

### **Other Resources and Associations**

American Nursery & Landscape Association  
[www.anla.org](http://www.anla.org)

Western Nursery and Landscape Association  
[www.wnla.org](http://www.wnla.org)

Kansas Nursery and Landscape Association  
[www.kansasnla.org](http://www.kansasnla.org)

National Plant Board  
[www.nationalplantboard.org](http://www.nationalplantboard.org)

USDA-APHIS-PPQ  
[www.aphis.usda.gov](http://www.aphis.usda.gov)

Kansas Pesticide Applicator Training  
Kansas Pesticide Dealer Information  
Kansas Seed Dealers  
Kansas Worker Protection Standards  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Plant Protection and Weed Control Program  
1320 Research Park Drive  
Manhattan, Kansas 66502-5000  
785-564-6698/785-564-6779 (fax)  
<https://agriculture.ks.gov/divisions-programs/plant-protect-weed-control>

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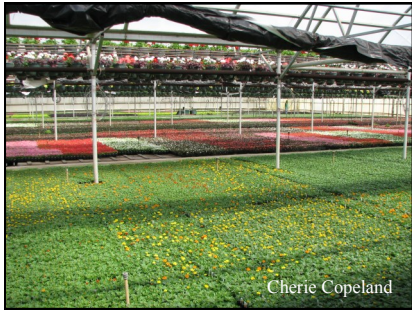


# **KANSAS LIVE PLANT DEALER LICENSE**

**WHAT YOU NEED TO KNOW  
BEFORE LANDSCAPING,  
DISTRIBUTING OR  
SELLING PLANTS IN  
KANSAS**

Photo by: Laurinda Ramonda

## Purpose of Kansas live plant dealer licensing



Live plant dealer licensing is authorized under the Plant Pest and Agriculture Commodity Certification Act. The purpose of the law is to protect the state's cultivated and natural plant resources from the introduction and outbreak of injurious plant diseases, weeds and insects. A well-documented pathway of plant pest movement is through commercial and private distribution of live plants. Licensing provides regulatory

officials a means of monitoring plant and subsequent pest movement in the state. Random and requested inspections of plants at licensed dealers provide regulatory officials an opportunity to identify and control plant pests before they can develop into unmanageable populations.

### Do my plants have to be pest free?

All live plants sold in Kansas must be in compliance with pest freedoms standards established in the Kansas Administrative Regulations 4-15-10. The pest freedom standards are a list of plant pests that are regulated and only apply to live plants possessed by a live plant dealer. The full list of pest freedom standards and the complete Plant Pest and Agriculture Commodity Certification Act can be viewed on the Plant Protection and Weed Control Program section of the Kansas Department of Agriculture website at <https://agriculture.ks.gov/home>.

### Who needs a Kansas live plant dealer license?

Any entity or person that grows live plants for sale or distribution, buys or obtains live plants for selling or distribution, establishes or moves live plants within Kansas to establish such live plants for others for compensation (such as landscapers), or who gives live plants as a premium or for advertising purposes must obtain a Kansas live plant dealer license. See K.S.A. 2-2113 and K.S.A 2-2120 for statutory language.

A Kansas live plant dealer must obtain a Kansas live plant dealer license prior to selling, offering for sale, delivering, or planting any live plants in Kansas. Live plants include any living plant, cultivated or wild, or any part thereof, that can be propagated, except the following:

- Field and forage crops;
- Seeds of any kind;
- Cut flowers and cut greenery not used for propagation; and
- Fruits and vegetables used for food or feed.

If a live plant dealer in Kansas does not import into or export live plants and collects less than \$10,000 annually in gross receipts, that live plant dealer shall be

exempt from the licensing requirements. Any person or business offering live plants for sale in Kansas is required to obtain a live plant dealer license. This is an annual business license that expires each year on January 31.

### How do I get a live plant dealer license?

Live plant dealers can call the Plant Protection and Weed Control office at 785-564-6698 to request an application. This application also can be downloaded from the Kansas Department of Agriculture website at <https://agriculture.ks.gov/divisions-programs/plant-protect-weed-control/application-center>.

### What is the fee for a live plant dealer license?

The annual fee for persons or businesses that retail more than \$10,000 in gross receipts per year or imports into or exports from Kansas live plants must purchase a license. Live plant dealer license fees for each location is \$85 (\$80 for the license and \$5 for the emergency pest response fee). Exempt persons or businesses must fill out the licensing application but no fee is charged.

### What is the emergency pest response fund?



The emergency pest response fund was established by the Kansas Legislature to provide funds to control serious, unexpected outbreaks of native and introduced plant pests. A \$5 fee is collected on each live plant dealer license issued.

### Inspection and certification of plant material for shipment out of Kansas

All states in the United States have requirements for importing nursery stock and other live plants into their borders. These requirements vary from state to state but all require some type of inspection prior to shipment to ensure Kansas plant materials meet that state's import requirements. Plant Protection and Weed Control staff will perform inspections and provide necessary certification upon request of the grower. In most cases, the plants must be actively growing at the time of the inspection. Live plant dealers are strongly urged to have their plants inspected and certified to avoid possible seizure and destruction or return of their plants. Inspections cost \$30 per hour (onsite and travel) plus mileage. Domestic shipping certificates are \$20 each. International certificates are \$50. Inspection and certification fees are charged in addition to the live plant dealer license fee.

