

## Chapter Ag 21

## NURSERY STOCK

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**Ag 21.01 Definitions.** As used herein: (1) "Nursery stock" shall be as defined in section 94.60 (1), Wis. Stats.

(2) "Person" means a "nurseryman", "dealer", or "agent" as defined in section 94.60 (1), Wis. Stats.

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59.

**Ag 21.02 Misrepresentation.** It is misleading, under section 94.60, Wis. Stats., for any person in connection with the sale of any nursery stock to fail to disclose on the tag or label and in any advertising the following material facts whenever applicable:

(1) That nursery stock was collected from the wild state, unless it has been grown under cultivation in a nursery for at least one growing season.

(2) That roses are greenhouse grown, commonly known as "bench roses".

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59.

**Ag 21.03 Standards of care.** No person possessing nursery stock for sale shall fail to observe the following standards of care:

(1) The roots of nursery stock shall be kept moist at all times.

(2) "Balled and burlapped" nursery stock shall be kept on soil, peat, sawdust, vermiculite, or other moisture-holding material not toxic to plants. Such material shall be at least 3 inches in depth and shall be kept moist at all times. If kept outside, a solid barrier at least 10 inches high shall be placed around such stored stock as a protection against the wind. This subsection shall not apply when such stock is held in an impervious wrapper or container.

(3) Nursery stock with bare roots shall be heeled in the ground, or covered with hay, sphagnum, peat, shingletow or other moisture-holding material not toxic to plants, or kept in a storage room where temperature and humidity are so controlled that the viability of such stock will be fully maintained. At the time of delivery to the purchaser the roots shall be covered with such moisture-holding material, which shall be moist, and shall be tightly wrapped to retard desiccation.

(4) Nursery stock which by reason of desiccation, damage or other cause will not grow normally, shall be removed from sale.

**History:** 1-2-56; r. and recr. Register, February, 1959, No. 38, eff. 3-1-59.

**Ag 21.04 to Ag 21.15, inclusive, History:** 1-2-56; r. Register, February, 1959, No. 38, eff. 3-1-59.

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