

MINNESOTA
SUMMARY OF PLANT PROTECTION REGULATIONS
Updated September 2021

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The information, as provided, is for informational purposes only and should not be interpreted as complete, nor should it be considered legally binding. Coordination with both the originating state and the destination state plant regulatory agency listed above may be necessary to stay current on revised requirements.

Plant Pest Regulatory and Mitigation Section

Kimberly Thielen Cremers, Manager

Nursery Inspection Program

The mission of this program is to prevent the introduction into and dissemination and spread within Minnesota of serious plant pests. This is accomplished through the annual inspection of all nursery stock-growing acreage and certification audits of nursery stock dealers, paying particular attention to stock originating from states with federally and/or state regulated plant pests. Nursery staff participates in various plant pest surveys and cooperate with the USDA in plant pest enforcement actions.

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Nursery Stock Definition: "Nursery stock" means a plant intended for planting or propagation, including, but not limited to, trees, shrubs, vines, perennials, biennials, grafts, cuttings, and buds that may be sold for propagation, whether cultivated or wild, and all viable parts of these plants. Nursery stock does not include: field and forage crops or sod; seeds; vegetable plants, vegetable bulbs, or vegetable tubers; cut flowers or cut woody or herbaceous material, unless stems or other portions are intended for propagation; annuals; or Christmas trees.

General Shipping Requirements: Any person from another state shipping nursery stock into Minnesota shall be accorded treatment similar to that which is required of Minnesota nursery operators, dealers, or agents who ship or sell nursery stock. The Commissioner may accept, in lieu of individual certificates/licenses, a certified list of current certified nursery operators or dealers from the regulatory agency having jurisdiction in the state or origin. Each shipment must be accompanied by documentation as to shipper (or origin if different from the shipper) along with proof of compliance with applicable state and/or federal plant pest quarantines.

Plants, plant materials, or nursery stock must not be labeled or advertised with false or misleading information including, but not limited to, scientific name, variety, place of origin, hardiness zone as defined by the United States Department of Agriculture, and growth habit. The MDA has established a list of plant cold hardiness zones with which plant labels must be consistent. This list of plants and hardiness ratings is available at:

www.mda.state.mn.us/licensing/licensetypes/nurseryprogram/hardinesslist.aspx

Pre-Notification of Shipments to Minnesota: Notification of nursery stock shipment to Minnesota can be sent via E-mail to steven.shimek@state.mn.us or faxed to 651-215- 9687. Mailing address: Steven Shimek, Minnesota Department of Agriculture, Plant Protection Division, 625 Robert Street North, St. Paul, MN 55155.

Quarantines

Exterior quarantine: mountain pine beetle (*Dendroctonus ponderosae* Hopkins)

- Area regulated: Any area where mountain pine beetle is established including: Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, South Dakota, Utah, Washington, Wyoming and any other area of the U.S. as determined by MDA to have established mountain pine beetle populations. Refer to the MDA website listed below for a current list of regulated areas.

- Materials regulated: Any living stage of the mountain pine beetle (*Dendroctonus ponderosae* Hopkins); pine wood with bark and any article, product or means of conveyance when it is determined by the State Plant Regulatory Official to present the risk of spread of the mountain pine beetle (*Dendroctonus ponderosae* Hopkins) Exceptions are: Pine wood without bark (100% debarked), Pine mulch or chips, Pine Christmas trees, and Pine nursery stock
- Restrictions: The sale and/or movement of all regulated articles originating in areas other than those listed above but transiting through those areas into Minnesota are prohibited pursuant to Minnesota Statute 18G.06, subd. 4 (2010).
- <http://www.mda.state.mn.us/plants/insects/mpb/mpbquarantine.aspx>

Interior/exterior quarantine: emerald ash borer (*Agilus planipennis* Fairmaire)

- Areas regulated: All areas of Minnesota with confirmed emerald ash borer populations (www.mda.state.mn.us/eabstatus) as well as all areas of the U.S. outside Minnesota.
- Materials regulated:
 - The emerald ash borer in any state of development
 - All plants and parts of ash (*Fraxinus* spp.) trees, including but not limited to:
 - Logs
 - Nursery stock
 - Chips and mulch
 - Stumps roots and branches
 - Firewood
- Restrictions: No regulated materials are allowed to move into un-infested areas of Minnesota unless:
 - They have been treated under a compliance agreement approved by the Department and are accompanied by a treatment certificate
 - Movement legal any time of year
 - They are destined to a designated receiving facility that is operating under a compliance agreement with the Department
 - Only legal during the EAB dormant period of October 1 through April 30
 - They have been inspected, certified as free of emerald ash borer and accompanied by a state phytosanitary certificate
 - Legal any time of year
 - Only legal for materials with no bark
- For more information: <https://www.mda.state.mn.us/emerald-ash-borer-quarantine>

