

NORTH DAKOTA

SUMMARY OF PLANT PROTECTION REGULATIONS

Updated July 2019

North Dakota Department of Agriculture

600 East Boulevard

Bismarck, ND 58505-0020

<https://www.nd.gov/ndda/plant-industries>

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<http://www.nd.gov/seed/>

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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 your state and the destination state plant regulatory agency listed above may be necessary to stay up-to-date on revised requirements.

Notification of Nursery Stock Shipments

Notification of nursery stock shipments, when required, should be faxed to 701 328-2240 or emailed to celhard@nd.gov.

NURSERY STOCK DEFINITION

<https://www.legis.nd.gov/cencode/t04-1c22.pdf>

NURSERY STOCK means all trees, shrubs, and woody vines and parts thereof which are capable of propagation or growth except seed. Only those plants that are intended for outdoor planting are considered nursery stock. All *Clematis*, *Rosa* and *Yucca* species are exempt.

GENERAL SHIPPING REQUIREMENTS

All plants and plant parts defined as nursery stock must be from an inspected and certified source from the state of origin where the plants were grown. A copy of the current valid certificate of inspection from the state of origin must accompany all commercial shipments of nursery stock into the state. Any out-of-state person who sells nursery stock from a vehicle or other place of business within the state must have a North Dakota nursery license.

NON-HARDY PLANTS LABELING

All nonhardy trees and shrubs, as determined by the commissioner, must be labeled "nonhardy in North Dakota". The statement "nonhardy in North Dakota" must be easily visible to the consumer and printed in minimum twelve-point font. The North Dakota nonhardy list can be found here: <https://www.nd.gov/ndda/program/nursery-program>.

NOXIOUS WEEDS

<i>Acroptilon repens</i>	Russian Knapweed
<i>Amaranthus palmeri</i>	Palmer amaranth
<i>Artemisia absinthium</i>	Absinth wormwood
<i>Cirsium arvense</i>	Canada thistle
<i>Carduus nutans</i>	Musk thistle
<i>Centaurea diffusa</i>	Diffuse knapweed
<i>Centaurea maculosa</i>	Spotted knapweed
<i>Cynoglossum officinale</i>	Houndstongue
<i>Euphorbia esula</i>	Leafy spurge
<i>Linaria genistifolia ssp. dalmatica</i>	Dalmatian toadflax
<i>Linaria vulgaris</i>Yellow toadflax
<i>Lythrum salicaria</i> , <i>L. virgatum</i> , and all <i>Lythrum</i> cultivars	Purple loosestrife
<i>Tamarix ramosissima</i> including <i>T. chinensis</i> and <i>T. parviflora</i>	Saltcedar

COUNTY LISTED NOXIOUS WEEDS:

Counties can add additional weeds to the list at the county level. County weed lists are found here: <https://www.nd.gov/ndda/plant-industries/noxious-weeds>.

QUARANTINES OR ADDITIONAL REQUIREMENTS

BLACK STEM RUST QUARANTINE

(www.legis.nd.gov/information/acdata/pdf/7-04-01.pdf)

PESTS: Black stem rust, *Puccinia graminis*

STATES REGULATED: ALL

MATERIALS REGULATED: Black Stem Rust spores in any living stage. All plants, seeds, fruits and other parts of plants which are capable of propagation and belong to the genera *Berberis*, *Mahoberberis*, or *Mahonia*, except *Mahonia* cuttings for decorative purposes. **See Federal Black Stem Rust Quarantine.**

NORTH DAKOTA SEED LAW: <https://www.legis.nd.gov/cencode/t04-1c53.pdf?20131011150023>.

SEED POTATOES

All seed potatoes imported into this state for planting purposes by any person from any state, territory, or country must be accompanied by an official grade certificate describing the grade of the potatoes or a health certificate to certify that the lot of seed potatoes was field inspected by an official certifying agency and is similar to the standards established by NDCC 4.1-53 for seed potatoes (<https://www.legis.nd.gov/cencode/t04-1c55.pdf?20131011140243>) ; and any other document or certificate required for the importation of seed potatoes by the state, province, territory, or country of origin, including test results issued by a laboratory approved by the united States department of agriculture's animal and plant health inspection service.