



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF AGRICULTURE AND FOREST ENVIRONMENT

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Nursery Licensing, Inspection & Certification

<https://dem.ri.gov/natural-resources-bureau/agriculture-and-forest-environment/agriculture/regulatory-services/nursery>

What license is needed to offer plants for sale in Rhode Island?

RI Nursery Law requires that, prior to offering Nursery Stock for sale in RI, either a Nursery Worker's License or a Nursery Stock Dealer's License must be obtained through the RI DEM Division of Agriculture and Forest Environment. Links to RI Nursery Law and related laws and regulations are at the end of this document.

What plants are considered Nursery Stock?

"*Nursery stock*" means all hardy (to USDA hardiness zone 6b), deciduous and evergreen trees, shrubs, vines and other plants having a persistent woody stem, whether wild or cultivated, and plant parts, for and capable of propagation. For questions about whether specific plants are considered nursery stock in Rhode Island, contact [Matt Green](#) at the Division of Agriculture and Forest Environment.

Should I apply for a Nursery Stock Dealer's License or a Nursery Worker's License?

Before offering for sale nursery stock in RI, either a Nursery Stock Dealer's License or a Nursery Worker's License (but not both) must be obtained. Only one of these license types is needed depending on the activity of the operation.

"*Nursery worker*" means the person who owns, leases, manages, or is in charge of a "*Nursery*", which is any grounds or premises where nursery stock is propagated, grown, or cultivated, or from which nursery stock is collected for sale purposes. A licensed and certified nursery with a Nursery Worker's License does **not** also need a Nursery Stock Dealer's License in order to offer for sale certified nursery stock which is grown at their nursery or obtained from other licensed sources.

"*Nursery Stock Dealer*" is any person, not a grower or an original producer of nursery stock, and who is independent of the control of any nursery worker or other dealer, who sells, offers to sell, solicits orders for or otherwise traffics in nursery stock from a supply at hand or which is obtained from a nursery or another dealer. A Dealer's activity may include holding nursery stock by heeling-in, for purposes other than propagation or growth.

What are the fees and terms for a license to sell Nursery Stock in Rhode Island?

Nursery Worker's License annual fee is \$50; Nursery Stock Dealer's License annual fee is \$50 per sales location plus a non-refundable online transaction fee for all licenses. All licenses must be renewed annually prior to the expiration date of March 31.

I would like to apply for a Nursery Worker's License. Is an inspection of my nursery required?

To obtain a Nursery Worker's License, your nursery stock will be inspected and certified. At least once each year during the growing season, all nurseries in the state of Rhode Island are inspected to ascertain whether they are infested with injurious plant pests. If the nursery and the nursery stock are apparently free from injurious plant pests, a nursery stock inspection certificate is issued electronically to the Permit Application Portal.

Where can I apply for a Nursery Stock Dealer's License or a Nursery Worker's License, or request inspection of plants for phytosanitary certification?

Contact [Matt Green](#) at the Division of Agriculture and Forest Environment. When requesting assistance in determining requirements please send a list of the plants with genus and species and a description of the intended activity and sales location or shipment destination.

To apply for a new license or renew an existing license, an application must be submitted with payment of fees online in the Division's [Permit Application Portal](#).

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Which plants are prohibited or restricted in Rhode Island?

All plants in the genus Ribes including Currants, Gooseberries and their crosses are regulated and, depending on the species and requested planting location, are either restricted and allowed with a permit or prohibited. The White Pine Blister Rust Control Act was enacted in Rhode Island to protect native white pines from white pine blister rust, which is transmitted by plants of the genus Ribes. According to this Act, permits from DEM Division of Agriculture and Forestry are required for import into or transport within the state (\$50 permit fee) and planting (\$50 permit fee) of Ribes species plants in Rhode Island.

This Act prohibits the possession, transport, planting, propagation or sale of black currants (*Ribes nigrum*) and the planting of flowering currants (*Ribes aureum* and *Ribes odoratum*) in the state and limits the planting of other Ribes species such as red and white currants and gooseberries to designated low-hazard areas with a permit.

