

SUBCHAPTERS 4 THROUGH 6. (RESERVED)

See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).
Former N.J.A.C. 2:16-7.3, "Purpose of certification", repealed.

SUBCHAPTER 7. TURFGRASS SOD

2:16-7.1 Application and amplification of general standards

The rules in this subchapter supplement the general certification standards found at N.J.A.C. 2:16-2, and are applicable to all species of turfgrass sod that are eligible for certification. They shall constitute the standards for certification of sod in New Jersey.

2:16-7.2 Eligibility requirements for certification

(a) Only those species, varieties and mixtures that are approved by the Turfgrass Extension Specialist, Cook College, Rutgers, the State University shall be eligible for certification.

(b) A list of eligible species, varieties and mixtures for sod produced from seed shall be established and maintained by the Turfgrass Extension Specialist and shall be revised as needed to include newly approved varieties.

(c) The list in (b) above shall be available from the Seed Certification and Control Program of the New Jersey Department of Agriculture, CN 330, Trenton, NJ 08625.

Recodified from 2:16-7.4 and amended by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).
Former N.J.A.C. 2:16-7.2, "Type of certifying organization", repealed.

2:16-7.3 Sources of certified turfgrass sod

(a) The only recognized class of certified sod shall be Certified (Blue tag). Seed or other propagating material used for the establishment of certified turfgrass sod shall be in accordance with the following specified sources.

(b) For turfgrass sod established from seed, certified shall be the progeny of sod quality foundation, registered or certified seed lots that have been approved by the Department and that have been so handled by the sod grower as to maintain genetic identity and purity.

(c) For turfgrass sod established from vegetative material, certified shall be the progeny of foundation or registered stock that has been approved and certified by the Department and that has been so handled by the sod grower as to maintain genetic identity and purity. Certified shall be the progeny of certified stock only after approval has been granted by the Turfgrass Extension Specialist of Cook College and the Seed Certification and Control Program.

Recodified from 2:16-7.5 and amended by R.1996 d.44, effective January 16, 1996.

2:16-7.4 Establishing the source of seed or propagating material

In those cases where the seed or propagating material planted for production of certified sod is obtained from another person, documentary evidence, such as a certification tag, sales record, and other written memoranda shall be submitted to the Department to establish the source.

Recodified from 2:16-7.6 by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).

2:16-7.5 Labels for certified stock; evidence of identity

(a) All stocks, when sold as certified, shall have an official certification tag properly affixed to the invoices.

(b) The certification label which is attached serves as evidence of the genetic identity and purity contained therein. The blue label will be used to designate certified.

Recodified from 2:16-7.10 by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).

2:16-7.6 Pest control required

(a) Every field within the certifying program shall be maintained free of diseases, plant parasitic nematodes and other pests.

(b) Fields to qualify for certification shall be free from injurious turfgrass insects.

Recodified from 2:16-7.13 and amended by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).

2:16-7.7 Complying with Federal and State laws

Responsibility for any obligations, other than those concerned with certification, arising from the sale or shipment of sod which has been certified, rests with the grower or subsequent handler making the sale or shipment.

Recodified from 2:16-7.14 by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).
Former N.J.A.C. 2:16-7.7, "Qualifications for inspectors", repealed.

2:16-7.8 Dates for filing application

Applications shall be filed at the office of the certifying agency no later than March 1, and should be filed as far in advance of the deadline as possible.

Recodified from 2:16-7.16 by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).
Former N.J.A.C. 2:16-7.8, "Handling of crop prior to inspection", repealed.

2:16-7.9 Maps of production areas

To facilitate the work of the Department, it is suggested that maps accompany the application form giving field

locations, isolation distances and any other important facts that would be helpful to the inspector.

Recodified from 2:16-7.17 by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).

Former N.J.A.C. 2:16-7.9, "Harvesting shall prevent certification", repealed.

2:16-7.10 Land requirements

(a) A field to be eligible for the production of certified sod shall have been inspected prior to planting and found free of all other perennial grasses.

(b) In all cases, a field found eligible for the production of certified sod shall be free of injurious insects, unacceptable weeds as found in N.J.A.C. 2:16-7.13, and volunteer plants of other varieties or species of turfgrass.

