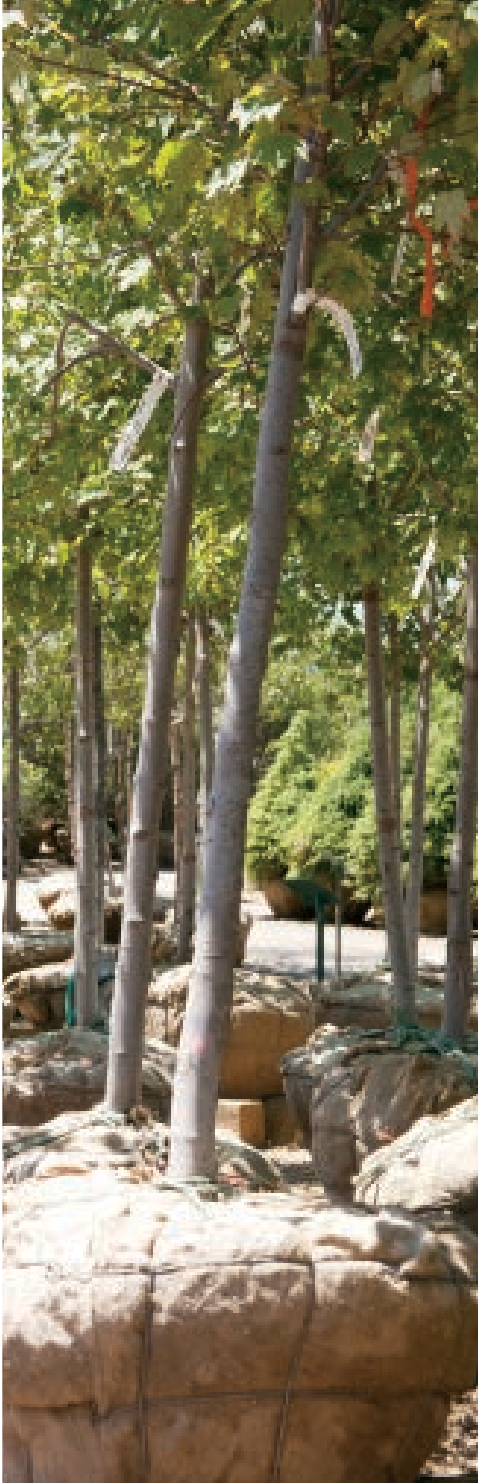




Wisconsin Nursery License

Growing, Buying & Selling Plants





The History of Nursery Licensing

In 1899, the Wisconsin state legislature created the office of State Orchard and Nursery Inspector. This position was created to monitor for San Jose scale, a major orchard and nursery pest introduced from China to California in 1870.

As early as 1911, the legislature required that all nursery growers and dealers obtain certification to sell nursery stock. All plants had to be inspected and found free of injurious pests and diseases. The certification charge to growers was \$5 for less than one acre, \$10 for more than one acre, and \$5 for dealers. That would be nearly \$100 and \$200 in current dollars!

Why does Wisconsin license?

The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP), is entrusted by the legislature to license nursery growers, dealers and Christmas tree growers under Wisc. Stats. Ch. 94.10 and Wi Admin Code Ch. 21. DATCP licenses primarily to manage and monitor pests and diseases, and to ensure that healthy nursery stock is being sold. Having a listing

of all growers and dealers and their sources allows for efficient tracking and interception of harmful pests or diseases.

Who needs a Nursery License?

Anyone selling more than \$250 annually in nursery stock or Christmas trees needs to be licensed.

Nursery stock is defined by state statute (ch 94.10 Wisc. Stats.) as plants and plant parts that can be propagated and grown, excluding seeds, sod, cranberry cuttings, annuals, and evergreen trees grown for eventual harvest and sale as Christmas trees. Christmas tree growers are licensed separately under this statute.

What are the benefits of being licensed?

It is a goal of the Nursery Program to be grower-friendly. In addition to surveying for regulated pests, we hope to be a resource for any pest or disease issues you may encounter. After your nursery is licensed, you will receive regular inspections of your nursery stock. This inspection will take place every one to three years. During the inspection, the inspector will look for

regulated pests and diseases and provide a report of general pests and diseases found during the inspection. Inspectors can provide additional information on management of pests and cultural problems, when requested.

For growers who send stock out of Wisconsin or out of a quarantine, we can assist with complying with the regulatory requirements of the receiving state/country. Call us before planning to ship (a year before, if possible) to ensure that all the regulatory issues are attended to.

What does the license fee pay for?

Your annual license fee pays for inspectors and management of the nursery program. These fees, when collected, go into a special fund set aside for these purposes.

HOW DO I GET LICENSED?

To obtain a license application, call the nursery program at (608) 224-4572, or download a copy of the license application at: http://datcp.wi.gov/Plants/Nursery_Stock/index.aspx

TYPES OF NURSERY LICENSES



Nursery Dealer

A **nursery dealer** is a person who buys nursery stock from a wholesaler or distributor and re-sells the nursery stock. The nursery stock is usually sold that year and is not split, propagated, planted in the ground, or changed from the way it was purchased. A nursery dealer could include garden centers, landscape contractors, perennial installers, tree “spaders,” or brokers. Nursery stock sales could include bulbs, trees, fruit trees, rhizomes, shrubs, perennial herbs, perennials, aquatic plants, and native grasses. You do not need a nursery license to grow or sell any amount of annuals, fruits, vegetables, most herbs, or cut flowers.

