

CHAPTER 19
SALE AND DISTRIBUTION OF PLANTS
AND PLANT MATERIAL

Authority

N.J.S.A. 4:1-21.2, 4:1-21.5, 4:6-20 and 4:7-1 et seq.

Source and Effective Date

R.2006 d.5, effective November 29, 2005.
 See: 37 N.J.R. 3098(a), 38 N.J.R. 123(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 19, Sale and Distribution of Plants and Plant Material, expires on May 28, 2013. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 19, Sale and Distribution of Plants and Plant Material, Subchapter 1, Strawberry Plants, was adopted and became effective prior to September 1, 1969.

Subchapter 2, Rose Plants, was adopted as R.1990 d.494, effective October 1, 1990. See: 22 N.J.R. 2069(a), 22 N.J.R. 3146(a).

Pursuant to Executive Order No. 66(1978), Chapter 19, Sale and Distribution of Plants and Plant Material, was readopted as R.1995 d.522, effective August 25, 1995, and Subchapter 1, Strawberry Plants, was repealed by R.1995 d.522, effective September 18, 1995. See: 27 N.J.R. 2510(a), 27 N.J.R. 3599(a).

Pursuant to Executive Order No. 66(1978), Chapter 19, Sale and Distribution of Plants and Plant Material, was readopted as R.2000 d.344, effective July 27, 2000. See: 32 N.J.R. 1453(a), 32 N.J.R. 3057(a).

Chapter 19, Sale and Distribution of Plants and Plant Material, was readopted as R.2006 d.5, effective November 29, 2005. See: Source and Effective Date.

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 19, Sale and Distribution of Plants and Plant Material, was scheduled to expire on May 28, 2011. See: 42 N.J.R. 2519(a).

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SUBCHAPTER 1. (RESERVED)

SUBCHAPTER 2. ROSE PLANTS

2:19-2.1 Purpose

The provisions of this subchapter are prescribed for the shipment of rose plants into and within the State of New

Jersey in order to prevent the movement into the State of diseased, virus-infected rose plants.

2:19-2.2 Virus-infected rose plants declared a nuisance

The State Board of Agriculture declares virus-infected rose plants (*Rosa* sp.), being those plants infected with rose mosaic disease (containing apple mosaic virus or prunus necrotic ringspot virus), appearing to be infected with rose mosaic disease or plants exhibiting symptoms of, or similar to, known virus diseases of roses, to be a nuisance.

2:19-2.3 Rose plants eligible for movement only after official inspection for virus diseases

Rose plants may be shipped into the State of New Jersey only after they have been inspected during the growing season by a state inspector in the state in which they were grown, at the time appropriate for symptom expression and found to be visibly free from virus diseases; especially viruses associated with rose mosaic disease (apple mosaic virus and prunus necrotic ringspot virus).

2:19-2.4 Shipments of rose plants must carry certification of visual freedom from virus diseases

(a) All shipments of rose plants entering the State of New Jersey must be accompanied by an official certificate or statement issued by the proper state official in the state of origin, certifying that the plants were inspected during the growing season at a time when symptoms would be apparent and found visibly free of plant viruses. For the purposes of this section, the term "shipments of rose plants" includes any conveyance (including mail order) of dormant, packaged, preplanted or "in-leaf" rose plants.

(b) Anyone offering rose plants for sale in New Jersey must have on file in their establishment, and available for public inspection upon request, a copy of the official certificate or statement issued by the proper state official in the state of origin for each shipment of plants, certifying that the plants were inspected during the growing season at a time when symptoms would be apparent and found visibly free of plant viruses.

(c) The New Jersey Department of Agriculture may, in accordance with the appropriate statutes, order the destruction of or return to the point of origin any rose plants received in the State of New Jersey without such a certificate, or expressing symptoms of virus diseases whether or not accompanied by such certificate.