

**THE INSECT PEST AND PLANT DISEASE ACT (EXCERPT)**  
**Act 189 of 1931**

**286.217 Sale of nursery stock; inspection; transportation of nursery stock, wild trees, herbaceous perennials, and shrubs; uninspected stock; shipping documents.**

Sec. 17.

(1) A person shall not sell within this state any nursery stock unless the nursery stock has been inspected and a certificate issued by the director stating that the nursery stock has been inspected and found apparently free from insect pests and plant diseases. However, a nursery grower or plant grower holding a valid certificate covering nursery stock grown by him or her may ship under the certificate nursery stock grown for him or her elsewhere or purchased by him or her from other states or countries, if all of the nursery stock is received under a certificate acceptable to the director that states that it has been inspected where grown and found to be apparently free from insect pests and diseases. The director may also inspect or reinspect at any time or place any nursery stock shipped within this state or shipped into this state as provided in this section. Except as provided in this subsection, a person shall not ship into or transport within this state any nursery stock unless it has first been inspected by the director. In the case of plants moving from a nursery or other premises, a tag bearing a valid certificate issued to the nursery grower or person owning or in charge of other premises from where the plants have been moved shall be in plain sight and attached to some of the plants on the vehicle used to transport the plants. All wild trees, herbaceous perennials, and shrubs taken up from a person's woodlots, forests, or other premises other than a nursery, when being shipped into or transported on the highways of this state, shall have attached to each plant a special tag furnished at cost by the director, which tag shall not be removed from the plant or plants after they are replanted, and shall have plainly printed on the tag the fact that this plant is of wild stock and is not nursery grown and this information shall be clearly and legibly stated in all advertising media offering the plant for sale. Carrying uninspected nursery stock in vehicles is prohibited, and the director may post signs on the highways warning tourists and other carriers against the transportation of wild trees, herbaceous perennials, and shrubs and he or she may cooperate with the department of natural resources and seek the cooperation of the Michigan state police or local law enforcing officials in the enforcement of this act.

(2) A person receiving or selling nursery stock on a wholesale basis shall maintain shipping documents including certificates of inspection of the nursery stock for a period of 36 months after the date of receipt or sale, whichever is later. A person that receives nursery stock on a retail basis is not subject to this subsection.

**History:** 1931, Act 189, Eff. Sept. 18, 1931 ;-- Am. 1933, Act 246, Imd. Eff. July 10, 1933 ;-- CL 1948, 286.217 ;-- Am. 1955, Act 255, Eff. Oct. 14, 1955 ;-- Am. 1961, Act 239, Eff. Sept. 8, 1961 ;-- Am. 2012, Act 106, Imd. Eff. Apr. 24, 2012