



VDACS Nursery Inspection and License Program

Selling Plants at Farmer's Markets

**David Gianino, Program Manager
*Office of Plant Industry Services***

Virginia Department of Agriculture and Consumer Services

Plants and Plant Products Inspection Law (Va Code §3.2-3800 et. seq)

- Law that charges the Commissioner of Agriculture to:
 - Protect the agricultural, horticultural, and other interests from plant pests, and
 - Enter into agreements with other states, to facilitate trade within U.S.

- Authorizes the Commissioner to:
 - License nurseries & nursery stock dealers;
 - Inspect nursery stock and provide inspection certificate;
 - Eradicate and control plant pests;
 - Stop sale plants infested with insect or disease plant pests; and
 - Ensure compliance with the Law.

Who needs a License?

- It is unlawful for any nurseryman or dealer to offer for sale, sell, deliver, or give away nursery stock unless such person shall have **first procured a license from the Commissioner (§ 3.2-3803)**

- **Nurseryman:** Any person that produces nursery stock for sale or distribution
- **Dealer:** Any person that acquires nursery stock for the purpose of resale and distribution who is not a grower of nursery stock



Current Nurseries and Dealers

- Nursery Grower Operations:
285

- Nursery Stock Dealers:
2,295

- VDACS posts the list of all licensed nurseries and dealers on our website

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NURSERY INSPECTION

The Nursery Inspection Program conducts inspections of nursery stock in an effort to prevent the spread of insect, weed and disease pests. Each year, the Office of Plant Industry Services inspects more than 8,500 acres of nursery stock for pests and diseases. More than 2,000 nurseries and nursery stock dealers are registered to operate within Virginia.

The **Plants and Plant Products Inspection Law** authorizes and requires the annual registration and inspection of all plant nurseries including **hops** in the Commonwealth of Virginia. This law also authorizes the registration and inspection of retail establishments selling nursery stock.

NOTICE: In July 2018, a change in **Virginia's Plants and Plant Products Inspection Law** (Code of Virginia, Section 3.2-3803) allows for the assessment of late fees if a nursery dealer or grower fails to renew their license within the 30 days following the December 31 expiration date. A \$50 late fee for growers and a \$15 late fee for dealers will be charged in addition to the license fee.

Nursery Inspection Resources

- **Black Current (*Ribes nigrum*)**
- **Contact information for Nursery Inspections** (pdf)
- **Nursery Operations with Active Permits (Category 91)** (pdf)
- **Nursery Stock Dealers with Active Permits (Category 89)** (pdf)
- **VDACS Nursery Permit Application** (pdf)

Additional Links

- **Boxwood Blight Cleanliness Program**
- **Cooperative Agricultural Pest Survey**
- **National Plant Board**
- **Spotted Lanternfly**
- **Virginia Noxious Weed Regulation**
- **Why Native Plants are Beneficial for Virginia Brochure** (pdf)
- **Why Native Plants are Beneficial for Virginia Flyer** (pdf)

Contact

What is Nursery Stock?

- Means all **trees, shrubs, woody vines** (including ornamentals), **bush fruits, grapevines, fruit trees, and nut trees** offered for sale and distribution
- All buds, grafts, scions, and cuttings from such plants
- Any container, soil, and other packing material with such plants or plant products



What *ISN'T* nursery stock?

- Unless designated by the Board, nursery stock *shall not include* florist or greenhouse plants for inside culture or use.
- Indoor houseplants
- Cut flowers
- Annual bedding flowers
- Terrarium or aquarium plants
- Vegetable transplants







License Process & Renewals

- License year: January 1 - December 31
- **Nursery Grower Operation** – \$75/year + inspection fee (if applicable)
- **Nursery Stock Dealer** – \$25/year
- No proration
- OPIS mails automatic renewal notices every year (November)
 - Late fee if not renewed by January 30



Inspection Fee – \$1.50/acre over 50

- Example 1:

Judy's Enchanted Garden – 3.8 acres

No Inspection Fee



- Example 2:

Grelen Nursery – 306 acre

$\$1.50 \times 256 = \mathbf{\$384/year}$



License Process – New License

- Submit to OPIS a completed application & check/money order for the appropriate license
 - Finance department collects \$ then OPIS receives the confirmation and application
- **Dealers** – license is issued once we receive application and check clears finance
- **Grower Operation** – license is issued once our inspector performs an initial inspection (determine nursery stock and verify no plant pests)

VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
OFFICE OF PLANT INDUSTRY SERVICES
102 Governor Street • Richmond, VA 23219
(804) 786-3515 • Fax: (804) 371-7793 • www.vdacs.virginia.gov

NURSERY LICENSE APPLICATION

Please check	Fee	Revenue Code
<input type="checkbox"/> Nursery Operation License	\$75.00 per nursery location	810-01-535-02191
<input type="checkbox"/> Nursery Dealer License	\$25.00 per retail location	810-01-535-02141

The below named party makes application for licensure and agrees to comply with all laws, rules and regulations applicable thereto.

All different locations where nursery stock is being grown must be licensed separately.
Complete and submit a separate application for each nursery location as instructed below.

- Complete the following information.

Name of Nursery Business or Individual*			
Physical Address of Nursery*	City*	State*	Zip Code*
Mailing Address (if different than Physical Address)	City	State	Zip Code
Contact Person (Last name, First <u>name</u> *)			
Phone number*	Fax number		
Alternate phone number	Email address*		
City or county of business location*	Signature*	Date*	
Total amount of acreage for all production fields, greenhouses, hoophouses, or other areas where nursery stock is being grown at the above-listed nursery location. For every acre over 50, nurseries are required to pay an inspection fee of \$1.50 per acre, in addition to the license fee.			_____ Acres*

* = required fields

- Make a copy of this application for your records.
- Send the completed application(s) and appropriate payment(s), for each separate nursery location to:
The Virginia Department of Agriculture and Consumer Services,
P.O. Box 526, Richmond, VA 23218-0526.
- Payment(s) must be in the form of a check or money order and should be made payable to "Treasurer of Virginia."

Additional forms and information can be found at VDACS' Nursery Inspection webpage:
<https://www.vdacs.virginia.gov/plant-industry-services-nursery-inspection.shtml>

(Revised July 2025)


Inspection – New Nursery

- Plant Protection Inspectors contact new nursery grower operations once they receive notification from OPIS headquarters
- Set up a time to meet and inspect plants
- Verify true to nursery stock definition
- Verify presence or freedom of plant pests
- Inspector contact OPIS headquarters to confirm nursery stock and plant pest freedom



Documents: License & Inspection Certificate

<small>not transferable</small> Virginia Department of Agriculture and Consumer Services P. O. Box 1163, Richmond, VA 23218		<small>not transferable</small> Virginia Department of Agriculture and Consumer Services P. O. Box 1163, Richmond, VA 23218	
LICENSE NURSERY STOCK DEALER		LICENSE NURSERY STOCK DEALER	
ISSUED 12-DEC-2024	PERMIT 89-340717-179	EXPIRES: 31-DEC-2025	LICENSE NO: 89-340717-179
Issued in accordance with application duly executed by the party shown below who has agreed to comply with all applicable laws, rules and regulations and has paid the required fee of \$25.			
MCLANE/MID-ATLANTIC, INC. DBA MCLANE MID-ATLANTIC PO BOX 5339 FALMOUTH, VA 22403-5339		MCLANE/MID-ATLANTIC, INC. DBA MCLANE MID-ATLANTIC PO BOX 5339 FALMOUTH, VA 22403-5339	
_____ Joseph Guthrie COMMISSIONER	By <u>David Gianino</u> AUTHORIZED REPRESENTATIVE	By <u>David Gianino</u> AUTHORIZED REPRESENTATIVE	

 <small>DIVISION OF CONSUMER PROTECTION Office of Plant Industry Services</small>	VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES	VIRGINIA NURSERY INSPECTION CERTIFICATE
	This certificate is to certify that _____ located in _____, Virginia has paid the license fee	
in accordance with requirements of the Commonwealth of Virginia's Plants and Plant Products Inspection Law (Va Code §3.2-3800 et. seq.) and <i>Rules and Regulations Relating to the Virginia Plants and Plant Products Inspection Law</i> (2 VAC 5-450). The stock of this nursery has been inspected and found apparently free from destructive plant pests.		
This certificate must be clearly attached to each carload, truckload, box, bale, or package.		
Nursery License #: _____		Issued by: _____
Expires: December 31, _____		
P.O. Box 1163 – Richmond, VA 23218 – www.vdacs.virginia.gov		

Inspection Routine

- Grower Operations: Required inspection at least once annually
- Dealers: Inspection not required; Target 10% per year
- Inspectors visit nurseries, often unannounced, to inspect nursery stock
 - Looking for signs/symptoms of plant diseases
 - Looking for insect plant pests
 - Take samples for confirmation
 - Stop sale of plants, if infestations found on site
- Prevent the spread of insect and disease plant pests in Virginia



Inspection – What do they *not* include?

- Don't provide recommendations for how to grow plants
- Don't provide general pest control recommendations
- Don't recommend other nurseries or products
- Don't provide business acumen or recommendations



Who's my Inspector?

- OPIS has 15 Plant Protection Inspectors
 - 3 Regional Supervisors
 - 1 Field Operations Manager
- Map of territories and contact information for your assigned inspector
 - <https://www.vdacs.virginia.gov/plant-industry-services-nursery-inspection.shtml>
 - www.Vdacs.virginia.gov > Search Bar > “Nursery Inspection”



**VIRGINIA DEPARTMENT
OF AGRICULTURE AND
CONSUMER SERVICES**

Office of Plant Industry Services

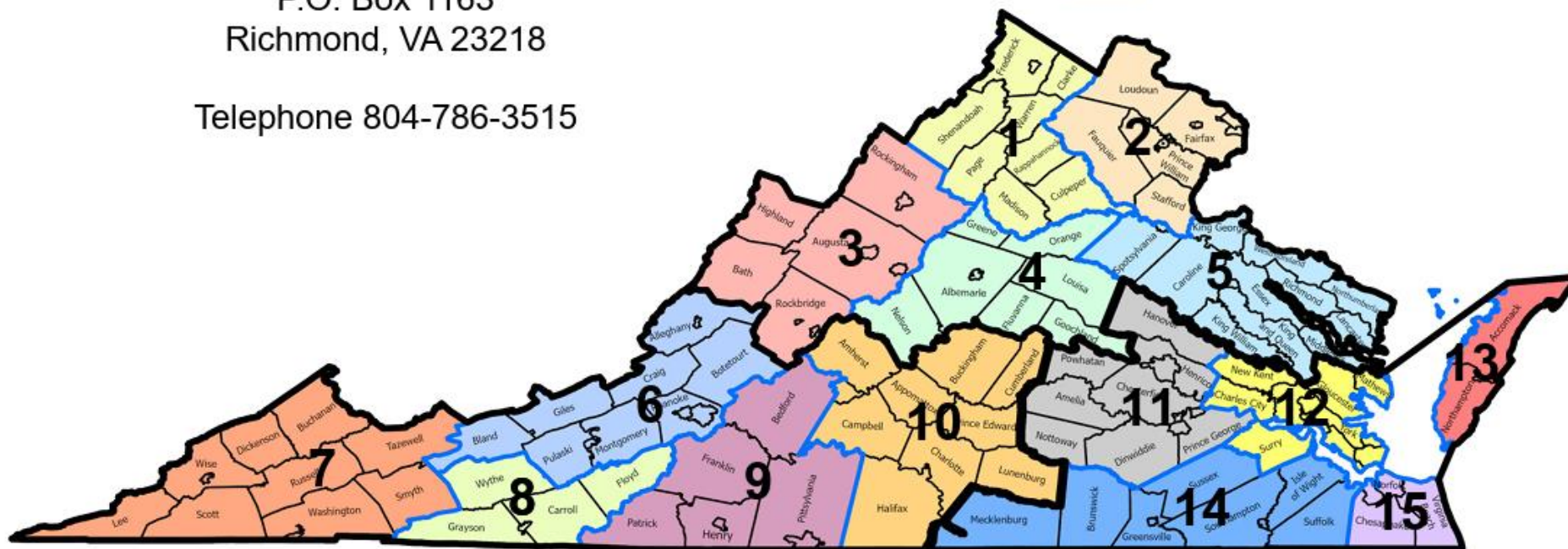
Nursery Inspection Program
P.O. Box 1163
Richmond, VA 23218

Telephone 804-786-3515

North Region

Beth McClelland, Supervisor - 703-973-2783

- 1 - Alexa Davis - 540-931-1111
- 2 - James Hart - 703-965-1639
- 3 - Katherine Williams - 804-356-0724
- 4 - Aaron Evans - 434-260-9133
- 5 - Luke Hallman - 804-385-2312



Southwest Region

Edward Burlett, Supervisor - 276-228-5501

- 6 - Mary Simms - 276-613-1383
- 7 - Jacob Caldwell - 276-690-0841
- 8 - Brian Kreowski - 276-229-1313
- 9 - Jessica Driver - 434-710-1945
- 10 - Shana Rock - 434-808-2090

Southeast Region

Brenda Johnson, Supervisor - 804-824-8096

- 11 - Sofia Alcaine - 804-461-0818
- 12 - Nicole Kopas - 757-373-0272
- 13 - Angela Barnes - 757-387-7416
- 14 - Daniel Wilczek - 804-845-4682
- 15 - Mohamed Abdalla - 757-477-6528

Email format for each inspector:
(First Name).(Last Name)@vdacs.virginia.gov

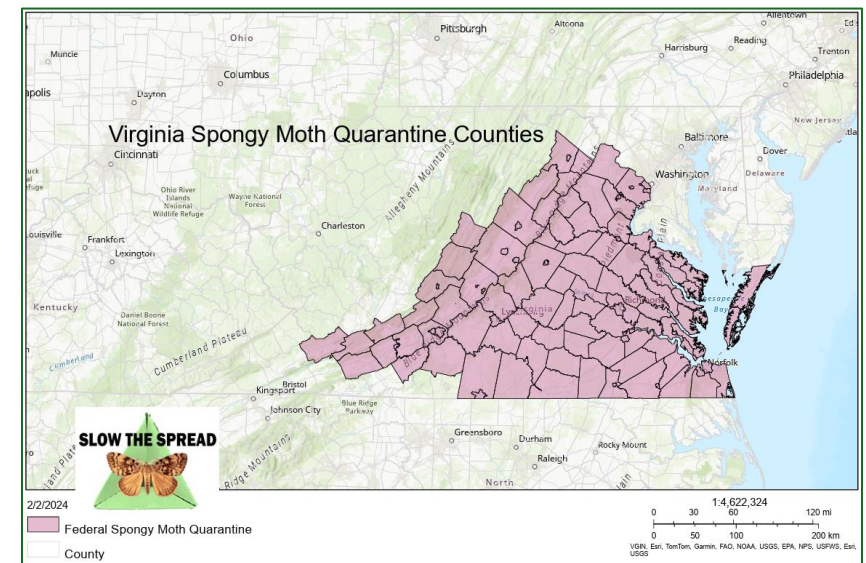
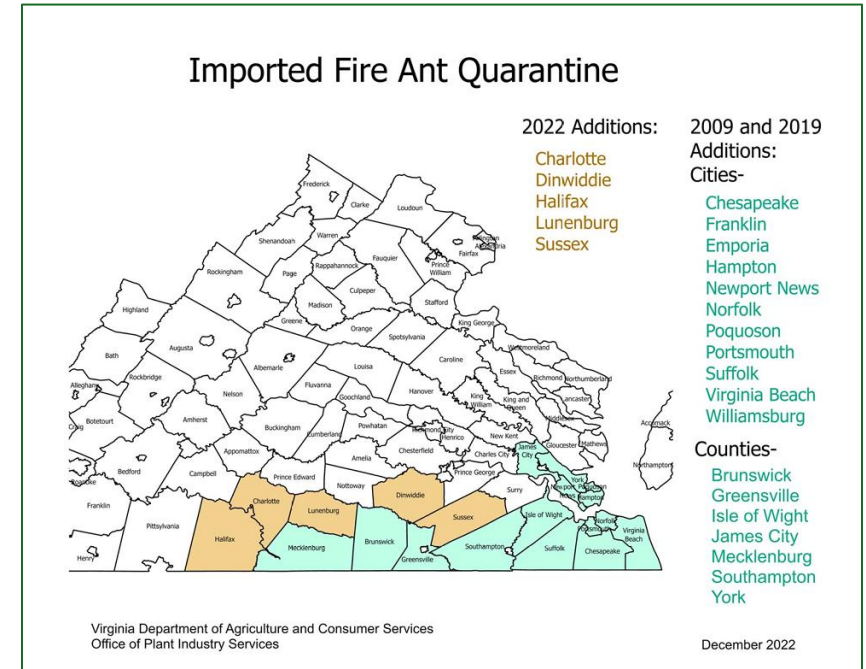
Plants and Plant Products Regulation

(2 VAC 5-450)

- **Section 10:** Licensed nurseries with more than one sales location does not need to license each location. Must have copy of license.
- **Section 20:** Narcissus plants, bulbs, and vegetable transplants destined for shipment out of the Commonwealth are nursery stock.
- **Section 30:** Field-grown vegetable transplants inspected during the growing season, and again when pulled and packed, may be eligible for certification.
- **Section 40:** European black currant plants, *Ribes nigrum*, may not be moved to any destination in Virginia.

Plant Pest Quarantines

- May be additional requirements, depending on where the nursery is located and where the farmers market is
- Red imported fire ant quarantine
- Spongy moth quarantine
- Compliance agreement and extra precautions



New invasive plant species signage requirements

- In the 2025, the General Assembly and the Governor approved a bill that requires retail establishments selling plants to place sign in proximity to displays, if they contain any of the 39 invasive plant species
- Identifying the plant as invasive
- Educates consumers on invasive plants
- Provides links to DCR's invasive plant list
- Encourage consumers to ask for alternatives
- More in development. **Takes effect January 1, 2027.**

Contacts at VDACS

- Main office line: 804-786-3515
- **David Gianino**, Program Manager
 - David.Gianino@vdacs.virginia.gov
- **Samuel Markwith**, Field Operations Manager
 - Samuel.Markwith@vdacs.virginia.gov
- **Dr. Anna Pasternak**, Invasive Species Coordinator/Compliance Agreement Specialist
 - Anna.Pasternak@vdacs.virginia.gov

A close-up, slightly blurred photograph of a grid of small, white, hexagonal seedling trays. Each tray contains a young plant with a thin green stem and a small, dark, rounded seedling at the top. The trays are arranged in a repeating pattern, and the background is softly out of focus. The overall tone is warm and natural, with a focus on the early stages of plant growth.

Questions?