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MEMO TO: Nursery Stock Suppliers to Landscapers and Other Distributors
FROM: Julie Van Meter, Program Manager/State Entomologist
SUBJECT: Compliance with the Nebraska Plant Protection and Plant Pest Act

The spring season is almost upon us, and soon customers will be arriving at your business to buy nursery stock. Please be advised that if you are supplying nursery stock (winter hardy trees, shrubs, perennials, ground covers, etc.) to individuals or businesses that are further distributing the nursery stock, including landscapers, you must ask for their Nebraska Department of Agriculture (NDA) Nursery Stock Distributor License. This is not their tax identification number. It is the license issued by the NDA, allowing them to distribute nursery stock in Nebraska.

For example, if you are a nursery and give wholesale rates for nursery stock to any landscaper (this may include lawn companies, fencing companies, persons building decks, retaining walls, etc., if they are planting nursery stock), they need to show you their NDA Nursery Stock Distributor License. If they don't have a license, by law, you cannot supply nursery stock to them, since they have not been duly licensed under the Plant Protection and Plant Pest Act. Supplying non-licensed landscapers is a violation of this Act.

Section 2-10,115 of the Nebraska Plant Protection and Plant Pest Act states:

Any person shall be guilty of a Class IV misdemeanor for the first violation and a Class II misdemeanor for any subsequent violations of the same nature if that person: (iii) Distributes nursery stock for the purpose of further distribution to any person in Nebraska not licensed as a nursery stock distributor.

If the person you are supplying nursery stock to doesn't have a valid NDA Nursery Stock Distributor License, they can obtain an Application by contacting NDA at:

Nebraska Department of Agriculture
P.O. Box 94756
301 Centennial Mall South
Lincoln, NE 68509-4756
Phone: (402) 471-2351

Applications are also available on our web site at: <http://www.nda.nebraska.gov/forms/ent98.pdf>, and a copy is enclosed with this letter. I greatly appreciate your assistance with providing this information to any person or firm that may need a license. Together, we can help to ensure that all individuals are correctly licensed and adhering to the law. Please feel free to contact me at (402) 471-2351, if you have any questions.

Enclosure
SupplierComplianceMemo_022414.doc

APPLICATION FOR A NURSERY STOCK DISTRIBUTOR LICENSE



Return completed application, with payment to:

Nebraska Department of Agriculture (NDA)

Central Fee Collection

P.O. Box 94668

Lincoln, NE 68509

Phone: (402) 471-2351 Fax: (402) 471-6892

E-mail: agr.plant@nebraska.gov Web site: www.nda.nebraska.gov



A Nebraska Nursery Stock Distributor License is required by the Nebraska Plant Protection and Plant Pest Act of any person distributing perennial or woody nursery stock in Nebraska. Initial applications must be received prior to the beginning of distribution. If not received prior to the beginning of distribution, initial applications shall be considered delinquent and shall have an additional late fee assessed of 25% per month.

This application shall be accompanied by an annual license fee of \$115 for the first acre and \$5 for each additional acre on which nursery stock is held, for each location from which nursery stock is distributed. VISA, MasterCard, check, or money order accepted. All Nursery Stock Distributor Licenses expire at the end of the calendar year. You must renew your license annually, as long as you continue to distribute nursery stock.

Any person growing perennial or woody nursery stock must also complete the request (below) for certification of Nebraska-grown nursery stock. After NDA has received your completed application, a nursery inspector will inspect the nursery stock grown in Nebraska, and you will receive certification for that plant material, if applicable to your business.

Total acres on which nursery stock is held _____ Fees due \$ _____ (\$115+ \$5 for each additional acre)

Business Name _____ Manager's Name _____

Business Address (physical address of location to be licensed) _____

City _____ State _____ Zip _____ County _____

Phone (primary) _____ Phone (alternate) _____ Fax Number _____

E-mail Address _____ Web site _____

Mailing Address (if different from above) _____

City _____ State _____ Zip _____

Tree spade operator? Yes ☐ No ☐ Size of Tree Spade _____

Do you distribute nursery stock outside of Nebraska? Yes ☐ No ☐ Do you distribute nursery stock wholesale? Yes ☐ No ☐

Do you distribute nursery stock at farmers' markets? Yes ☐ No ☐ If so, list the market locations:

REQUEST FOR CERTIFICATION OF NEBRASKA-GROWN NURSERY STOCK

Nebraska-grown nursery stock must be inspected and certified by NDA, prior to distribution. If you grow nursery stock in Nebraska, fill out the following section:

Types of nursery stock grown (check all that apply):

<input type="checkbox"/> African Violets (AFV)	<input type="checkbox"/> Deciduous Trees (DCT)	<input type="checkbox"/> Evergreen trees (EVT)
<input type="checkbox"/> Collector (COL)	<input type="checkbox"/> Aquatic Plants (AQU)	<input type="checkbox"/> Perennials (PER)
<input type="checkbox"/> Deciduous Shrubs (DCS)	<input type="checkbox"/> Evergreen Shrubs (EVS)	<input type="checkbox"/> Greenhouse (GHS)

Location of growing site(s):
(street address or exact directions)

Acres of stock:

County where growing site is located:

*Growing site(s) to be inspected must be clearly marked. Maps must be included for sites over five acres, with clearly labeled sections of no more than five acres.



SOURCES OF NURSERY STOCK

Please list all sources of nursery stock that you are utilizing. Nursery stock includes perennial and woody plant material. It is not necessary to include sources of hard goods. Attach a separate page, if more space is needed.

Source Name	Address	City	State	Zip

I understand that as a distributor, I shall acquire and distribute only nursery stock from a licensed grower or dealer approved by an authorizing agency within the state of origin, and recognized by this Department. I shall supply and continually update a complete and accurate list of sources of nursery stock with the Department. If I grow nursery stock, I hereby request inspection of those sites and certification of that plant material.

Under penalties of perjury, I declare that I have examined this application and, to the best of my knowledge and belief, it is correct and complete. I will comply with all the provisions of the Nebraska Plant Protection and Plant Pest Act and the rules and regulations adopted under such Act.

 (Signature) (Print Name) (Date)

United States Citizenship Attestation Form

For the purpose of complying with Neb. Rev. Stat. §§4-108 through 4-114, I attest as follows:

☐ This business is not a sole proprietorship.

OR

☐ I am a citizen of the United States.

☐ I am a qualified alien under the federal Immigration and Nationality Act, my immigration status and alien number are as follows: _____, and I agree to provide a copy of my USCIS documentation upon request.

I hereby attest that my response and the information provided on this form and any related application for public benefits are true, complete, and accurate, and I understand that this information may be used to verify my lawful presence in the United States.

 Print Name

 Signature

 Date

For Credit Card Payment (Circle One)

VISA

MasterCard

Credit Card Number: _____ Expiration Date: _____

Any check returned by a financial institution to the Department due to insufficient or uncollected funds, may be re-presented electronically. A copy of the cancelled check can be obtained by contacting your financial institution.

If the check cannot be deposited either traditionally or electronically, it shall be the policy of the Department to recover a \$30 insufficient fund check fee from the payer. The full payment must then be made with a cashier's check or credit card (Visa or MasterCard).

