

**NURSERY INSPECTION QUARANTINE SECTION**

**Other: A: License Review**

**Range of \$50.00 to \$1,000.00**

**ENFORCEMENT POLICY**

**B: Probation**

**ARKANSAS ADMINISTRATIVE PROCEDURES ACT A.C.A. 25-15-201**

**C: Invalidation of License**

Minor Violation: A violative incident which does not involve human health, safety, or endanger the environment; or other incidents of non-compliance which do not create a competitive disadvantage for licensees in full compliance.

Major Violation: A violative incident which affects human health, safety, or the environment; or other incidents of non-compliance which create a competitive disadvantage over licensees in full compliance; or a history of repetitive violative incidents.

<b>VIOLATION</b>	<b>VIOLATION LEVEL</b>	<b>1<sup>ST</sup> Level of Enforcement</b>	<b>2<sup>nd</sup> Level of Enforcement</b>	<b>3<sup>rd</sup> Level of Enforcement</b>	<b>4<sup>th</sup> Level of Enforcement</b>
<b>Failure to Secure a License or Permit Number</b>	Minor	50 - 100	101 - 200	201 - 400	401 - 600
	Major	100 - 400	401 - 600	601 - 800	801 - 1000
	Other			A-B-C	C
<b>Failure to Fulfill Contracts or Other Related replacements or adjustments</b>	Minor	50 - 100	101 - 200	201 - 400	401 - 600
	Major	100 - 400	401 - 600	601 - 800	801 - 1000
	Other			A-B-C	C
<b>Misrepresentation for the purpose of deceiving or defrauding</b>	Minor	50 - 100	101 - 200	201 - 400	401 - 600
	Major	100 - 400	401 - 600	601 - 800	801 - 1000
	Other			A-B-C	C

<b>VIOLATION</b>	<b>VIOLATION LEVEL</b>	<b>1<sup>ST</sup> Level of Enforcement</b>	<b>2<sup>nd</sup> Level of Enforcement</b>	<b>3<sup>rd</sup> Level of Enforcement</b>	<b>4<sup>th</sup> Level of Enforcement</b>
<b>Repeated sales of poor quality</b>	Minor	50 - 100	101 - 200	201 - 400	401 - 600
	Major	100 - 400	401 - 600	601 - 800	801 - 1000
	Other			A-B-C	C
<b>Unable to produce required records</b>	Minor	50 - 100	101 - 200	201 - 400	401 - 600
	Major	100 - 400	401 - 600	601 - 800	801 - 1000
	Other			A-B-C	C
<b>Buying, digging, or possessing Ginseng out of season without proper documentation</b>	Minor	50 - 100	101 - 200	201 - 400	401 - 600
	Major	100 - 400	401 - 600	601 - 800	801 - 1000
	Other			A-B-C	C
<b>Shipped or moved regulated articles from a quarantine area without proper treatment or certificate</b>	Minor	50 - 100	101 - 200	201 - 400	401 - 600
	Major	100 - 400	401 - 600	601 - 800	801 - 1000
	Other	Material will be returned to seller at seller's expense, or treated on site with a labeled and approved pesticide by a licensed Pest Control operator.	Material will be returned to seller at seller's expense, or treated on site with a labeled and approved pesticide by a licensed Pest Control operator.	A-B-C Material will be returned to seller at seller's expense, or treated on site with a labeled and approved pesticide by a licensed Pest Control operator.	C Material will be returned to seller at seller's expense, or treated on site with a labeled and approved pesticide by a licensed Pest Control operator.
<b>Failure to label in accordance with the law and regulations</b>	Minor	50 - 100	101 - 200	201 - 400	401 - 600
	Major	100 - 400	401 - 600	601 - 800	801 - 1000
	Other			A-B-C	C

<b>VIOLATION</b>	<b>VIOLATION LEVEL</b>	<b>1<sup>ST</sup> Level of Enforcement</b>	<b>2<sup>nd</sup> Level of Enforcement</b>	<b>3<sup>rd</sup> Level of Enforcement</b>	<b>4<sup>th</sup> Level of Enforcement</b>
<b>Selling, transporting or disposing of in anyway, plants and nursery stock covered by a stop-sale notice</b>	Minor	50 - 100	101 - 200	201 - 400	401 - 600
	Major	100 - 400	401 - 600	601 - 800	801 - 1000
	Other			A-B-C	C
<b>Violating a compliance agreement</b>	Minor	50 - 100	101 - 200	201 - 400	401 - 600
	Major	100 - 400	401 - 600	601 - 800	801 - 1000
	Other			A-B-C	C