

APA-2
6/96

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES
DIVISION OF PLANT INDUSTRY

NOTICE OF INTENDED ACTION

Agency Name: Alabama Department of Agriculture and Industries

Rule Nos. & Titles: 80-10-2-.02 Definitions.

Intended Action: To Amend

Substance of Proposed Action: To add a definition of a sweet potato grower and a sweet potato green tag.

Time, Place, Manner of Presenting Views: Views may be presented in writing to the contact person below or in person on the meeting date, Tuesday, May 10, 2011, at 10:00 a.m., in the Board Room of the Richard Beard Building, 1445 Federal Drive, Montgomery, Alabama.

Final Date for Comment and Completion of Notice: May 10, 2011.

Contact Person at Agency: Robert J. Russell, Assistant Attorney General and Legal Counsel, Department of Agriculture and Industries, 1445 Federal Drive, Montgomery, Alabama 36107-1123, Telephone No. 240-7117.

3-21-2011
Date

John McMillan
John McMillan,
Commissioner of Agriculture
and Industries

80-10-2.02 Definitions.

As used in this Chapter, the following words shall have the meaning stated below, unless the context clearly requires otherwise:

- (a) Board. The State Board of Agriculture and Industries.
- (b) Commissioner. The Commissioner of Agriculture and Industries or his designated representative.
- (c) Infested. The actual presence of a pest of sweet potatoes, or circumstances which make it reasonable to believe that such are present.
- (d) Pest(s). Any infectious, contagious, or harmful agent, disease or disorder of sweet potatoes, including but not limited to, those incited by bacteria, fungi, viruses, mycoplasmas, nematodes, mites, insects, protozoa, weeds, or any organisms similar to or allied with any of the foregoing.
- (e) Sweet Potato. Vines, cuttings, slips, draws, roots, and any other vegetatively propagated part of the plant, *Ipomoea batatas* (L) Lam.
- (f) Sweet Potato Grower. Any individual, corporation, or company who grows Sweet Potato seed, plants or table stock for the purpose of distribution, sale or movement away from the farm on which such Sweet Potatoes were grown or produced.
- (g) Sweet Potato Dealer. Any individual, corporation, company, society, association or other business entity, not a grower of sweet potatoes, who buys, receives on consignment, or otherwise acquires and has in his possession sweet potatoes for the purpose of offering or exposing same for sale, reselling, reshipping or distributing.
- (h) Sweet Potato Seed Certificate Tag. A tag, manila in color, issued by the commissioner, indicating that the sweet potato seed on which the tag is issued was produced in a manner consistent with this chapter.
- (i) Sweet Potato Plant Certificate Tag. A tag, of various colors, issued by the commissioner, indicating that the sweet potato plants on which the tag is issued were produced in a manner consistent with this Chapter.
- (j) Sweet Potato Plant Certificate Tape. Fabric tape of various colors, correspondent to those of (8) above, issued by the commissioner, indicating that the sweet potato plants on which the tape is issued were produced in a manner consistent with this Chapter.

(k) Sweet Potato Green Tag. A tag, green in color, issued to Sweet Potato producers indicating compliance with Alabama sweet potato certification rules.

Author: Charles H. Barnes, Robert J. Russell

Statutory Authority: Code of Ala. 1975, §§2251, et seq.

History: Filed December 9, 1988. **Amended:** Filed March 21, 2011