

## Regulations and Laws Relating to Greenhouses

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## Selling Plant Material

- Nursery Dealer's License
- Certification of Nursery Stock
- Regulated Species
- Registered Retail Merchant's Certificate

## Nursery Dealers License

- Required if you grow or buy nursery stock for resale or shipping in Indiana.
- Nursery stock is: **hardy perennial** or **biennial** ... plants or plant parts capable of propagation. NOT corms, tubers, field vegetables, or flower seeds.
- Nurseries that grow stock to salable size must be inspected and certified.
- Nursery Dealer License: \$50/ calendar year. Certified Nurseries may purchase a License for \$20/ year in addition to their certification fee.

## Certification of Nursery Stock

- Required for all nursery stock sold or shipped into Indiana
- Annual inspection
- Greenhouses shipping out of state shall request inspection to comply with other states' rules
  - state certificate
  - phytosanitary certificate

## Regulated Species

- Purple Loosestrife (*Lythrum salicaria*) is banned from sale in Indiana
- Ban includes other plants of the genus *Lythrum*

Photo source:  
[www.state.in.us/dnr/entomology/nursery/purple.htm](http://www.state.in.us/dnr/entomology/nursery/purple.htm)



## Nursery License and Certification Contacts

Indiana Dept. of Natural Resources  
Division of Entomology and Plant  
Pathology  
402 W. Washington St., Room W290  
Indianapolis, IN 46204-2212  
(317) 232-4120  
[www.IN.gov/dnr/entomology/programs](http://www.IN.gov/dnr/entomology/programs)

### **Registered Retail Merchant's Certificate**

- Applies: If you are selling flowers, shrubs, trees
- Register with Indiana Dept. of Revenue \$25 fee
- Collect sales tax: 6%

### **Sales Tax Contacts**

Department of Revenue  
100 N Senate Ave.  
Indianapolis, IN 46204  
Sales Tax Phone - (317) 233-4015  
[www.in.gov/dor/](http://www.in.gov/dor/)  
See also the IDNR web-site for Nursery Dealers, it has links to tax information

### **Selling or Using Pesticides**

- Pesticide Consulting Registry
- Pesticide Applicator License

### **Pesticide License**

- Required if restricted pesticides will be applied
- Private applicator license for application at your own or your employer's business
- Commercial applicator license if spraying for hire

### **Pesticide Consulting Registry**

- Applies if you sell general-use pesticides AND offer advice on how to use them
- Exemptions:
  - Certified & licensed applicator on-site
  - Pesticide business license
  - Restricted-use pesticide dealer registration
- Register with OISC, \$30/year

### **Pesticide Consulting Registry**

- Register employees with OISC
  - Train employees
  - Post notice to employees
  - Post notice to public
- Related material:  
PPP 62 Offering Sound Pest Management Advice to the Public  
[www.btny.purdue.edu/PPP/PPP\\_pubs.html](http://www.btny.purdue.edu/PPP/PPP_pubs.html)

## Contacts for Pesticide Rules

Office of the Indiana State Chemist  
Biochemistry Bldg.  
175 South University St.  
W. Lafayette, IN 47907-2063  
(765) 494-1492  
[www.isco.purdue.edu](http://www.isco.purdue.edu)

Educational Materials: Purdue Pesticide  
Programs [www.btny.purdue.edu/ppp/](http://www.btny.purdue.edu/ppp/)

## Land and Buildings

- Zoning
- Building codes
- Property taxes

## Zoning

- Check with county or city Planning and Zoning Commission

## Building Codes

- Check with your county or city building department to determine what type of permit is required.

## Property Taxes

- Greenhouses taxed as real property
  - Not plastic-covered
  - Assessment formula takes into account construction and concrete floor area
- Plastic-covered greenhouses taxed as personal property
- Benches and heating system taxed as personal property

## Property Tax Contact

Dept. of Local Government Finance  
100 N. Senate Ave, N-1058(B)  
Indianapolis, Indiana 46204  
(317) 232-3777  
Fax Number: (317) 232-8779  
[www.in.gov/dlgf/](http://www.in.gov/dlgf/)  
[www.in.gov/dlgf/reassessment/approved\\_manuals/index.html](http://www.in.gov/dlgf/reassessment/approved_manuals/index.html)

## Employees

- EPA Worker Protection Standard
- OSHA
- Migrant Worker Rules
- Labor Rules

## EPA Worker Protection Standard

- Applies if pesticide is used in a greenhouse, nursery, farm
- Post information, Train, Provide decontamination, Notify
- On-site employee training is available from:  
Transition Resources Corp.  
Santiago Tijerina Phone: 317-547-1924