Permit application instructions:

<https://dem.ri.gov/sites/g/files/xkqbur861/files/programs/agriculture/documents/ribesspp.pdf>

Plants on the federal noxious weed list are prohibited: Movement into or within Rhode Island is prohibited for all Federal noxious weeds designated by USDA APHIS in 7CFR Part 360-Noxious Weed Regulations.

https://www.aphis.usda.gov/aphis/ourfocus/planhealth/plant-pest-and-disease-programs/pests-and-diseases/sa_weeds/sa_noxious_weeds_program

What are the requirements for movement of plant material to other states, territories or countries?

Inspection and certification provides the basis for compliance with laws and regulations governing the movement of plants domestically and internationally. Plant shipments that do not meet certification requirements of the destination state or country may be refused entry or require quarantine or treatment at the destination. DEM Division of Agriculture and Forest Environment conducts Phytosanitary Inspection and Certification to assist Rhode Island exporters of plant material in complying with the phytosanitary requirements of the destination.

Summaries of requirements for shipments of plant materials domestically to US states and territories can be found on the National Plant Board website: <https://www.nationalplantboard.org/state-law--regulation-summaries.html>

Summaries of requirements for shipments of plant materials internationally can be found at the USDA Animal and Plant Health Inspection Service (APHIS) Phytosanitary Export Database (PExD):

<https://pcit.aphis.usda.gov/PExD/faces/ViewPExD.jsf>

How do state and federal quarantine restrictions affect the movement of plant materials?

States, territories and the federal government all may place quarantines restricting the movement of regulated articles and plant material for the purpose of preventing the spread of certain harmful plant pests outside of a regulated area, or into or through protected areas.

Examples of quarantines for which nurseries must enter into a state/federal compliance agreement for interstate shipment of regulated plant materials to destinations requiring certification are Spongy Moth (field-grown nursery stock) and Black Stem Rust (*Berberis*, *Mahoberberis*, & *Mahonia* spp.). The U.S. Domestic Japanese Beetle Harmonization Plan facilitates movement of plant materials and soil outside of the Japanese Beetle quarantine area. Movement of plant material into Rhode Island also is regulated to prevent entry of plant pests such as Asian Longhorned Beetle and *Phytophthora ramorum* (Sudden Oak Death).

Information on these and other plant pests and related regulated articles can be found on the USDA APHIS Plant Pest Program website: <https://www.aphis.usda.gov/plant-pests-diseases>
Other states' and territories' quarantine summaries are listed on The National Plant Board website:
<https://www.nationalplantboard.org/state-law--regulation-summaries.html>

Rhode Island General Laws

RI Nursery Law, Chapter 2-18.1

<https://webserver.rilegislature.gov/Statutes/TITLE2/2-18.1/INDEX.htm>

Nurseries and Nursery Stock, Chapter 2-18

<https://webserver.rilegislature.gov/Statutes/TITLE2/2-18/INDEX.htm>

Protection of Trees and Plants Generally, Chapter 2-15

<https://webserver.rilegislature.gov/Statutes/TITLE2/2-15/INDEX.htm>

General Plant Pest Act, Chapter 2-16

<https://webserver.rilegislature.gov/Statutes/TITLE2/2-16/INDEX.htm>

Diseases and Parasites, Chapter 2-17

<https://webserver.rilegislature.gov/Statutes/TITLE2/2-17/INDEX.htm>

RI Seed Act, Chapter 2-6

<https://webserver.rilegislature.gov/Statutes/TITLE2/2-6/INDEX.htm>

Rules and Regulations

Production and Distribution of Nursery Stock

<https://rules.sos.ri.gov/regulations/part/250-40-10-1>

Suppression of White Pine Blister Rust

<https://rules.sos.ri.gov/regulations/part/250-40-10-2>

Rules and Regulations under the Rhode Island State Seed Law

<https://rules.sos.ri.gov/regulations/part/250-40-20-8>