

**PROPOSED REGULATION OF THE DIRECTOR OF THE
STATE DEPARTMENT OF AGRICULTURE**

LCB File No. R079-08

May 5, 2008

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 555.243 and 555.2485.

A REGULATION relating to nursery stock; setting forth certain standards for the storage, display and sale of nursery stock; and providing other matters properly relating thereto.

Section 1. NAC 555.150 is hereby amended to read as follows:

555.150 1. Only sound, healthy nursery stock stored or displayed under conditions which will maintain its vigor may be offered for sale.

2. Any person who displays or stores nursery stock shall maintain the following standards:

(a) Nursery stock must be maintained in a manner that will protect its roots from excessive heat, drying or other adverse conditions.

(b) The root ball of balled nursery stock must be kept moist at all times and in a moisture-retaining material at a depth sufficient to cover 75 percent of the ball.

(c) Bare-root nursery stock must be kept under conditions of temperature, light and moisture that retard etiolated or other abnormal growth and maintain viability. Moisture must be supplied to the root system, and the roots must be covered with moisture-retaining material.

(d) Containerized stock and potted balled nursery stock enclosed in a container must be kept and displayed under growing conditions of temperature, light and moisture sufficient to maintain viability and vigor. The potting medium must cover all the roots of the stock.

(e) Packaged nursery stock must be stored and displayed under conditions of temperature and light that will retard etiolated growth or other abnormal growth, ensure adequate moisture and prevent damage to the root system from excessive heat or cold.

(f) Woody-stemmed deciduous stock must have a moist, green cambium in the stems and branches and include viable buds or normal growth. Etiolated growth from individual buds must not be more than 4 inches long.

(g) Balled nursery stock must have a moist, green cambium in the stems and branches, include viable buds or normal growth and possess healthy, viable roots. Root balls must ~~be firm and secure~~ :

(1) Encompass enough of the fibrous and feeding root system as necessary to ensure the full recovery of the stock; and ~~meet~~

(2) Meet or exceed the size specified in the *American Standard for Nursery Stock*, as adopted by reference pursuant to NAC 555.200.

(h) Nursery stock containers or root balls must be free from noxious weeds and commercially clean of common weeds.

(i) Nursery stock grown in a container must have a root system that is sufficiently well-developed to reach the sides of the container so that the root ball of the stock remains reasonably intact upon removing it from the container.

3. A person who displays , ~~or~~ stores *or offers for sale* nursery stock in violation of this section shall, after notice and hearing, for each violation pay an administrative fine in accordance with the following:

(a) For the first violation, \$100.

(b) For the second violation, \$300.

(c) For the third and any subsequent violation, \$500.