

**INSTRUCTIONS FOR
NURSERY FLORAL CERTIFICATE APPLICATION
FORM NO. RNF-500**

In order to obtain a Nursery Floral License, you must submit a complete signed application along with the appropriate fees. The license will be issued to the name appearing under Section C of this application. A Nursery and Floral license is required by each business and at each location where nursery products and/or floral items are sold; offered for sale or leased; distributed or grown for the purpose of sale or lease; or offered as an enticement to promote the sales or lease of other items.

SECTION A

1. REGISTRATION INFORMATION

Check the appropriate box to indicate the appropriate classification.

Class 1 - Allows businesses to sell, lease, or distribute, but not grow, nursery products and/or floral items. This classification applies to garden centers, stores, landscape contractors, floral shops, interior decorators, and street vendors. Class 1 certificate holders may obtain up to ten event permits at no additional cost to sell, lease, or distribute nursery floral products and/or floral items at trade shows, garden shows, or other horticultural exhibits.

Class 2 – Allows permanently located businesses to sell, lease, distribute, or grow nursery products but the growing area may not exceed 435,600 square feet (ten acres). Class 2 certificate holders may obtain up to ten event permits at no additional cost to sell, lease, or distribute nursery floral products and/or floral items at trade shows, garden shows, or other horticultural exhibits only.

Class 3 – Allows permanently located businesses to sell, lease, distribute, or grow nursery products and/or floral items and maintain a growing area of 435,601 – 871,200 square feet (in excess of ten acres to twenty acres). Class 3 certificate holders may obtain up to ten event permits at no additional cost to sell, lease, or distribute nursery floral products and/or floral items at trade shows, garden shows, or other horticultural exhibits only.

Class 4 – Allows permanently located businesses to sell, lease, distribute, or grow nursery products and/or floral items but the growing area may not exceed 871,201 square feet (over twenty acres). Class 4 certificate holders may obtain up to ten event permits at no additional cost to sell, lease, or distribute nursery floral products and/or floral items at trade shows, garden shows, or other horticultural exhibits only.

Class M – Allows business to sell, lease, or distribute nursery products and/or floral items at temporary markets such as flea markets, arts and crafts shows, plant or flower shows, or other temporary markets. Class M registrants must obtain an event permit for each day nursery products and/or floral items are sold.

One event permit authorizes the licensee to sell or distribute nursery or floral permits for one day (or any portion of a 24 hour period) at one location. One Class M authorizes up to thirty permits, which allows up to thirty days of operation at one location.

Ten (10) Event Permits may be obtained with each Class 1 – 4 license issued at no additional cost. Additional event permits may be purchased in blocks of 10 permits at a cost of \$50 per block. Please refer to the Nursery Floral Event Permit Block Purchase form and instructions for more information.

SECTION B

1. TYPE OF APPLICATION

Check the box that identifies the application type. A new business application is for a business that has not previously held a TDA license. A change of ownership application is for a business which has been acquired from a third party or an established business changing its business structure or ownership (see “Business Type” below). A change of location application is for a business under same ownership but is moving to new location which requires a new application be completed. Please provide the most recent license account number if known.

2. BUSINESS TYPE

Check the box that identifies the type of business. Once submitted, this information cannot be changed. If you have a change in business type, you must submit a new application.

SECTION C

3. CLIENT INFORMATION

This information will be used to generate your license. Enter the full legal name of your business as it is registered with the Texas Secretary of State. If applicable, also enter an assumed name. For Texas businesses, except sole proprietors, provide a Comptroller Taxpayer ID. Provide a Federal Tax ID for out of state businesses and non-profit organizations.

For sole proprietors applying for this license, a social security number is required to assist in child support enforcement. In the event the applicant does not have a social security number, submit Form OGC-001, affidavit of no social security number, and provide a driver license number or state-issued ID number. Form OGC-001 is available on our website at www.TexasAgriculture.gov or upon request through U.S. mail. Failure to provide a social security number or an affidavit of no social security number will result in rejection of your application and a license will not be issued to you.

