

APA-2

6/96

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
DIVISION OF PLANT INDUSTRY

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Agriculture and Industries

Rule Nos. & Titles: 80-10-2-.05 Requirements for Sale and Distribution of Propagating Material.

Intended Action: To Amend

Substance of Proposed Action: Amended to require trapping of Sweet Potato Seed and Sweet Potato Plants. Amended to require a Sweet Potato Green Tag to be attached to each container.

Time, Place, Manner of Presenting Views: Views may be presented in writing to the contact person below or in person on the meeting date, Tuesday, May 10, 2011, at 10:00 a.m., in the Board Room of the Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama.

Final Date for Comment and Completion of Notice: May 10, 2011.

Contact Person at Agency: Robert J. Russell, Assistant Attorney General and Legal Counsel, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. 240-7117.

3-21-11
Date

John McMillan
John McMillan,
Commissioner of Agriculture
and Industries

80-10-2-.05 Requirements For The Sale And Distribution Of Propagating Material.

Movement of sweet potato seed or sweet potato plants for propagation purposes shall be prohibited beyond the limits of the farm where produced unless such sweet potato seed or plants have been certified and appropriately tagged as provided herein. Such propagation stock shall be transported in new and unused containers, or in properly cleaned and treated used containers. Sweet potato seed certificate tags, sweet potato plant certificate tags, and/or sweet potato plant certificate tape shall be issued only after the sweet potato seed or sweet potato plants have been properly trapped and have passed the proper inspections, and after the grower has complied with the rules provided herein to prevent the spread of injurious pests.

(a) Each container of sweet potato seed offered or exposed for sale, trade, or other distribution, or possessed beyond the limits of the farm where grown, moved or shipped within or into the State of Alabama, must have firmly attached a valid sweet potato seed certificate tag issued by the commissioner or by the certifying agency of the state of origin. The grower's name, address, and the variety of sweet potato must be printed on the tag.

(b) All sweet potato plants offered or exposed for sale, trade, or other distribution, or possessed beyond the limits of the farm where grown, moved or shipped within or into the state of Alabama must be tied with valid sweet potato plant certificate tape in bundles of one hundred (100) plants or less, and each bundle, package, or container must have firmly attached a valid sweet potato plant certificate tag issued by the commissioner or by the certifying agency of the state of origin. The grower's name, address, the variety, and the number of plants per bundle must appear on the tag. Sweet potato plant certificate tags and sweet potato plant certificate tape must have been issued to the same grower, or the plants shall be subject to confiscation by the commissioner.

(c) Vine cuttings shall meet all requirements set for plants.

(d) Sweet potato table stock offered or exposed for sale, trade, or other distribution, or possessed beyond the limits of the farm where grown, moved or shipped within or shipped out of the state of Alabama must have a valid sweet potato green tag attached to or placed within each container.

Author: Charles H. Barnes, Robert J. Russell

Statutory Authority: Code of Ala. 1975, §§2251, et seq.

History: Filed April 19, 1982 as Rule No. 80-10-1-.02. Rules reformatted- Rule No. changed to Chapter 80-10-2: Filed June 19, 1986. **Amended:** Filed December 9, 1988. **Amended:** Filed March 21, 2011.