than 80 percent each;
- (2) Registered. Any nursery less than one acre in size that produces but does not distribute or sell nursery stock outside the state;
- (3) Institutional. Any nursery owned or operated by any governmental agency.

*History Note: Authority G.S. 106-65.45; 106-65.46; 106-284.18; 106-420;
Eff. January 1, 1985;
Amended Eff. June 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 24, 2019.*