Recodified from 2:16-7.18 and amended by R.1996 d.44, effective January 16, 1996.

See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).

2:16-7.11 Sod inspections

(a) Inspections during the growing season shall be made by the Department for genetic purity and identity, the presence of other perennial grasses, noxious, unacceptable and other objectionable weeds as found in N.J.A.C. 2:16-7.13, and insects and diseases.

(b) After fields have met the requirements for certification, inspection by the Department at approximately monthly intervals shall be made to maintain certification eligibility. Certification shall be withdrawn any time the quality of the sod is found not to meet the standards in N.J.A.C. 2:16-7.13 and 7.22.

Factor	Kentucky Bluegrass	Hard and Red Fescues	Kentucky Bluegrass Red Fescue Mixture	Bentgrass	Zoysia	Kentucky Bluegrass Tall Fescue Mixture
Other turfgrasses ¹ —(Percent of total turfgrass population)						
1. Kentucky bluegrass	3	1	3	1	1	3
2. Red fescue	1	3	3	1	1	1
3. Poa trivialis	0	0	0	0	0	0
4. Bentgrass	0	0	0	2	0	0
5. Tall fescue	0	0	0	0	0	0
6. Ryegrass	0	0	0	0	0	0
7. Zoysia	0	0	0	0	0	0
8. Bermudagrass	0	0	0	0	0	0
Other crops	0	0	0	0	0	0
Weeds—(Plants per 1,000 square feet of sod area)						
Unacceptable ²	0	0	0	0	0	0
Objectionable ³	2	2	2	2	2	2

¹ Other turfgrasses shall include:

- (1) Varieties or off-type plants of the same species being inspected for certification.
- (2) Species of turfgrasses other than the one being inspected for certification.

² Unacceptable weeds shall include primary and secondary noxious weeds in accordance with the provisions of the New Jersey State Seed Law and other weeds difficult to control selectively through cultural or chemical methods.

Noxious weeds specified by the New Jersey State Seed Law include:

(c) To be sold as certified, all sod shall be field inspected by the Department within 30 days of the date of harvest, and found to meet the field standards listed in this subchapter.

Recodified from 2:16-7.19 and amended by R.1996 d.44, effective January 16, 1996.

See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).

Former N.J.A.C. 2:16-7.11, "Appearance of sod", repealed.

2:16-7.12 Field standards; general requirements

(a) A field or blocks within a field shall be considered the unit for certification. If for any reason sections of a field do not meet certification requirements, the portion or portions of the field meeting certification requirements may be certified.

(b) A field or block of sod to be eligible for certification shall be isolated from adjacent fields with a 10-foot barrier. The barrier shall be fallowed or seeded to the same variety of the turfgrass species considered for certification in order to prevent contamination of grasses at the margins.

(c) No animal manures or other contaminating material shall be applied two years preceding or during the establishment and production of the stand.

Recodified from 2:16-7.20 by R.1996 d.44, effective January 16, 1996.

See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).

Former N.J.A.C. 2:16-7.12, "Contaminating crops and weeds", repealed.

2:16-7.13 Specific field standards and requirements

(a) The production of certified sod shall be limited to fields having stands not more than three years old from date of planting.

(b) Maximum field tolerance standards for other varieties or off-type plants of the same species, other turfgrass species, and other crops and weeds when recognizable are as indicated in the following table.

bindweed (*Convolvulus arvensis*), hedge bindweed (*Convolvulus spium*), quackgrass (*Agropyron repens*), Canada thistle (*Cirsium arvense*) and horse nettle (*Solanum carolinense*) as primary, and dodder (*Cuscuta spp.*), corn cockle (*Agrostemma githago*), wild garlic (*Allium canadense*), cheat (*Bromus secalinus*), and Bermudagrass (*Cynodon dactylon*) as secondary.

Other unacceptable weeds shall include:

nutgrass (*Cyperus esculentus*), goosegrass (*Eleusine indica*), annual bluegrass (*Poa annua*), and any other variety or species of perennial grass.

