

02 NCAC 48F .0402 PROTECTED PLANT PROPAGATION

(a) Persons within the State of North Carolina who wish to propagate or offer any protected plant species shall make application to the Department pursuant to 02 NCAC 48F .0407 for a permit to:

- (1) obtain propagation stock, or
- (2) offer propagated plants.

(b) Applicants must meet the following criteria:

- (1) Identify the source of the initial stock of plants used for propagation;
- (2) Demonstrate that all protected plants to be offered have been nursery propagated and grown horticulturally;
- (3) Allow for a yearly inspection of site and facilities where protected plants are grown or stored for offer. All applicable nursery regulations and requirements must also be met at the time of obtaining protected plant permits. In addition to the yearly inspection, the site and facilities must be made available for inspection at any other time at the request of the North Carolina Department of Agriculture;
- (4) The person or persons offering protected plants shall maintain records of all acquisitions for the length of time these plants are in his possession. Such records shall be available for inspection by the Department and recorded on the permits or certificates of origin;
- (5) At the time of inspection, the person who has made application to offer any protected plant or plants shall identify each species to be offered by common and scientific name as found in the current edition of "The Manual of Vascular Flora of the Carolinas" or, if not found in this edition, as identified by the American Society of Plant Taxonomists. Each species to be offered shall be listed on a protected plant permit and only those species listed shall be offered. Offering plants not listed is grounds for revocation of the protected plant permit and other remedies under the law.

History Note: *Authority G.S. 106-202.15; 106-202.19;*
Eff. April 8, 1981;
Amended Eff. December 1, 2010; May 1, 1984;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26,
2017.