

DEPARTMENT OF AGRICULTURE

PESTICIDE AND PLANT PESTICIDE MANAGEMENT DIVISION

REGULATION NO. 619. FRUIT TREE SCIONWOOD, UNDERSTOCK, AND NURSERY STOCK

(By authority conferred on the commission of agriculture by section 9 of Act No. 380 of the Public Acts of 1965, as amended, being S16.109 of the Michigan Compiled Laws)

R 285.619.1 Scionwood certification.

Rule 1. Scionwood will be certified as virus-free when produced on a parent tree registered by the department of agriculture, hereinafter referred to as "the department," as being apparently virus-free, the virus-free characteristic of the registrant to be determined by the following procedures:

- (a) Not less than 2 visual inspections during the growing season immediately before registration.
- (b) Indexing which utilizes standard indicator plants or trees or other methods shown by research to be efficacious.

History: 1979 AC; 1984 AACS.

R 285.619.2 Scionwood orchards; location and plantings.

Rule 2. (1) The registrant shall be grown in a planting, hereinafter known as a scionwood orchard, isolated not less than 1,000 feet from wild and cultivated bearing-age trees of the same genus but which are not eligible for registration. A scionwood orchard shall be planted in a manner approved by the department and that will assure optimum cultural conditions. A planting chart of the scionwood orchard shall be furnished the department, and all planting and maintenance records shall be made available for department inspection. Trees shall be planted so that branches of different varieties of the same fruit species do not intermingle. The trueness-to-name of a tree submitted for registration shall be established to the satisfaction of the department before scionwood is distributed from it.

(2) Scionwood from registered trees may be offered for sale or sold as "Michigan Certified Virus-Free Scionwood."

History: 1979 AC; 1984 AACS.

R 285.619.3 Scionwood orchards; care, additions, removals.

Rule 3. (1) A scionwood orchard and the registered trees therein shall be cared for as follows:

- (a) Clean cultivated at all times with the exception of a winter cover crop or mowed sod culture.
- (b) Fertilized and pruned to assure maximum quality scionwood growth.
- (c) Maintained in a condition free of insect pests and plant diseases by intensive spraying and other control practices recommended by the department or Michigan State University.
- (d) The soil of the site shall be free of harmful nematodes and insects or shall be fumigated to eliminate them. A post-fumigation inspection is necessary.

(2) Trees shall not be added to, or removed from, a scionwood orchard without prior notice to the department. Trees in the scionwood orchard determined to be undesirable by the department shall be removed by the owner or person in charge within 10 days of receipt of notice from the department.

History: 1979 AC; 1984 AACS.

R 285.619.4 Parent tree registration.

Rule 4. A registered parent tree shall be assigned an identifying registration number by the department. Registration of a parent tree shall be continued from year to year if the requirements of R 285.619.1 to R 285.619.3 are met and biannual growing season inspections and indexing show the

tree to be free of virus diseases. Registered trees shall be indexed on indexing host plants at the discretion of the department. Indexing shall be done by the department or by others approved by, and subject to the supervision of, the department. If the indexing is done by others, the department shall, in addition to the indexing done by others, randomly index up to 5% of the registered trees.

History: 1979 AC; 1984 AACS.

R 285.619.11 Understock parent tree certification.

Rule 11. (1) An understock seed source parent tree is considered registered when determined to be free of seed transmissible viruses by procedures established in R 285.619.1. Continuance of registration depends upon the registrant remaining virus-free as determined by procedures established in R 285.619.4.

(2) A clonal understock parent tree or stool bed is eligible for registration when it is the direct, own-rooted progeny of a registrant or when it is determined to be virus-free by the procedures established in R 285.619.1 and trueness-to-name has been established to the satisfaction of the department. A continuous row of a clone on its own roots established for layering or for cuttings is considered a stool bed and a unit for registration purposes. Continuance of registration depends upon the registrant remaining virus-free as determined by procedures established in R 285.619.4.

History: 1979 AC.

R 285.619.21 Nursery stock, understock, and seed; designation.

Rule 21. (1) Finished fruit tree nursery stock, understocks or understock seed, when certified according to these rules, may be offered for sale or sold as:

- (a) "Grown from certified virus-free scionwood" when produced from certified scionwood.
- (b) "Michigan certified virus-free fruit trees" when produced from certified scionwood and understocks.
- (c) "Michigan certified virus-free understocks" when produced from certified seed or clonal sources.

(2) The use of such terms as virus-free, grown from certified virus-free scionwood, certified virus-free, Michigan certified virus-free fruit trees, Michigan certified virus-free understocks, Michigan certified virus-free scionwood, and such other term or terms that may be so construed to describe fruit tree nursery stock, scionwood, understocks, or understock seed, shall be restricted to that nursery stock, scionwood, understocks, or understock seed so certified under these rules.

History: 1979 AC.

R 285.619.22 Nursery stock, scionwood, understock, and seed; certification.

Rule 22. (1) Trueness-to-name inspection and certification by the department of finished nursery stock and clonal understocks of apple, cherry, or plum shall be a prerequisite for certification under these rules.

(2) Scionwood, understock seed, or understocks certified by the plant regulatory official of the state of origin by procedures comparable to those provided by these rules and acceptable to the department are considered certified.

History: 1979 AC.

R 285.619.31 Fees.

Rule 31. Annual fees as established by R 285.610.1 shall be charged for registration and certification services.

History: 1979 AC; 1984 AACS.