

**249.070 Entomologist to inspect nurseries and order management of plant pests --
Shipment of affected stock prohibited -- Exception.**

- (1) All nurseries in the Commonwealth of Kentucky shall be inspected by the state entomologist, his deputy, or by a nursery inspector, once each year. The state entomologist may collect specimens of plant material in order to make cultures and positive identifications of plant pests. The state entomologist also may inspect nursery stock which is stored in cellars, heeling in grounds, or warehouses, to ascertain whether it is infested with insect pests or plant diseases. If, upon the inspection of any nursery, it appears that the nursery and its premises are not infected or infested with insect pests and plant diseases, the state entomologist shall issue to the nursery a certificate of inspection. The certificate of inspection shall be valid through June 30 of the following year. This certificate shall be prominently displayed in the main office of the building.
- (2) If the nursery and its premises are infected or infested with insect pests and plant diseases, the state entomologist shall notify the owners or managers of the nurseries, and shall also notify, in writing, the owner of any affected nursery stock to take such measures, on or before a certain day, for the management of plant pests as have been shown to be effectual.
- (3) The owner or manager of the affected nursery shall, within the time specified, take steps for the mitigation of plant pests.
- (4) No owner or manager of affected nursery stock shall sell or offer for sale, ship, deliver, or remove from a nursery any nursery stock affected with plant pests, until the stock has been officially inspected and a certificate covering it has been issued by the state entomologist.
- (5) The provisions of this section do not apply to florists' greenhouse plants nor to flowers or cuttings.

Effective: July 15, 1996

History: Amended 1996 Ky. Acts ch. 142, sec. 10, effective July 15, 1996. -- Amended 1978 Ky. Acts ch. 29, sec. 2, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 1925a-3, 1925a-4.