

## CHAPTER 18

## NURSERY INSPECTION FEES

## Authority

N.J.S.A. 4:7-21.

## Source and Effective Date

R.1991 d.407, effective August 5, 1991.  
See: 23 N.J.R. 1230(b), 23 N.J.R. 2328(a)

## Executive Order No. 66(1978) Expiration Date

Chapter 18, Nursery Inspection Fees, expires on August 5, 1996.

## Chapter Historical Note

Chapter 18, Movement of Plants and Plant Material, was adopted by authority of N.J.S.A. 4:1-21.5 prior to September 1, 1969. This chapter was repealed effective November 21, 1978 as R.1978 d.402. See: 10 N.J.R. 416(a), 11 N.J.R. 2(b). Chapter 18, Nursery Inspection Fees was adopted. See Source and Effective Date.

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## SUBCHAPTER 1. FEES

## 2:18-1.1 Definitions

As used in this subchapter, the following words and terms shall have the following meanings:

"Dealer" means a person who purchases nursery stock from other certified nurserymen and offers such stock for sale at a retail outlet or through landscaping services.

"Federal phytosanitary inspection" means the examination of plant materials to determine freedom of plant pest and diseases for those persons desiring to ship plants or plant products to other countries and the issuance of a United States Department of Agriculture, Animal Plant Health Inspection Service, Plant Pest Quarantine inspection certificate.

"Nursery" includes all lands, premises and buildings upon, on or in which plants, trees, shrubs or vines of any kind, whether for fruit, shade or ornament, are grown for sale within the State or for shipment to other states or countries.

"Nursery stock" includes all plants, shrubs, trees and vines grown for sale, as well as buds, grafts, stocks, scions and other parts of plants, shrubs, trees and vines that may be sold for propagation; but shall not include herbaceous annuals or plants, flowers, vines or cuttings grown under glass and commonly known as florists stock.

"Nurseryman" includes any person, firm, co-partnership or corporation growing plants, trees, shrubs or vines for sale or dealing in such stock, whether he/she or they be owners, lessees or tenants of or on the premises upon which the stock is grown or offered for sale.

"Special inspection" is the examination of plant materials to determine freedom of plant pests and diseases and issuance of a special State certificate for those persons who do not possess a nursery or dealers certificate and who desire to ship plant materials to another state.

## 2:18-1.2 Nursery inspection fees

(a) The following fee schedule shall apply to all nursery inspections conducted by the New Jersey Department of Agriculture:

Acres	Fee
0 to 1.99	\$50.00
2.00 to 9.99	\$100.00
10.00 to 49.99	\$150.00
50.00 to 99.99	\$250.00
100.00 to 200.00	\$350.00
over 200.00	\$350.00 plus \$1.00/acre for each acre or part thereof, over 200 acres.

(b) Determination of nursery acreage fees is based only on those lands on which nursery stock is actually growing or on lands where are placed containers with growing plants, including, but not limited to walkways.

## 2:18-1.3 Dealer fee

Fees for inspection of dealers shall be \$50.00. Dealers with more than one place of business in the State shall be charged an additional \$50.00 for each location.

## 2:18-1.4 Federal phytosanitary inspection fee

There shall be a \$35.00 fee for each inspection necessary for the issuance of a Federal phytosanitary certificate.

## 2:18-1.5 Special inspection fee

There shall be a \$20.00 fee for each special inspection necessary for the issuance of a special State certificate.

**2:18-1.6 Fees due; method of payment**

(a) There shall be a single inspection fee per year for each nursery and dealers place of business.

(b) All nursery fees shall be payable on October 1 of each year. Failure to pay the fee shall result in the assessment of penalties pursuant to N.J.S.A. 4:7-26 and the revocation of nursery certification.

(c) All dealer fees shall be payable on March 1 of each year. Failure to pay the fee shall result in the assessment of penalties pursuant to N.J.S.A. 4:7-26 and the revocation of dealer certification.

(d) All fees for Federal phytosanitary inspections and special inspections shall be collected at the time of inspection and issuance of certification.

(e) All fees shall be paid to the New Jersey Department of Agriculture, Division of Plant Industry, CN 330, Trenton, New Jersey 08625-0330.