Interior quarantine: gypsy moth (*Lymantria dispar* Linneaus)

- Areas regulated: All currently under federal program regulation for this pest. Refer to the MDA website listed below for a current list of quarantined areas within Minnesota.
- Materials regulated: the gypsy moth, *Lymantria dispar* L., in any stage of development (egg, larva, pupa, adult), trees without roots (e.g., Christmas trees), trees with roots, and shrubs with roots and persistent woody stems, unless they are greenhouse grown throughout the year, logs, pulpwood, and bark and bark products, mobile homes and associated equipment or any other products, articles, or means of conveyance, of any character whatsoever, when it is determined by an inspector that any life stage of gypsy moth is in proximity to such articles and the articles present a high risk of artificial spread of gypsy moth infestation and the person in possession thereof has been so notified.
- Restrictions: Regulated articles and outdoor household articles from generally infested areas shall not be moved intrastate or interstate from any regulated area into or through any area that is not generally infested unless a certificate or permit has been issued and attached to such regulated article. Requirements under all other applicable State and

Federal domestic plant quarantines must also be met.

- <http://www.mda.state.mn.us/plants/pestmanagement/gmunit/gmregulations.aspx>

Exterior quarantine: importation or transportation of Irish or common potatoes

- Pests: All injurious bacteria, insects and nematodes associated with Irish or common potatoes.
- Areas regulated: All states, districts and territories of the United States
- Materials regulated: Irish or common potatoes (*Solanum tuberosum*) and other materials capable of carrying plant pests.
- Restrictions: The regulated products may not be moved into all of Lake of the Woods County, the townships of Laona and Oaks in Roseau County, and the township of Williams in Koochiching County, Minnesota from the regulated area.

Exterior quarantine: potato container regulations

- Pests: All injurious bacteria, insects and nematodes associated with used containers.
- Areas Regulated: All states except Minnesota and North Dakota.
- Materials regulated: Bags, boxes and other containers which have been used for potatoes.
- Restrictions: The regulated products may not be moved into the State of Minnesota from the regulated area unless cleaned and disinfected in an authorized and approved manner so as to kill all bacteria, insects and nematodes.

Gypsy Moth Program

Since 1973, Minnesota has conducted annual surveys for early detection of gypsy moth. In 2004, MN became a member of the Slow the Spread (STS) Foundation. Annual survey program staff place approximately 20,000 detection traps annually, and since 1980, the MDA has successfully treated over 905,000 acres eliminating more than 123 gypsy moth infestations. Moth numbers have increased sharply in northeastern counties prompting quarantines to be implemented in 2014 for Lake and Cook Counties. Populations are relatively low along the MN eastern edge and virtually non-existent elsewhere in the state. The natural rate of spread has been reduced to approximately six miles per year in the state from 15 on a national average. Through these efforts, the Gypsy Moth Program protects forest health, local property values and the state's vital tourism industry.

www.mda.state.mn.us/gypsymoth

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Firewood Heat Treatment Certification

MDA offers a fee-based heat treatment certification program for firewood producers/dealers that operate a kiln that has passed a rigorous inspection and testing process and has successfully demonstrated the ability to heat their firewood to a minimum core temperature of 140 F° for 60 minutes.

<http://www.mda.state.mn.us/plants/pestmanagement/firewood/firewooddealers.aspx>

Tree Care Registry

MDA shall maintain a list of all persons, businesses, and companies that employ persons who provide tree care or tree trimming services in Minnesota. All commercial tree care providers, tree trimmers, and employers that direct employees to remove trees, limbs, branches, brush, or shrubs for hire must be registered annually with the Commissioner of Agriculture. Annual registration fee is \$25 for initial application or renewing the registration. Applications and questions may be emailed to mda.tcr@state.mn.us

Pest Detection and Export Certification Unit

Angie Ambourn, Supervisor

<http://www.mda.state.mn.us/invasives>

The Pest Detection Program works to detect, prevent and mitigate problems caused by invasive insects and pathogens by:

- Identifying threats to Minnesota's agricultural and natural systems as well as export markets
- Working to intercept new threats early in the invasion process
- Certifying production areas as free from pests of export concern
- Tracking the distribution and abundance of non-regulated invasive insects and pathogens present in Minnesota
- Limiting impacts within infested areas and slowing natural spread through biological control and facilitation of local management

The Export Certification Program facilitates and expedites the movement of Minnesota's agricultural products into and through the international marketplace. This is accomplished by staff trained by the USDA as Authorized Certification Officials responsible for interpreting the foreign import regulations governing the entry of raw or processed plant products. The program staff conducts field inspections, examines the actual shipment or official samples, certifies the product and issues the appropriate export document. The Apiary Program provides inspection services for apiary industry needing certification to ship bees to other states.

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Seed, Weed, Hemp and Biotechnology Section

Denise Thiede, Manager

Seed Regulatory Program

The seed regulatory program inspects seed labeled for sale in facilities across the state, samples seed, reviews advertisements, and takes appropriate enforcement action in order to provide effective and uniform administration of the Minnesota Seed Law and Rules. This results in protection for consumers within the state, and a fair and competitive marketplace for seed labelers. The Seed Program Advisory Committee represents a wide range of agencies and organizations. This committee advises the Commissioner of Agriculture regarding the seed regulatory program, including the listing of seed species as prohibited or restricted.

<https://www.mda.state.mn.us/plants-insects/buying-selling-seed-minnesota>

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The program maintains a list of prohibited and restricted weed seeds that limit the frequency of contaminants in seed labeled for sale.

Prohibited Noxious Weed Seeds

Minnesota law prohibits the sale of seed containing any prohibited noxious-weed seeds:

- *Amaranthus palmeri* Palmer amaranth*
- *Cannabis sativa* hemp
- *Carduus acanthoides* plumeless thistle
- *Carduus nutans* musk thistle
- *Centaurea repens* Russian knapweed
- *Cirsium vulgare* bull thistle
- *Cirsium arvense* Canada thistle
- *Convolvulus arvensis* field bindweed
- *Euphorbia esula* leafy spurge
- *Lepidium draba* perennial peppergrass
- *Sonchus arvensis* perennial sowthistle

*Genetic testing of any *Amaranthus* contaminant must be conducted to determine if Palmer amaranth is present.

Restricted Noxious Weed Seeds

The sale of seed is prohibited if it contains restricted noxious-weed seeds in excess of 25 seeds per pound:

- *Agropyron repens* quack grass
- *Berteroa incana* hoary alyssum
- *Brassica arvensis* wild mustard
- *Cuscuta spp* dodder
- *Plantago lanceolata* buckhorn plantain
- *Raphanus raphanistrum* wild radish
- *Setaria faberi* giant foxtail
- *Solanum carolinense* horse nettle
- *Solanum ptycanthum* Eastern black nightshade
- *Thlaspi arvense* Frenchweed

Noxious Weed and Industrial Hemp Unit

Anthony Cortilet, Supervisor

Noxious and Invasive Weed Program

The Noxious and Invasive Weed Program works with local governments and landowners to protect the environment, public health, public roads, crops, livestock, or other property in Minnesota from the injurious impacts of noxious and invasive weeds. The Noxious Weed Advisory Committee represents a wide range of agencies and organizations. This committee advises the Commissioner of Agriculture about plant species regulation, weed management and implementation of Minnesota's Noxious Weed Law. Enforcement of the Noxious Weed Law is a shared responsibility with local governments.

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<https://www.mda.state.mn.us/plants-insects/noxious-and-invasive-weed-program>

Prohibited Noxious Weeds

Attempts must be made by all landowners to control or eradicate species on these lists. These species cannot be transported illegally or sold in Minnesota. There are two Prohibited categories: Eradicate and Control.