## EPA-WPS Contact

Office of the Indiana State Chemist  
Biochemistry Bldg.  
175 South University St.  
W. Lafayette, IN 47907-2063  
(765) 494-1492  
[www.isco.purdue.edu](http://www.isco.purdue.edu)

## EPA-WPS Information On-Line

How to Comply Manual (1992)  
[www-aes.tamu.edu/wps/epawps0.htm](http://www-aes.tamu.edu/wps/epawps0.htm)  
Update for HTC (1997)  
<http://agr.wa.gov/PestFert/Pesticides/WorkerProtection.htm>

## OSHA

- Agricultural operations - rules apply if:
  - 11 or more employees at one time
  - temporary labor camp
  - primarily a reseller of purchased products
- Agricultural operations - rules partly apply if you have a side business
- Non-agricultural operations - rules apply if you have 1 employee

## OSHA Contacts

Indiana Occupational Safety and Health Administration  
402 W. Washington St., Room W195  
Indianapolis, IN 46204  
(317) 232-2693  
Fax Number: (317) 233-3790  
[www.state.in.us/labor](http://www.state.in.us/labor)  
Purdue Ag. Safety Specialist: 765-496-2377

**Migrant and Seasonal Ag. Worker Protection Act and Indiana Ag. Labor Camps Law**

- Applies if
  - More than 500 man-days in 3 months in prior calendar year
  - House more than 5 adults (Indiana Ag Labor Camps Law)

**Migrant and Seasonal Ag. Worker Protection Act (MSAWPA) and Indiana Ag. Labor Camps Law**

- Housing
- Transportation
- Labor contractor registration
- Sanitation
- Employee right to know

**Labor Camp Contacts**

Indiana State Department of Health  
2 North Meridian Street  
Indianapolis, IN 46204  
(317) 233-1325  
Licenses Ag Labor Camps  
[www.IN.gov/isdh/regsvcs/saneng/environmental\\_health/environmental\\_health.htm](http://www.IN.gov/isdh/regsvcs/saneng/environmental_health/environmental_health.htm)

**MSAWPA Contacts**

US Dept. of Labor  
ESA Wage & Hour Division  
U.S. Courthouse  
46 E. Ohio Street  
Room 413  
Indianapolis, IN 46204  
(317) 226-6801  
[www.dol.gov/dol/compliance/comp-msawpa.htm](http://www.dol.gov/dol/compliance/comp-msawpa.htm)  
summary of act: [www.usda.gov/oce/oce/labor-affairs/mspasumm.htm](http://www.usda.gov/oce/oce/labor-affairs/mspasumm.htm)

**Labor Rules**

- Minimum wage (State, Federal)
- Minimum age (State, Federal)
- Employment forms (Federal)
- Taxes (State, Federal)
- Workers Compensation (State)

**Labor Rules Contacts**

- US DOL (see above)

Indiana Department of Labor  
Indiana Government Center South  
402 West Washington Street  
Room W195  
Indianapolis, IN 46204-2739  
(317) 232-2378  
[www.IN.gov/labor](http://www.IN.gov/labor)

## Transportation

- Exempt
  - Farmer transporting own agricultural product to market <150 mi.
  - Gross Vehicle Weight Rating (G V W R) 10,000 or less
- Non-exempt Commercial
  - G V W R over 10,000 AND transporting product that you did not produce

## Transportation Contacts

US Dept. of Transportation  
Federal Highway Administration  
575 N. Pennsylvania St., Room 261  
Indianapolis, IN 46204-1576  
(317) 226-7474  
[www.fhwa.dot.gov/doingbiz.htm](http://www.fhwa.dot.gov/doingbiz.htm)

## Resources

The Complete Federal and State  
Compliance Guide for Hoosier  
Businesses by Fred Whitford  
Purdue University Press, 2001  
ISBN 1-55753-225-7  
[www.btny.purdue.edu/ppp/CGB/ComplianceGuide.html](http://www.btny.purdue.edu/ppp/CGB/ComplianceGuide.html)

## Resources

Mid American Ag and Hort Services, Inc.  
P.O. Box 182383  
Columbus, OH 43218-2383  
(614) 246-8286  
[www.midamservices.org/](http://www.midamservices.org/)

## Resources

- Indiana Dept. Environmental Mgmt.  
[www.state.in.us/idem/guides/permit/index.html](http://www.state.in.us/idem/guides/permit/index.html)
- Your Insurance Company