



ADMINISTRATIVE RULES OF MONTANA



4.12.1442 APPLICANT AND CERTIFIED CLEAN PLANT AND INDEXING ENTITY RESPONSIBILITIES

- (1) The applicant and certified individual or entities will:
 - (a) Be registered or licensed in appropriate areas, e.g., nursery licensure is required for all plant materials covered under the definition of nursery stock;
 - (b) Develop and submit for approval a written clean plant and indexing certification plan that addresses the required elements identified by the department;
 - (c) Select, establish, develop, and manage all facilities and plant and propagation areas to meet the standards and requirements of the clean plant and indexing certification program, which includes critical control points associated with the operation, e.g., cultivation, irrigation, movement, sanitation, equipment management and other farming practices;
 - (d) Maintain identity, registry, and plant health certificates of all plant materials associated with foundation, nuclear, generation, mother, scion, seed, rootstock, stool, increase, certified, and other qualified plant and plant propagative materials that are traceable;
 - (e) Comply with all indexing, testing, and analysis required following an approved schedule. Ensure all test results are made available directly to the department from the approved agency or laboratory;
 - (f) Notify the department of virus, disease, and pest issues that violate or could lead, if unabated, to violations of clean plant and indexing certification standards and threaten certification of plants, plant materials and propagation materials. Participants must follow approved pest management plan actions to address virus, disease, and pest issues or, when deemed necessary, instructions of the department;
 - (g) Make facilities, propagation and production areas as well as tests and analysis and other documents available for inspection and audits by the department, or its representative or USDA;
 - (h) Address identified issues and violations within an identified time frame that resolves the issue or violation necessary to meet clean plant and indexing certification requirements;
 - (i) Keep records necessary to document: clean plant and indexing certification requirements; plant material identity from introduction, import, or development through sale, distribution, movement, export, or disposition; inspection and audit records and findings; compliance issues and resolutions; and test and analysis results for a minimum of three years;
 - (j) Make application using a form provided by the department and pay application fees; and

- (k) Pay certification identification marker fees (labels, tags, and other methods of identification).

Authorizing statute(s): 80-7-108, 80-7-402, MCA

Implementing statute(s): 80-7-108, 80-7-402, MCA

History: NEW, 2014 MAR p. 206, Eff. 1/31/14; AMD, 2024 MAR p. 128, Eff. 1/27/24.