

**PROPOSED REGULATION OF  
THE STATE QUARANTINE OFFICER**

**LCB File No. R227-97**

January 20, 1998

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

AUTHORITY: §§ 2-8, NRS 554.085.

**Section 1.** Chapter 554 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this regulation.

**Sec. 2.** *As used in sections 2 to 8, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this regulation have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Notice of violation” means a nursery inspection report or an interview notice issued by the division which:*

- 1. Sets forth the statute or regulation that has been violated;*
- 2. Sets forth what must be done with the nursery stock found in violation; and*
- 3. Is signed by:*
  - (a) A representative of the division; and*
  - (b) The person who is in violation of the statute or regulation.*

**Sec. 4.** *“Notice of warning” means a written notice issued by the division which sets forth:*

- 1. The statute or regulation that has been violated; and*

2. *Any action which must be taken by the person in violation to remedy the violation.*

**Sec. 5.** *“Nursery stock” means any product of the soil, including, without limitation, agricultural or horticultural crops, seeds, plants, trees or shrubs and any part or manufactured product thereof.*

**Sec. 6.** 1. *A notice of warning may be issued by the division for a first violation of a quarantine issued pursuant to NRS 554.020 that was unintentional as long as the nursery stock did not contain a quarantined insect, weed or plant disease.*

2. *An administrative fine will not be assessed with a notice of warning issued pursuant to this section.*

**Sec. 7.** *A person who fails to comply with the actions set forth in a notice of violation that are required by the division to remedy the violation shall, after notice and hearing, for each violation pay an administrative fine in accordance with the following:*

1. *For the first violation, \$1,500.*
2. *For the second violation, \$3,000.*
3. *For the third and any subsequent violation, \$5,000.*

**Sec. 8.** *A railroad, express company or other common carrier, or any other person who imports nursery stock in violation of NRS 554.070, shall, after notice and hearing, for each violation pay an administrative fine in accordance with the following:*

1. *For the first violation, \$1,500.*
2. *For the second violation, \$3,000.*
3. *For the third and any subsequent violation, \$5,000.*