Prohibited Eradicate – Prohibited noxious weeds that are listed to be eradicated are plants that are not currently known to be present in Minnesota or are not widely established. These species must be eradicated, meaning all of the above and below ground parts of the plant must be destroyed, as required by Minnesota Statutes, Section 18.78. Additionally, transportation, propagation, or sale of these is prohibited except as allowed by Minnesota Statutes, Section 18.82. Measures must also be taken to prevent and exclude these species from being introduced into Minnesota. Eradicate species are listed along with the year they were added to the eradicate list.

| | Common name | Scientific name | Year added |
|-----|----------------------|--|------------|
| 1. | Black swallow-wort | <i>Cynanchum louiseae</i> Kartesz & Gandhi | 2013 |
| 2. | Brown knapweed | <i>Centaurea jacea</i> L. | 2013 |
| 3. | Common teasel | <i>Dipsacus fullonum</i> L. | 2012 |
| 4. | Cutleaf teasel | <i>Dipsacus laciniatus</i> L. | 2012 |
| 5. | Dalmatian toadflax | <i>Linaria dalmatica</i> (L.) Mill. | 2012 |
| 6. | Diffuse knapweed | <i>Centaurea diffusa</i> L. | 2017 |
| 7. | Giant hogweed* | <i>Heracleum mantegazzianum</i> Sommier & Levier | 2012 |
| 8. | Grecian foxglove | <i>Digitalis lanata</i> Ehrh. | 2010 |
| 9. | Japanese honeysuckle | <i>Lonicera japonica</i> Thunb. | 2020 |
| 10. | Japanese hops | <i>Humulus japonicus</i> Siebold & Zucc. | 2012 |
| 11. | Meadow knapweed | <i>Centurea x moncktonii</i> C.E. Britton | 2013 |
| 12. | Oriental bittersweet | <i>Celastrus orbiculatus</i> Thunb. | 2011 |
| 13. | Palmer amaranth | <i>Amaranthus palmeri</i> S. Watson | 2015 |
| 14. | Poison hemlock | <i>Conium maculatum</i> L. | 2018 |
| 15. | Tree of heaven | <i>Ailanthus altissima</i> (Mill.) Swingle | 2017 |
| 16. | Yellow starthistle* | <i>Centaurea solstitialis</i> L. | 2010 |

*Species not known to be in Minnesota, but have been determined to be a threat to invade the state.

Prohibited Control – Prohibited noxious weeds listed to be controlled are plants established throughout Minnesota or regions of the state. Species on this list must be controlled, meaning efforts must be made to prevent the spread, maturation and dispersal of any propagating parts, thereby reducing established populations and preventing reproduction and spread as required by Minnesota Statutes, Section 18.78. Additionally, propagation, sale, or transportation of these plants is prohibited except as allowed by Minnesota Statutes, Section 18.82. Control species are listed along with the year they were added to the control list.

| | Common name | Scientific name | Year added |
|-----|------------------------|--|------------|
| 1. | Bohemian knotweed | <i>Polygonum x bohemicum</i> (J. Chrtek & Chrtkova) Zika & Jacobson | 2020 |
| 2. | Canada thistle | <i>Cirsium arvense</i> (L.) Scop. | 1872 |
| 3. | Common barberry | <i>Berberis vulgaris</i> L. | 2017 |
| 4. | Common tansy | <i>Tanacetum vulgare</i> L. | 2010 |
| 5. | Giant knotweed | <i>Polygonum sachalinense</i> F. Schmidt ex Maxim | 2014 |
| 6. | Japanese knotweed | <i>Polygonum cuspidatum</i> Seibold & Zucc. | 2014 |
| 7. | Leafy spurge | <i>Euphorbia esula</i> L. | 1992 |
| 8. | Narrowleaf bittercress | <i>Cardamine impatiens</i> L. | 2012 |
| 9. | Non-native phragmites | <i>Phragmites australis</i> (Cav.) Trin ex Steud. ssp. <i>australis</i> | 2013 |
| 10. | Plumeless thistle | <i>Carduus acanthoides</i> L. | 1975 |
| 11. | Purple loosestrife | <i>Lythrum salicaria</i> (L.) | 1992 |
| 12. | Spotted knapweed | <i>Centurea stoebe</i> L. ssp. <i>micranthos</i> (Gugler) Hayek | 2001 |
| 13. | Wild parsnip | <i>Pastinaca sativa</i> L. (except for non-wild cultivated varieties) | 2010 |

Restricted Noxious Weeds – Restricted noxious weeds are plants that are widely distributed in Minnesota and are detrimental to human or animal health, the environment, public roads, crops, livestock or other property, but whose only feasible means of control is to prevent their spread by prohibiting the importation, sale, and transportation of their propagating parts in the state except as

allowed by Minnesota Statutes, Section 18.82. Plants designated as Restricted Noxious Weeds may be reclassified if effective means of control are developed. Restricted weeds are listed along with the year they were added to the restricted list.

