

*****DRAFT - NOT FOR FILING*****

901:5-39-01 Inspection and certification of raspberry plants.

- (A) A certificate of inspection covering raspberry plants produced from inspected plantings will be issued only:
- (1) When the request for inspection of raspberry plantings, or general nursery stock which includes raspberry plantings, is filed with the "Plant Pest Control Section, Division of Plant Health, Ohio Department of Agriculture, Reynoldsburg, Ohio" on or before April fifteenth of the year in which inspection is requested.
 - (2) When the planting has been twice inspected during the growing season, the first inspection to be completed before June twentieth, with an interval of at least thirty days before the second inspection which must be completed by September fifteenth.
 - (3) When the plantings are made on sites which have neither been cropped in potatoes, tomatoes or other solanaceous plants within the past five years, nor subjected to drainage from sites which have been planted to such crops within a like period.
 - (4) When no mixture of varieties is discernible. If off-variety plants are rogued, planting may be eligible for certification.
 - (5) When plantings are well cultivated and maintained essentially free from weeds and grasses.
 - (6) When plants appear generally thrifty.
 - (7) When the plantings offered for inspection are maintained essentially free from insect pests and plant diseases and when certain pests herein designated as dangerously injurious do not exceed the following tolerances:
 - (a) The viruses known as leaf curl, streak and mosaics - two per cent on the first inspection, or one per cent on the second inspection.
 - (b) Orange Rust - two per cent on the first inspection, or one per cent on the second inspection.
 - (c) Crown Gall - one per cent.
 - (8) When all plants visibly infected with virus disease or orange rust have been eradicated from the planting immediately following each inspection.
 - (9) When no infected plantings occur within two hundred fifty feet of those certified, provided, that orange rust or streak within two hundred fifty feet shall not disqualify red raspberries from certification.
- (B) No raspberry plants shall be sold or consigned to points within the state of Ohio which originated in source plantings in states wherein a less rigid standard of inspection pertains in reference to maximum percentages of virus diseases on two inspections, than those prescribed in paragraph (A)(7) of this rule.
- (C) No person shall offer for sale, distribute or cause to be distributed within this state any raspberry plants represented by means of labeling or advertising to be "disease-free," or "virus-free" or "produced from 'virus-free' stock," or "registered" or "foundation" stock, unless such stock is so classified by a legally constituted agency designated for such purpose.

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901:5-41-01 Certification, labeling, and advertising of strawberry plants.

- (A) A request for inspection of strawberry plantings must be filed with the Ohio department of agriculture on or before April fifteenth of the year in which inspection is requested.
- (B) A certificate of inspection covering strawberry plants will be issued only:
- (1) On first year plantings set from inspected parent plants;
 - (2) When the plantings have been twice inspected:
 - (a) The first inspection must be completed before June first; and
 - (b) The second inspection shall be completed at least ninety days after the first inspection but before November fifteenth.
 - (3) When the plantings are made on soil in which red stele has not been known to occur, or which has not been subjected to drainage from known infested soil;
 - (4) When plantings are made on sites which have neither been cropped in potatoes, tomatoes, or other solanaceous plants within the past three years, nor subjected to drainage from sites which have been planted to such crops within a like period;
 - (5) When no mixture of varieties is discernible. If off-variety plants are rogued, planting may be eligible for certification;
 - (6) When plantings are well cultivated and maintained essentially free from weeds and grasses;
 - (7) When plantings appear generally thrifty very thin plant stands may be disqualified;
 - (8) When the plantings offered for inspection are maintained essentially free from insect pests and plant diseases and when certain pests do not exceed the following tolerances:
 - (a) Red stele - zero
 - (b) Crimp (folier nematode disease) - zero
 - (c) Root knot, root gall or dwarf caused by nematodes- zero, if generally distributed. If the plants in small localized infestations are destroyed, the entire planting need not be disqualified.
 - (d) Crown borer, root weevil, root aphid or strawberry root worm - one per cent, provided that grower eliminates the pest by insecticidal or other satisfactory treatment;
 - (e) Leaf variegation (other than Blakemore Yellows) - one per cent, provided that visibly affected plants are eliminated by grower.
 - (f) Crinkle (virus) - zero. Plantings which are found to contain any plants visibly affected by any virus will be disqualified.
- (C) No strawberry plants which originated in source plantings in states where a less rigid standard of inspection prevails, or where two comparably timed inspections are not made, shall be sold or consigned to points within the state of Ohio.

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(D) No person shall offer for sale, distribute or cause to be distributed within this state any strawberry plants represented by means of labeling or advertising to be "disease free," or "virus-free," or "produced from 'virus-free stock,'" or "registered" or "foundation" stock, unless such stock is so classified by a legally constituted agency designated for such purpose.