³ Objectionable weeds shall include:

Crabgrass (*Digitaria spp.*), dandelion (*Taraxacum officinale*), plantain (*Plantago spp.*), sheep sorrel (*Rumex acetosella*), wood sorrel (*Oxalis europeaea*), ground ivy (*Glechoma hederacea*), yarrow (*Achillea millefolium*), annual chickweed (*Stellaria media*), mouse-ear chickweed (*Cerastium vulgatum*), field chickweed (*Cerastium arvense*), speedwell (*Veronica spp.*), spurge (*Euphorbia spp.*), knotweed (*Polygonum oleracea*), heal-all (*Prunella vulgaris*), knawel (*Scleranthus annuus*), black medic (*Medicago iupulina*), white clover (*Trifolium repens L.*) and any other broadleaf or grassy weed which may detract from sod quality.

(c) If at any time the field shows evidence of excessive weed growth, it may be rejected by the inspector.

Recodified from 2:16-7.21 by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).

2:16-7.14 Sod quality

(a) The marketable product shall be of uniform density, color and texture.

(b) Certified sod shall be free of thatch, insect, disease, nematode or weed problems.

Recodified from 2:16-7.22 by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).

2:16-7.15 Seed requirements for New Jersey certified sod production

(a) All species, varieties and mixtures of varieties to be used for New Jersey certified sod shall be those approved by Cook College, Rutgers, the State University as stated in N.J.A.C. 2:16-7.2.

(b) All lots of seed used in the production of New Jersey certified sod shall be approved by the Department. The grower shall submit to the Department the following:

1. An official seed analysis report from the state of origin including an examination for sod quality; and
2. All labeling information including the lot number and the number of pounds involved.

(c) For sod seeded from single, unmixed kinds and varieties, the seed shall be certified, designated as Sod Quality by the state of origin, meet the minimum seed standards found in N.J.A.C. 2:16-7.16 and shall comply with the sod mixture eligibility requirements at N.J.A.C. 2:17-7.2(b).

(d) For sod produced from mixtures of species or varieties, the component seed lots shall be certified, designated as Sod Quality by the state of origin and shall meet the minimum seed standards found in N.J.A.C. 2:16-7.16, and the mixtures shall be certified using the procedures and standards found at N.J.A.C. 2:16-3.

Recodified from 2:16-7.23 and amended by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).
Former N.J.A.C. 2:16-7.15, "Application for certification", repealed.

2:16-7.16 Seed standards for sod quality grass seed

(a) The seed standards for sod quality grass seed are as follows:

Variety	Minimum Purity	Minimum Germination	Maximum ¹ Other Crop	Maximum ³ Weed
Kentucky Bluegrass	97%	80%	0.1% ²	0.02%
Red Fescue	98%	90%	0.1%	0.02%
Chewings Fescue	98%	90%	0.1%	0.02%
Hard Fescue	98%	90%	0.1%	0.02%
Tall Fescue	98%	90%	0.1%	0.02%
Perennial Ryegrass	98%	90%	0.1%	0.02%

¹ Must be free of ryegrass (except for lots containing ryegrass as a component), orchardgrass, timothy, bentgrass, big bluegrass, *Poa trivialis*, smooth bromegrass, reed canary grass, tall fescue (except for lots containing tall fescue as a component) and clover. Canada Bluegrass in Kentucky Bluegrass varieties, maximum 0.02 percent. Red Fescue and Chewings Fescue must be free of Canada Bluegrass.

² Other Kentucky Bluegrass—Maximum 2 percent.

³ Must be free of dock, chickweed, crabgrass, plantain, black medic, annual bluegrass, velvetgrass and noxious weed seeds.

Recodified from 2:16-7.24 by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).

2:16-7.17 (Reserved)

Recodified by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043, 28 N.J.R. 257(a).

Text of section, "Maps of production areas", recodified as 2:16-7.9.

2:16-7.18 (Reserved)

Recodified by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043, 28 N.J.R. 257(a).

Text of section, "Land requirements", recodified as 2:16-7.10.

2:16-7.19 (Reserved)

Recodified by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043, 28 N.J.R. 257(a).

Text of section, "Sod inspections", recodified as 2:16-7.11.