| | Common name | Scientific name | Year added |
|-----|----------------------------------|---|------------|
| 1. | Amur honeysuckle | <i>Lonicera maackii</i> (Rupr.) Herder | 2017 |
| 2. | Bell's honeysuckle | <i>Lonicera x bella</i> Zabel | 2017 |
| 3. | Black locust | <i>Robinia pseudoacacia</i> L. | 2017 |
| 4. | Common or European buckthorn | <i>Rhamnus cathartica</i> L. | 1999 |
| 5. | Crown vetch | <i>Securigera varia</i> (L.) Lassen – Formerly named <i>Coronilla varia</i> L. | 2017 |
| 6. | European alder | <i>Alnus glutinosa</i> (L.) Gaertn. | 2020 |
| 7. | Garlic mustard | <i>Alliaria petiolata</i> (M. Bieb.) Cavara & Grande | 2013 |
| 8. | Glossy buckthorn (all cultivars) | <i>Frangula alnus</i> Mill. | 1999 |
| 9. | Japanese barberry cultivars** | <i>Berberis thunbergii</i> DC. | 2015 |
| 10. | Morrow's honeysuckle | <i>Lonicera morrowii</i> A. Gray | 2017 |
| 11. | Multiflora rose | <i>Rosa multiflora</i> Thunb. | 2012 |
| | | | |
| 12. | Porcelain berry | <i>Ampelopsis brevipedunculata</i> (Maxim.) Trautv. | 2017 |
| 13. | Siberian peashrub | <i>Caragana arborescens</i> Lam. (exemption for Green Spires® <i>Caragana</i> - <i>Caragana</i> 'Jefarb') | 2020 |
| 14. | Tatarian honeysuckle | <i>Lonicera tatarica</i> L. | 2017 |
| 15. | Wild carrot/Queen Anne's lace | <i>Daucus carota</i> L. | 2017 |

**Japanese Barberry Cultivars Regulated as Restricted Noxious Weeds in Minnesota. Please visit the [Japanese barberry species page](#) for a list of the restricted cultivars.

Specially Regulated Plants are plants that may be native species or have demonstrated economic value, but also have the potential to cause harm in non-controlled environments. Plants designated as specially regulated have been determined to pose ecological, economical, or human or animal

health concerns. Plant specific management plans and or rules that define the use and management requirements for these plants will be developed by the Minnesota Department of Agriculture for each plant designated as specially regulated. Measures must also be taken to minimize the potential for harm caused by these plants.

1. **Amur maple** (*Acer ginnala* Maxim.) 2017. Sellers shall affix a label that advises buyers to only plant Amur maple and its cultivars in landscapes where the seedlings will be controlled by mowing or other means. Amur maple should be planted at least 100 yards from natural areas.
2. **Norway maple** (and all cultivars) (*Acer platanoides* L.) 2020. Sellers shall affix a label that advises “Norway maple should only be planted in areas where the seedlings will be controlled or eradicated by mowing or other means. Norway maple seed is wind dispersed so trees should not be planted closer than 100 yards from natural areas.”
3. **Poison ivy including eastern poison ivy** (*Toxicodendron radicans* L.Kuntze) and western poison ivy (*T. rydbergii* Small ex Rhdb Greene) 2010. Must be eradicated or controlled for public safety along rights-of-ways, trails, public accesses, business properties open to the public or on parts of lands where public access for business or commerce is granted. Must also be eradicated or controlled along property borders when requested by adjoining landowners.
4. **Winged burning bush** (and all cultivars) (*Euonymus alatus* Thunb.) 2020. Three-year production phase-out period, after which sale of this species will be prohibited and the species will move to the Restricted list in 2023.

County Noxious Weeds

[M.S. 18.771\(e.\) County Noxious Weeds](#) are plants designated by county boards to be enforced as prohibited control noxious weeds within the county’s jurisdiction and must be approved by the Commissioner of Agriculture. Counties are solely responsible for enforcement. Contact your local [County Agricultural Inspector or Designated Employee](#) for more information on County Noxious Weeds and the process for adding species to a County Noxious Weed List. Please visit the [County Approved Noxious Weeds page](#) for a list of counties with designated county noxious weeds.

Local Ordinances

Townships and municipalities can also use their local ordinance process to regulate plant species that are not listed by the county or state. Enforcement of species listed via a municipal ordinance is the responsibility of municipal authorities and cannot be regulated under or associated with the Minnesota Noxious Weed Law M.S. 18.75 – 18.91.

