

## North San Diego Certified Farmers Market License to Sell Nursery Stock Vendor Statement

### California requirements for a License to Sell Nursery Stock.

<http://www.cdfa.ca.gov/plant/pe/Nursery/>

<http://www.cdfa.ca.gov/plant/pe/Nursery/NIPM.html>

(this document is only summary - please review the **California Nursery Stock Laws and Regulations** in its entirety)

<http://www.cdfa.ca.gov/plant/pe/Nursery/pdfs/nipm1.pdf>

**LICENSE** (Sections 6721 through 6744, FAC) [http://www.cdfa.ca.gov/plant/pe/Nursery/pdfs/nipm\\_2\\_1.pdf](http://www.cdfa.ca.gov/plant/pe/Nursery/pdfs/nipm_2_1.pdf)

It is unlawful to sell any nursery stock without an annual license from the Secretary of Food and Agriculture. Applications (see NIPM Item #2.1) are available at each County Agricultural Commissioner's office or from the Pest Exclusion Branch in Sacramento.

**Fee Exemption** [http://www.cdfa.ca.gov/plant/pe/Nursery/pdfs/nipm\\_2\\_4\\_fee\\_exempt\\_lic.pdf](http://www.cdfa.ca.gov/plant/pe/Nursery/pdfs/nipm_2_4_fee_exempt_lic.pdf)

Exemption from license fees is allowable if all of the following conditions are met:

- (1) applicant's sales amount to less than one thousand dollars (\$1,000) in a fiscal year;
- (2) applicant has reported to the County Agricultural Commissioner of his/her county applicant's intention to make such sales;
- (3) all the plants applicant has to be sold are of own production; and
- (4) applicant sells all such plants for planting within the county where grown. Application for a fee-exempt license may be made through the County Agricultural Commissioner.

### **Exemption From License**

Exemption from license is allowable to florists and others who only sell plants at retail for the sole purpose of indoor decoration, to persons who sell no nursery stock.

**DEFINITIONS** (Sections 38, 44, 5005, 5007, and 5008, FAC)

"Person" includes firm, corporation, company, or association.

"Sell" includes offer for sale, expose for sale, or possess for sale, exchange, barter, or trade.

"Nursery stock" means any plant for planting, propagation, or ornamentation.

"Plant" includes any part of a plant, tree, plant product, shrub, vine, fruit, vegetable, seed, bulb, stolon, tuber, corm, pip, cutting, scion, bud, graft, or fruit pit.

"Shipment" means any article or thing which is, may be, or has been transported from one place to another place.

**PENALTY** (Sections 5310 and 5311, FAC)

Any person who violates these laws and regulations may be prosecuted through civil action and fined up to \$10,000 per violation. In lieu of civil action, the Secretary or County Agricultural Commissioner may levy a civil penalty of up to \$2,500 per violation.

**NSDCFM Vendor Statement** (please check one):

I am required to have a valid annual License to Sell Nursery Stock, and a **copy is attached**.

I am eligible to receive a fee-exempt License to Sell Nursery Stock, and a **valid copy is attached**.

I **am exempt** from the requirements to obtain a License to Sell Nursery Stock.

Vendor assumes all responsibility for compliance with the California requirements for a License to Sell Nursery Stock, and holds the North San Diego Certified Farmers Market harmless.

\_\_\_\_\_  
Vendor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Business Name