2:16-7.20 (Reserved)

Recodified by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043, 28 N.J.R. 257(a).

Text of section, "Field standards; general requirements", recodified as 2:16-7.12.

2:16-7.21 (Reserved)

Recodified by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043, 28 N.J.R. 257(a).

Text of section, "Specific field standards and requirements", recodified as 2:16-7.13.

2:16-7.22 (Reserved)

Recodified by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043, 28 N.J.R. 257(a).

Text of section, "Sod quality", recodified as 2:16-7.14.

2:16-7.23 (Reserved)

Recodified by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043, 28 N.J.R. 257(a).

Text of section, "Seed requirements for New Jersey certified sod production", recodified as 2:16-7.15.

2:16-7.24 (Reserved)

Recodified by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043, 28 N.J.R. 257(a).

Text of section, "Seed standards for sod quality grass seed", recodified as 2:16-7.16.

SUBCHAPTER 8. VEGETATIVELY PROPAGATED GRASSES

2:16-8.1 Application and amplification of general certification standards

(a) Rules in this subchapter supplement the general certification seed standards at N.J.A.C. 2:16-2, established by the State Board of Agriculture and apply specifically to vegetatively propagated grasses.

(b) The following terms apply specifically to vegetatively propagated grasses:

1. Breeder culms, are those produced by the U.S.D.A. Plant Materials Center (Cape May, New Jersey);
2. Foundation culms, are first year propagations from breeder culms.
3. Registered culms, are first year propagations from foundation culms.
4. Certified culms, are those produced from either foundation or registered culms.

2:16-8.2 Handling of crop prior to inspection

A field shall be rogued sufficiently during the growing season to remove any other varieties of the crop being certified or other undesirable plant mixture that cannot be separated during the packing operations.

2:16-8.3 Date of application

Application for growing certified vegetatively propagated grasses shall be filed with the Bureau of Seed Certification and Control no later than June 1.

2:16-8.4 Land requirements

(a) A field to be eligible for the production of foundation, registered or certified culms, shall have been free of other strains of the same species for two consecutive years preceding the year that it is to be planted.

(b) The fields shall be inspected by the Department prior to planting and shall have been found to be free of noxious weeds as defined in N.J.A.C. 2:16-2 and free of objectionable weeds as listed in N.J.A.C. 2:16-8.9.

2:16-8.5 Field inspection

Field inspections by the Department shall be made at various times during the growing season to determine accurately the amount of varietal mixture present.

2:16-8.6 Field standards

The entire acreage standing at the time of inspection shall be subjected to inspection as a unit.

2:16-8.7 Isolation

A field to be eligible for certification shall be isolated from any other perennial grasses by a barrier that will prevent encroachment or mechanical mixing during harvest.

2:16-8.8 Field standards; specific requirements

(a) No other varieties are permitted in foundation or registered fields.

(b) For certified class fields, one plant of another variety in 1,000 square feet is the maximum permitted.

2:16-8.9 Planting stock standards for all classes

(a) A sample of at least 100 culms shall be drawn by the Department inspector during spring and fall pulling and tested by the inspector.

(b) The following table sets forth the standards for planting stock:

Pure living culms, minimum	98.0%
Other living plants, maximum	2.0%
Total objectionable weeds, maximum ¹	0.0%

¹ Objectionable weeds shall include the following species: Canada thistle, dodder, horse nettle, johnsongrass, leafy spurge, nutgrass, quackgrass, wild onion or garlic, wild radish, field bindweed and hedge bindweed.

Amended by R.1996 d.44, effective January 16, 1996.
See: 27 N.J.R. 4043(a), 28 N.J.R. 257(a).

SUBCHAPTER 9. CERTIFICATION FEE SCHEDULE

Cross References

Certification fees, see N.J.A.C. 2:16-2.30

2:16-9.1 General purpose and provisions

Certification fees are determined by the Secretary of the New Jersey Department of Agriculture. Fees are charged by the Department for certification services, including field inspections, supervision of cleaning and mixing equipment and operations, tags supplied by the Department and seed testing. The Department shall bill the users of certification services annually, at the end of the calendar year; fees shall be paid to: