

REGULATIONS

No person may intentionally misrepresent the grade, character, hardiness or quality of nursery stock, decorative, plant products offered for sale or distribution.

Before any person accepts shipment of any nursery stock, decorative plant, annual plant or sod which is intended for resale or redistribution, the shipment must have a valid certificate showing that the contents have been inspected by an official state or federal inspector.

If a shipment does not have a valid certificate of inspection, the Secretary of Agriculture may quarantine the shipment and hold it for inspection.

The Department of Agriculture may annually inspect all nurseries in the state. The department may inspect any field, orchard, garden, plantation, park, cemetery, packing ground, building, cellar and all places public or private that may be infested or infected with a pest. No person may hinder this inspection or cause any nursery stock to be concealed from inspection.

If pests are discovered in a nursery, the license/certificate of inspection will be withheld until the pest has been abated. If nursery stock is found to be infested by pests or to be damaged or desiccated so as to be incapable of normal growth, the department may order it removed from sale, treated or destroyed. If the owner or operator does not treat or destroy the infested stock, the Agriculture Department may treat or destroy the stock and assess the expenses against the owner.

Any person receiving any shipment of nursery stock from any foreign country shall notify the Agriculture Department of the arrival of that shipment, the contents and the name of the consignor. The shipment cannot be opened until it is inspected and released by the department.

Violations of these regulations shall cause the license and/or certificate of inspection to be canceled or revoked. In addition, the nurseryman is liable in civil action for all damage caused by violation of these regulations.

EXPORT REQUIRMENTS

Phytosanitary certificates are issued by the Department of Agriculture on plants or plant products for shipment to other states or countries, in compliance with the plant inspection and plant quarantine regulations of the state or country of destination.

Application for a phytosanitary inspection is made through the Phytosanitary Certificate Issuance and Tracking System (PCIT).
<https://pcit.aphis.usda.gov/pcit/>

The fees for inspection, obtaining samples or issuing certificates are as follows:

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| (1) On-site Inspection | \$200 |
| (2) Field Inspection | \$250 |
| For first acre and \$2 for each additional acre | |
| (3) State Certificate | \$50 |
| (4) Federal Certificate | \$125 |
| (5) Reissue State or Federal Certificate | |



South Dakota Department of Agriculture



Division of Agricultural Services

Office of Plant Industry



FOR MORE INFORMATION OR TO OBTAIN A COPY OF SOUTH DAKOTA LAWS PERTAINING TO NURSERY STOCK, CONTACT:

South Dakota Department of Agriculture



Division of Agricultural Services
Office of Plant Industry
523 E Capitol Avenue – Foss Building
Pierre, SD 57501-3182

Phone: 605-773-3796

Fax: 605-773-3481

Email: PI@state.sd.us

Web: <http://www.sd.gov/PI> /

www.sd.gov/PI

Regulations:
Nursery Stock & Plant Pest Control
SDCL 38-24B

Plant Quarantine & Treatment
SDCL 38-24A
ARSD 12:51

South Dakota Weed & Pest Control
SDCL 38-22
ARSD 12:62

Nursery Inspection Program

