

ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES  
PLANT INDUSTRY  
ADMINISTRATIVE CODE

CHAPTER 80-10-2  
CERTIFICATION OF SWEET POTATO SEED AND SWEET POTATO PLANTS

TABLE OF CONTENTS

80-10-2-.01	Purpose
80-10-2-.02	Definitions
80-10-2-.03	Application For Inspection
80-10-2-.04	Certification Of Sweet Potato Seed And Sweet Potato Plants
80-10-2-.05	Requirements For The Sale And Distribution Of Propagating Material
80-10-2-.06	Requirements For Dealers In Sweet Potato Seed And Sweet Potato Plants
80-10-2-.07	Requirements For Out-Of-State Sweet Potato Seed And Plant Growers
80-10-2-.08	Rules For Transportation Companies, Common Carriers, Etc
80-10-2-.09	Movement For Experimental Or Scientific Purposes
80-10-2-.10	Violations
80-10-2-.11	Authority To Enter
80-10-2-.12	Penalties

**80-10-2-.01      Purpose.**

(1) The purpose of this Chapter is to prevent the dissemination of sweet potato pests. The following rules in this Chapter govern the movement, shipment, and certification within or into the State of Alabama of sweet potato seed, plants, table stock or vines. No sweet potato seed, sweet potato plants or vines will be certified in the areas designated by the Commissioner as infested with the sweet potato weevil. The Commissioner may deem table stock grown in an infected area to be certified provided they have been trapped, inspected and found free of sweet potato weevil (*Cylas formicaris*) by the Commissioner or his representative.

(2) The provisions herein shall not be construed to prohibit the possession or movement of noncertified sweet potato seed, plants, or vine cuttings for propagation purposes within the limits of a farm where such were produced.

**Author:** Charles H. Barnes, Robert J. Russell

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**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

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### **80-10-2-.03      Application For Inspection.**

(1) All growers in the State of Alabama who intend to sell or exchange sweet potato seed or plants for propagation or distribution purposes the following year should apply to the commissioner for certification on or before February 1, on forms supplied by the commissioner. Only one application is necessary to obtain field, storage, and plant-bed inspections.

(2) The annual certification fee of one hundred (\$100.00) shall accompany the application for inspection. A trapping and inspection fee of \$5.00 per acre is required for each acre of Sweet Potatoes grown or produced for sale or distribution.

(3) Delinquent fees shall be handled as provided under Code of Ala. 1975, §2-9-2.

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### **80-10-2-.04      Certification Of Sweet Potato Seed And Sweet Potato Plants.**

No Sweet Potato or Plants originating from a Sweet Potato Weevil area are eligible for certification under any circumstances.

(1) The term Alabama Certified shall have reference to the sweet potato seed, sweet potato plants, and sweet potato table stock meeting the requirements for certification as provided herein.

(2) Certified sweet potato seed, sweet potato plants, and sweet potato table stock will be those found to be apparently free of pests in the field, plant bed, and in storage. Certification will be denied for sweet potato seed and sweet potato plants in which pest problems are detected which present a potential hazard to the sweet potato industry and which cannot be adequately cleaned up to the satisfaction of the commissioner.

(3) Standards for certification shall include no apparent stem rot, black rot, mosaic, sweet potato weevils, pox, mixed varieties, or mutations and only one percent (1%) nematodes or scurf will be allowed.

(4) No sweet potato seed certification tags will be issued to a grower unless two (2) or more satisfactory inspections of his stock have been made--at least one (1) field inspection and at least one (1) storage inspection. In addition, plants must pass at least two (2) plant-bed inspections before sweet potato plant certificate tape and sweet potato plant certificate tags can be issued. Certificate tags and tape required herein shall be furnished by the commissioner at a reasonable cost.

(5) The commissioner reserves the right to revoke certification and to recall all outstanding certificate tags and tape for failure to comply with these regulations, for misuse of tags or tape, or upon finding pests in fields, storage, plant beds, or sales outlets.

(6)(a) All fields subject to certification must be identified by the agent of the Commissioner or Agriculture in a clean state of cultivation and otherwise amenable to inspection. Inspection will not be conducted for fields of mixed varieties, fields considered to be too overgrown with weeds, nor fields not readily accessible to inspection. One (1) field inspection will be required for sweet potato varieties that are known to be highly resistant to stem rot. Two (2) field inspections, not less than fifteen (15) days apart, will be required for varieties susceptible to stem rot. Each field subject to certification must be inspected and trapped at the rate of 1 (one) trap per 10 (ten) acres. Certified plants produced from certified seed must be used in order to be eligible for certification. A 50 foot barrier must be maintained around each field that is to be certified.

(b) The sweet potato producer shall be responsible for rogueing fields of off types, mutations, intermixed varieties, as well as stem rot and mosaic infected plants.

(c) Sweet potato producers shall be required to report to the commissioner all detections of sweet potato weevils,

black rot and other serious pests of sweet potatoes upon detection.

(d) Sweet potato producers are required to use pest control recommendations in the field provided by the Alabama Cooperative Extension Service, or other effective, properly labeled pesticides which may be available.

(e) All sweet potato seed must be produced from transplanted sprouts cut from the plant bed or from vine cuttings; however, sweet potato seed may be produced from sprouts pulled from the plant bed if such are treated with approved pesticides prior to planting.

(7)(a) At least one (1) inspection shall be conducted of all sweet potato seed while in storage, not less than thirty (30) days after the sweet potato seed entered the storage facility. The storage facility, if previously used for storing sweet potatoes, shall be thoroughly cleaned and disinfected by approved methods before another crop is stored. The grower must make necessary arrangements so that sweet potato seed subject to certification and are accessible for inspection are clearly separated 36 inches from uncertified sweet potato seed and are properly identified as to variety.

(b) Sweet potato seed producers are required to use pest control recommendations in storage provided by the Alabama Cooperative Extension Service, or other effective, properly labeled pesticides which may be available.

(c) Sweet potato seed shall be stored in facilities above ground which are well lit, and allow proper aeration, curing, and maintenance throughout the storage period.

(8)(a) Sweet potato plants subject to certification must be produced from certified sweet potato seed. Such plants shall be maintained separate from uncertified plants which may be produced for use on the farm where produced. Sweet potato seed shall not be bedded in an area known to have been exposed to contamination with pests or in an area used in the production of sweet potatoes or sweet potato plants during the previous three (3) years, unless effective pest control measures have been implemented to the satisfaction of the commissioner. At least one (1) inspection will be made of plants in the plant bed after the plants are above ground, and another at least fifteen (15) days later. Additional inspections may be made if deemed advisable by the commissioner. Any condition that causes deterioration of sweet potato plants to an appreciable extent, or mixed varieties to any extent, in any bed shall be just cause for the commissioner to refuse or to suspend certification. The commissioner is authorized to destroy sweet

potato plants and sweet potato seed as necessary to maintain apparent freedom from pests.

(b) Sweet potato plant producers are required to use pest control recommendations in the plant bed provided by the Alabama Cooperative Extension Service or other effective, properly labeled pesticides which may be available.

(c) The area immediately around plant beds shall be maintained in a clean and weed-free condition.

(d) All plant beds shall be cleaned and all crop residue destroyed or properly disposed of as soon as possible after the last pulling, but in no event shall this take place beyond 45 days of the last pulling, except when such plant beds are treated with approved pesticides, so that there is no regrowth and all sweet potato seed in the plant bed decays.

**Author:** Charles H. Barnes, Robert J. Russell

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**80-10-2-.05      Requirements For The Sale And Distribution Of Propagating Material.**

Movement of sweet potato seed or sweet potato plants for propagation purposes shall be prohibited beyond the limits of the farm where produced unless such sweet potato seed or plants have been certified and appropriately tagged as provided herein. Such propagation stock shall be transported in new and unused containers, or in properly cleaned and treated used containers. Sweet potato seed certificate tags, sweet potato plant certificate tags, and/or sweet potato plant certificate tape shall be issued only after the sweet potato seed or sweet potato plants have been properly trapped and have passed the proper inspections, and after the grower has complied with the rules provided herein to prevent the spread of injurious pests.

(a) Each container of sweet potato seed offered or exposed for sale, trade, or other distribution, or possessed beyond the limits of the farm where grown, moved or shipped within or into the State of Alabama, must have firmly attached a valid sweet potato seed certificate tag issued by the commissioner or by the certifying agency of the state of origin. The grower's name, address, and the variety of sweet potato must be printed on the tag.

(b) All sweet potato plants offered or exposed for sale, trade, or other distribution, or possessed beyond the limits of the farm where grown, moved or shipped within or into the state of Alabama must be tied with valid sweet potato plant certificate tape in bundles of one hundred (100) plants or less, and each bundle, package, or container must have firmly attached a valid sweet potato plant certificate tag issued by the commissioner or by the certifying agency of the state of origin. The grower's name, address, the variety, and the number of plants per bundle must appear on the tag. Sweet potato plant certificate tags and sweet potato plant certificate tape must have been issued to the same grower, or the plants shall be subject to confiscation by the commissioner.

(c) Vine cuttings shall meet all requirements set for plants.

(d) Sweet potato table stock offered or exposed for sale, trade, or other distribution, or possessed beyond the limits of the farm where grown, moved or shipped within or shipped out of the state of Alabama must have a valid sweet potato green tag attached to or placed within each container.

**Author:** Charles H. Barnes, Robert J. Russell

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**80-10-2-.06      Requirements For Dealers In Sweet Potato Seed And Sweet Potato Plants.**

(1) All requirements as provided herein for certification and for the sale and distribution of propagating material apply where sweet potato seed, sweet potato plants, and sweet potato table stock are sold, offered for sale, or kept for sale by a person or firm engaged in the business of buying and reselling sweet potato seed, sweet potato plants, and sweet potato table stock.

(2) Sweet potato seed, sweet potato plants or sweet potato table stock not meeting the requirements herein for certification and for the sale and distribution of propagating material shall be subject to confiscation.

**Author:** Charles H. Barnes, Robert J. Russell

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**80-10-2-.07      Requirements For Out-Of-State Sweet Potato Seed  
And Plant Growers.**

(1) Sweet potato seed or sweet potato plants produced outside the State of Alabama and moved into Alabama shall be governed by the same requirements that regulate such material produced within the State of Alabama.

(2) Out-of-state growers who wish to move sweet potato seed or sweet potato plants into Alabama must submit to the commissioner a duplicate inspection certificate issued by the certifying agency of the state of origin. This duplicate inspection certificate must show compliance with certification requirements equivalent to those provided herein.

(3) Sweet potato seed certificate tags, sweet potato plant certificate tags, and sweet potato plant certificate tape issued by the certifying agency of the state of origin will be accepted in Alabama on a reciprocal basis.

(4) Seed shall be shipped in new and unused containers, or in properly cleaned and treated used containers which bear a sweet potato seed certificate tag issued by the proper certifying agency of the state of origin.

(5) Plants must be tied in bundles of one hundred (100) plants or less with sweet potato plant certificate tape issued by the proper certifying agency of the state of origin and each bundle or each container of plants must have a sweet potato plant certificate tag showing the grower's name, address, the variety, and the number of plants in each bundle. Such plants shall be shipped in new and unused containers, or in properly cleaned and treated used containers.

(6) Sweet potato plant certificate tags, sweet potato seed certificate tags, and sweet potato plant certificate tape will be supplied at a reasonable cost by the commissioner if not available from the certifying agency in the state of origin.

**Author:** Charles H. Barnes

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**80-10-2-.08      Rules For Transportation Companies, Common Carriers, Etc.**

(1) All transportation and common carriers shall refuse to accept for shipment any consignment of sweet potato seed when such shipment is not accompanied by a valid sweet potato seed certificate tag. Such carriers shall also refuse to accept for shipment sweet potato plants not accompanied by a valid sweet potato plant certificate tag and tied with valid sweet potato plant certificate tape. Such carrier shall also refuse to accept for shipment sweet potato table stock not accompanied by a valid sweet potato green tag.

(2) In accordance with Code of Ala. 1975, §2-25-11, it shall be the duty of the transportation companies and common carriers to withhold delivery and notify the commissioner of the arrival within the state of Alabama of any shipment of plants or parts thereof within the scope of this regulation, when such shipment is made in violation of any of the provisions of this regulation.

**Author:** Charles H. Barnes, Robert J. Russell

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**80-10-2-.09      Movement For Experimental Or Scientific Purposes.**

Sweet potato seed and/or sweet potato plants may be moved within and into the state of Alabama for research purposes as long as such propagating material is apparently pest free. Such propagating material, if subsequently found not to be pest free, shall be handled in accordance with Rule 80-10-2-.10, entitled "Violations". The detection of pests associated with such sweet potato seed and/or plants shall be immediately reported to the commissioner. This section shall apply only to those recognized institutions involved with recognized research endeavors.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §§2-25-1, et seq.

**History:** Filed December 9, 1988.

**80-10-2-.10      Violations.**

Sweet potato seed, sweet potato plants or sweet potato table stock found infested with any pests which presents a potential hazard to the sweet potato industry, or which is otherwise in violation of

any of the provisions of this chapter shall be declared to be a public nuisance and shall be suspended from sale, confiscated, ordered to be destroyed, or destroyed by the commissioner. The cost for removal and destruction of sweet potato seed, or sweet potato plants, declared to be a public nuisance shall be borne by the owner, shipper, or person in charge of such sweet potato seed, or sweet potato plants. At the discretion of the commissioner, the sweet potato seed, or sweet potato plants, or sweet potato table stock declared a public nuisance may be shipped out of Alabama at the expense of the owner, shipper, or person in charge of sweet potato seed, sweet potato plants, or sweet potato table stock.

**Author:** Charles H. Barnes, Robert J. Russell

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#### **80-10-2-.11      Authority To Enter.**

The commissioner shall have power to enter into or upon any place and to open any bundle, package or other container containing, or thought to contain, sweet potatoes carrying pests, or sweet potato seed or plants thought to be in violation of this chapter.

**Author:** Charles H. Barnes

**Statutory Authority:** Code of Ala. 1975, §§2-25-1, et seq.

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#### **80-10-2-.12      Penalties.**

Any person, firm, or corporation found guilty of violating the provisions of this chapter shall be subject to the penalties provided for in Code of Ala. 1975, §2-25-22.

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