



Florida Department of Agriculture and Consumer Services
Bob Crawford, Commissioner

Division of Plant Industry
Richard Gaskalla, Director

FOREWORD

GRADES AND STANDARDS FOR NURSERY STOCK

Florida's unique and diverse climate provides environmental conditions favorable for the growth of about 25,000 plant species (T .J. Sheehan, Professor Emeritus, University of Florida). This vast number of plants, coupled with the many different sizes and shapes of plants that enter the market, clearly indicates the need for precise communication between buyer and seller. This is further necessitated as buyer and seller specify and negotiate plant 'quality.' For example, the designation 'three gallon' can be interpreted in various ways, but in order to communicate effectively, additional specifications are needed. The Grades and Standards for Nursery Stock, passed by the Florida Legislature in 1955 and codified with Section 581.031 (2)(3), Florida Statutes, establishes a vehicle for buyer and seller communication.

Consumer knowledge, preferences and awareness are demonstrated in their purchases of plants; therefore, the nursery industry must precisely communicate the attributes of its valued product. To this end, as much detail as possible and other attributes which facilitate communication are used in these revised standards, and categories of plants such as herbaceous aquatics have been added to reflect shifts in the market.

ACKNOWLEDGMENTS

The Florida Department of Agriculture and Consumer Services gratefully acknowledges the assistance of the Florida Nurserymen's and Grower's Association and its many members, who, along with the University of Florida's Institute of Food and Agriculture Sciences contributed their time and plant materials for the development of this manual. The Department acknowledges the contributions of Richard Clark, Division of Plant Industry, for project oversight and coordination, Amie K. Smith (DPI) for graphic design, and Jeffrey w. Lotz (DPI) and Dr. Ed Gilman (UF) for the photographs used in this manual.

First Printing: February 1965
Second Printing: March 1972
Third Printing: March 1975

2nd Edition: February 1998
PI# 97T -05

PLANT NAMES

The accepted botanical name, according to the international code insofar as possible, and the preferred common name(s) for plants are used in this publication. The botanical name is needed to positively identify a plant. In addition, other botanical names (synonyms, horticultural names, invalid botanical names) and other common names are included.

Since many botanical names for plants are in dispute by plant taxonomists, the names listed in "The New Royal Horticultural Society Dictionary of Gardening" are used as authoritative. For changes made subsequent to the dates of these publications, individual specialists and taxonomists were consulted. We are grateful for the assistance of Dr. Nancy Coile and Mr. Carlos Artaud, Botanists, Division of Plant Industry, Florida Department of Agriculture and Consumer Services.

The accepted botanical names and preferred common names listed will be used in compliance with the labeling requirement, Item 3, under General Requirements, until changed by competent authority. The 'other botanical names' and 'other common names' are included to assist the users of this publication in the standardization of plant names.

CONTRACT GUIDELINES

Verification of specified grades are to be determined at the time of delivery. Grades determined at the time of initial inspection or during the course of conducting a regrading inspection shall be based on the growth characteristics and condition of the plant at the time of grading. The grade shall not be based on any future or predicted growth potential of the plant.

If at any time during plant installations, any of the parties identified in the contract have cause to believe that any trees, shrubs, groundcover or other horticultural materials are not of the specified grade, they may at their discretion request a regrading inspection by the Division of Plant Industry and upon the findings provided thereby seek further remedy by requesting replacements of plant materials or other corrective actions, including, but not limited to, legal redress.

PLANTS NOT LISTED IN INDEX

Landscape architects and contractors have requested that quality of plants for which grades have not been established be consistent with those plants for which grade standards have been established.

The following paragraph is only a recommendation to be included in contracts, provided the landscape architect or landscape contractor wishes to ensure that the quality of plants whose grade has not been established will be Florida No.1 according to several grading factors. The following is not a part of the grading law, but it is binding under the contract and gives a basis for inspection and legal testimony if necessary.

ALL PLANTS NOT LISTED IN GRADES AND STANDARDS FOR NURSERY PLANTS, PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, SHALL CONFORM TO A FLORIDA NO. 1 AS TO: (1) HEALTH AND VITALITY, (2) CONDITION OF FOLIAGE, (3) ROOT SYSTEM, (4) FREEDOM FROM PEST OR MECHANICAL DAMAGE, (5) HEAVILY BRANCHED AND DENSELY FOLIATED ACCORDING TO THE ACCEPTED NORMAL SHAPE OF THE SPECIES.

The tree section is meant to be used for ANY tree sold in Florida. To establish the grade for trees not listed, first determine the natural crown form, or growth habit of the tree, then identify which one of the 5 matrix types matches this form, and proceed through the grading process.

NONCOMPLIANCE CASES OR VIOLATIONS

Any dispute over the grade of a plant(s) should be called to the attention of the Division of Plant Industry within 30 days following delivery to the landscape project, if the Division is expected to assist in settling the case. This is necessary to protect both the buyer and the seller. The grade of a plant can decline very rapidly if that plant is improperly handled or neglected, thus making regrading difficult.

Anyone considering a complaint should, for their own protection, see that the plant(s) in question receives the best of care and is kept segregated from other plants so that definite identity is maintained.

Cases of dispute may be settled by:

1. Agreement of the buyer and the seller;
2. Having the plants in question regraded by an authorized representative of the Division of Plant Industry. The report of regrading inspection can then be used for (1) above or (3) below or as evidence for legal action;
3. Action taken by the Division of Plant Industry relative to plant disease and insect problems.

REGISTERING COMPLAINTS

All complaints or requests for regrading inspection should be made in writing and directed to the attention of the Chief Plant Inspector, Division of Plant Industry, P .0. Box 147100, Gainesville, Florida 32614-7100. The Chief Plant Inspector will direct the appropriate Division of Plant Industry representative to conduct the initial investigation of such complaints.

UNDERSIZING AND SUBSTITUTION OF SPECIES

Noncompliance with plant size specifications should not be confused with plant grading regulations. If a landscape design, contract, bid or plant list specifies a Florida No.1 grade for all plants, the contract or design usually specifies a certain size for each plant.

Plants may be undersized and make a specific grade, and not be the size specified in the contract.

Undersizing is a breach of contract or bid but not a violation of Grades and Standards. A substitution of one species or cultivar for another is also a contract violation but has no bearing on plant grading.

GENERAL REQUIREMENTS

Any landscape contract that specifies a grade shall be governed by the following general requirements.

A plant to be graded must:

1. Be eligible for certification by the Division of Plant Industry; that is, meet tolerances for plant pests and all pertinent Division rules and regulations.
2. Meet the grade standards set forth hereafter .
3. Be correctly labeled as to name, grade and date of delivery. Plants shall be plainly and legibly labeled by the nurseryman to show the botanical or accepted common name, including variety and rootstock when applicable, and the grade. Only one name and grade label is needed on a group of plants of the same variety, rootstock and grade when addressed to one consignee, provided that the label is also marked to indicate the number of plants in the group for which the label is intended. Any invoice may be used in lieu of labels to indicate the number, name and grade of plants, provided such invoice accompanies the plants and a copy of the invoice is given to the consignee at the time of delivery.
4. Be living stock and not be in a dying condition or seriously broken, frozen or damaged.

Rules and regulations pertaining to Grades and Standards shall in no way affect other Division of Plant Industry rules and regulations pertaining to the inspection and certification of nursery stock.