Nursery Grower

A **nursery grower** is a person who grows, plants, splits or propagates nursery stock (including perennials) which is capable of over-wintering in Wisconsin. This stock can be from seeds, seedlings, or adult plant material. The nursery stock is usually held at the grower’s location for at least a year. A nursery grower is usually someone who has growing fields, but it can also include applicants who grow plants in greenhouses or in containers. You do not need a nursery license to grow or sell any amount of annuals, fruits, vegetables, most herbs, or cut flowers.

Christmas Tree Grower

A **Christmas tree grower** is a person who grows and maintains evergreen trees for eventual sale as Christmas trees.

How much does a license cost?

License fees are based on gross annual sales for nursery growers and Christmas tree growers. Nursery dealer license fees are based on gross annual purchases of perennial/nursery stock. If your sales/purchases are less than \$250 per year, a license is not required, but can be obtained by paying the minimum fee. You can apply for one of these licenses or any combination of them. Some people find they need all three.

PURCHASES	FEE
\$1 to \$250	NO LICENSE ISSUED
\$251 to \$5,000	\$30
\$5,001 to \$20,000	\$50
\$20,001 to \$100,000	\$100
\$100,001 to \$200,000	\$150
\$200,001 to \$500,000	\$200
\$500,001 to \$2,000,000	\$300
\$2,000,001 to \$3,000,000	\$400
> \$3,000,000	.0005 x Annual Purchases

PURCHASES	FEE
\$1 to \$250	NO LICENSE ISSUED
\$251 to \$5,000	\$40
\$5,001 to \$20,000	\$75
\$20,001 to \$100,000	\$125
\$100,001 to \$200,000	\$200
\$200,001 to \$500,000	\$350
\$500,001 to \$2,000,000	\$600
> \$2,000,000	\$1,200

PURCHASES	FEE
\$1 to \$250	NO LICENSE ISSUED
\$251 to \$5,000	\$20
\$5,001 to \$20,000	\$55
\$20,001 to \$100,000	\$90
\$100,001 to \$200,000	\$150
\$200,001 to \$500,000	\$250
\$500,001 to \$2,000,000	\$450
> \$2,000,000	\$900

FEE AMOUNT from Table 1 above	
FEE AMOUNT from Table 2 above	
FEE AMOUNT from Table 3 above	
LICENSE FEE TOTAL	

Certification of plant material

Nurseries wishing to send stock out of state or out of the country may need to send along certification that the stock is free of certain pests or diseases (plant health certificates or phytosanitary certificates). Information about these certificates can be obtained by calling DATCP at (608) 224-4596, or email: DATCPphyto@wisconsin.gov

Other licenses/certifications a nursery may need:

Seed: Any person or business who labels agricultural, turf, vegetable or native seed offered for sale. For more information call DATCP at (608) 224-4596

Pesticide Dealer: If you sell restricted use pesticides. For more information call DATCP at (608) 224-4548

Pesticide Applicator: If you apply or your operators apply restricted use pesticides. For more information call DATCP at (608) 224-4548

RESOURCES

Nursery License Information:

Department of Agriculture, Trade and Consumer Protection (DATCP) – Nursery
(608) 224-4572
http://datcp.wi.gov/Plants/Nursery_Stock/index.aspx

Department of Agriculture, Trade and Consumer Protection (DATCP) – Christmas Trees
(920) 232-5605
http://datcp.wi.gov/Plants/Christmas_Trees/index.aspx

Tax Information:

Department of Revenue - Sellers Permit
(608)266-2776, <http://www.revenue.wi.gov>

Horticulture Information:

University of Wisconsin Extension
<http://www.uwex.edu/about/cooperative.html>

Wisconsin Master Gardeners
(608) 265-4504, <http://wimastergardener.org>

Plant Disease Diagnostics Clinic
(608) 262-2863, <http://pddc.wisc.edu>

Pesticide Applicator Training and Certification:

University of Wisconsin – Training
(608) 262-7588
<http://ipcm.wisc.edu/pat>

Department of Agriculture, Trade and Consumer Protection – Certification
(608) 224-4551
<http://datcp.wi.gov/Plants/Pesticides/Licenses/index.aspx>

Driftwatch -- Online registration of sensitive crops
<http://www.driftwatch.org>

University/Technical Horticulture Schools:

UW-Madison
<http://www.horticulture.wisc.edu>

UW-Platteville
<http://www.uwplatt.edu/agriculture/environmental-horticulture-emphases>

UW-River Falls
<http://www.uwrf.edu/Majors/D-L/ADMHorticulture.cfm>

Gateway Technical College
<http://www.gtc.edu/program.asp?pid=10-001-1B>

Milwaukee Area Technical College
<http://www.matc.edu/tas/degrees/landscape-horticulture.cfm>

Grower and Landscape Associations:

Wisconsin Green Industry Federation (WGIF)
(414) 529-4705
<http://www.wgif.net>

Commercial Flower Growers of Wisconsin (CFGW)
<http://www.cfgw.org>

Wisconsin Christmas Tree Producers Association (WCTPA)
(608) 742-8663
<http://www.christmastrees-wi.org>

Wisconsin Landscape Contractors Association
(262) 782-9522, <http://www.findalandscape.org>

Wisconsin Nursery and Landscape Association (WNLA)
(414) 529-4705

Wisconsin Sod Producers Association
(262) 895-6820

AmericanHort
(614) 487-1117
<http://www.americanhort.org>



Wisconsin Department of Agriculture, Trade & Consumer Protection

Division of Agricultural Resource Management
2811 Agriculture Drive, Madison, WI 53708-8911
608-224-4500 <http://datcp@wi.gov>