Industrial Hemp

Minnesota operates a state hemp program following federal rules and with oversight from USDA.

[Minnesota’s approved hemp plan](#)

Minnesota’s state hemp website:

<https://www.mda.state.mn.us/plants/hemp>

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Fruit, Vegetable & Grain Section

Nicholas Milanowski, Manager

Food Safety Audit Program

Licensed by the USDA to provide Good Agricultural Practices/Good Handling Practices audits for any growers, shippers, receivers, wholesalers, retailers, and re-packers in Minnesota. These audits consist of asking questions, reviewing documentation, and onsite viewing of warehouse, storage, packing, and transportation facilities. The audits verify that the practices and procedures of growers or sellers meet USDA Food Safety Standards and reduce or eliminate food safety hazards.

Fruit and Vegetable Inspection Program

The Fruit and Vegetable Inspection Program operates under a cooperative agreement between the State of Minnesota and the USDA. The program inspects fruits, vegetables, raw nuts, and ornamental crops, based on USDA-established U.S. standards for commodities; and certifies the various grades for each commodity. Inspections are performed for any financially interested party including growers, packers, shippers, brokers, transporters, and receivers. Providing unbiased third party inspections ensures that the proper quality of produce is being delivered, and receiver and grower contracts are being met. This results in protection for both grower and receiver, and lower costs to the public. This Program's staff is federally licensed by the USDA and have the authority to inspect all commodities from around the world.

Inspection Requests: 651-201-6067

Grain Licensing Program

The Grain Licensing Program licenses grain buyers, grain warehouses, and general merchandise warehouses to protect sellers and depositors of grain and those who deposit goods in general merchandise warehouses. These three different license types have different requirements to obtain each license.

License to Buy Grain: Required by anyone to buy grain. A license is required for each buying location; additionally must obtain a bond ranging from \$10,000 to \$150,000 dollars, based on the dollar amount of annual grain purchases.

License to Store Grain: Required by persons operating grain warehouses (elevators) to store grain for the public. All licensed grain storage elevators must also obtain a grain buyers license. Grain storage elevators must provide a storage bond which provides reimbursement to depositors experiencing damage or other grain loss. This bond which ranges from \$20,000 to \$500,000 is based on average annual liability for stored grain.

General Merchandise Storage License: Issued to persons not storing grain but who operates a warehouse to store other property such as household goods, for the public. A \$10,000 general warehouse bond for each warehouse operated is required (companies that do not store household goods may substitute \$50,000 of warehouse liability insurance instead of a bond).

Licensing Requests and Information: 651-201-6011

Potato Inspection Program

Eric Byre, Program Supervisor

Phone: 218-773-4956

Potato Shipping Point Inspections

Shipping Point Inspection enables the industry to ship seed potatoes as “certified” and provides grades for fresh, processing and seed potatoes. The program provides voluntary and mandatory shipping point inspection to the industry, which certifies the shipments as within grade. This is the last control measure to prevent diseased potatoes from being shipped and the first look by government at our food supply.

Seed Potato Certification

The main objectives of the seed potato certification are to ensure that there are available to the public: dependable sources of quality, disease-tested seed potatoes of recognized cultivars, and to encourage better methods of production. Planting certified seed potatoes is required in most of the U.S. and in any importing country. Crop insurance also requires the planting of certified seed potatoes as they meet the minimum disease standards. Planting certified seed potatoes in Minnesota prevents the spread of plant diseases and pests.

Minimum Standards for Planting: Seed potatoes may not be planted in the state in lots of ten or more acres unless the seed meets minimum disease standards.

Restricted Seed Potato Growing Area: Qualifying potatoes, grown in the counties that are designated as restricted seed potato growing areas, must be certified as seed potatoes.

Seed Potato Certification: Potatoes for certification shall be inspected while growing in the field and again after harvest at the time of shipment. Certification shall be based upon visual inspection by the Commissioner of sample plants and tubers from each field and lot, or, for varieties that do not express visible symptoms of a specific pathogen, seed potatoes must be subjected to laboratory tests to determine the level of the pathogen in a seed lot. This testing may occur during the growing season, storage season, or winter testing. Certificates shall be issued to show the varietal purity, relative freedom from disease, and physical defects of the potatoes at the time of inspection.