1. RESPONSIBLE PERSON INSTRUCTIONS (see application)

2. RESPONSIBLE OFFICER, PARTNER, MANAGER, MEMBER, OR OWNER

Indicate the name of the person responsible for the business. Enter contact information.

3. RESPONSIBLE PERSON MAILING ADDRESS

Enter a mailing address for the responsible person. Provide an internet address for the business if available.

NOTE: TDA prefers the Person to Contact named by the business in Section D.1 of this application to sign this application. Alternatively, the Responsible Person identified in Section C.1 may sign this application.

SECTION D

1. PERSON TO CONTACT FOR LICENSE-RELATED MATTERS

Enter the name and contact information for person designated to discuss and answer questions about license-related issues.

SECTION D cont.

All correspondence, licenses, and other documents will be e-mailed to the Person to Contact. TDA will send an email and a renewal invoice to the Person to Contact approximately 30 – 45 days in advance of the expiration date of the license or certificate along with a login ID and password to facilitate online renewal of the license or certificate. Upon online access to the account, the Person to Contact will be able to manage business information, view the license, make changes to company information, and renew the license. One person can serve as Person to Contact for multiple licenses.

2. MAILING ADDRESS

Enter the mailing address for the Person to Contact.

SECTION E

1. FACILITY INFORMATION

Enter facility name.

2. PHYSICAL ADDRESS OF LOCATION OF LICENSEE, LICENSED ACTIVITIES or EQUIPMENT

Enter the actual physical street address for the licensee, licensed activities, or licensed equipment, as applicable. Include directions to this location. Please do not enter a P.O. Box. This information will facilitate inspection of your business by TDA inspectors.

SECTION F

1. OUT-OF-STATE APPLICANTS

If the address provided in section C is out of state, resident agent information is required before a license can be issued.

SECTION G

1. PAYMENT

NOTE: The Texas Department of Agriculture accepts only checks, cashier's checks, or money orders for License Applications.

Certificates and fees are NOT transferable.

Class 1 license fee is \$75.00

Class 2 license fee is \$110.00

Class 3 license fee is \$145.00

Class 4 license fee is \$180.00

Class M license fee is \$180.00

SECTION G cont.

License is valid for one year and shall expire on the last day of the anniversary month. For example, a license effective on November 1, 2016 will expire on November 30, 2017.

Request effective date of license. Check method of payment. Enter number for check or money order. Include proper payment identified in Section G.1 above. Enter amount remitted.

Please remit to: Texas Department of Agriculture, P.O. Box 12076, Austin, TX. 78711-2076.

Additional Information

Each location is required to renew its registration annually by the expiration date. Failure to renew will result in late fees.

Businesses operating with an expired certificate or without obtaining a license or permit may be subject to administrative penalties of up to \$2,000 a day for each violation.

Anyone making a false representation to obtain a certificate, license or permit may have the certificate, license or permit revoked and may be liable to the State for a penalty of not less than \$50.00 nor more than \$2,000 a day for each violation. (Texas Agriculture Code §12.020, 71.055 and 71.059).

To promote Texas agricultural products and services, the Texas Department of Agriculture may publish, including online publication, the names, license types, contact persons, addresses and phone numbers of businesses licensed with TDA. This document becomes public record and is subject to disclosure. With few exceptions, you have the right to request and be informed about the information that the State of Texas collects about you. You are entitled to receive and review the information upon request. You also have the right to ask the state agency to correct any information that is determined to be incorrect. (Reference: Government Code, Sections 552.021, 552.023, and 559.004.)

SECTION H

1. SIGNATURE

After reading the summary, print, sign, and date the application. Your signature acknowledges that you have read the summary and that you are aware of your responsibilities regarding your license.

SECTION I

1. CHECKLIST

Check all boxes to verify you have completed the application process and attached or enclosed items requested in the application such as payment, documents, labels, etc.

NOTE: Integrated Pest Management Plan

A nursery or greenhouse grower, in cooperation with Texas A&M AgriLife Extension Service or research agencies, may develop an Integrated Pest Management Plan (IPM). The plan must be approved by TDA prior to implementation.