



Guidance on Invasive Plant Species Signage Requirements at Retail Establishments

Authority:

The Plants and Plant Products Inspection Law (Va. Code § 3.2-3800 *et seq.*) (Law) prohibits retail establishments from selling or offering for retail sale for outdoor use a plant that is an invasive plant species unless such retail establishment posts in a conspicuous manner on the property located in proximity to each invasive plant display signage identifying such plant as invasive, educating consumers regarding invasive plant species, and encouraging consumers to ask about alternatives. The Law identifies 39 invasive plant species subject to the sign requirements. These provisions of the Law become effective January 1, 2027. The Second Enactment of Chapters 393 and 409 of the 2025 Acts of Assembly requires the Commissioner of Agriculture and Consumer Services (Commissioner) to designate the format, size, and content of the sign required by the Law.

Section 1 - Introduction

A retail establishment is any entity that offers plants for retail sale. A retail establishment that offers for sale any of the invasive plant species identified in section 3.2-3801.1 of the Law must use the template sign designated by the Commissioner or incorporate into its existing plant signage the required size, format, and sign content outlined in Section 3 of this document.

Section 2 - Template Sign

The Virginia Department of Agriculture and Consumer Services (VDACS) will provide a sign template for retail establishments to download and use. The sign template is available on the Agency's website [<https://www.vdacs.virginia.gov/plant-industry-services-nursery-inspection.shtml>]. A retail establishment is responsible for printing and providing its own signs. If a retail establishment chooses to use the sign template, the establishment must:

- A. Add to the sign template a list of each plant species on the display that is invasive (See Section 5).
- B. Place the sign in close proximity to the invasive plant species being displayed, including overhead displays such as hanging baskets, and in a location where the sign is easily read by customers. If a listed invasive plant species is displayed at multiple locations in the retail establishment, each display with the invasive plant species shall have a sign.
- C. Maintain the sign so that its information is legible. If the sign is no longer legible or is damaged in a way that prevents customers from reading and understanding the information on the sign, the sign must be replaced.
- D. Print the sign at a size of 8.5" x 11", at a minimum. Signs must use a font size that is easily read by customers.

Section 3 - Signs Designed by a Retail Establishment

If a retail establishment chooses to use its existing signage and branding, or if it chooses to design its own signs, the signs must:

- A. Include the statement: “The following plant is an invasive species:”.
- B. List each plant species (scientific and common name) on the display that is invasive.
- C. Include the following statement:
“Invasive plants may proliferate and cause harm by displacing native plants, reducing wildlife habitat, and altering natural processes. They may require extra management to reduce spread and impact. You may want to ask about alternative plant choices.”
- D. Include a QR Code linking to DCR’s Invasive Plant Species list (<https://www.dcr.virginia.gov/natural-heritage/invspinfo>).
- E. Include the website URL for DCR’s website on Invasive Plant Species (<https://www.dcr.virginia.gov/natural-heritage/invspinfo>).
- F. Be placed in close proximity to the invasive plant species being displayed, including overhead displays such as hanging baskets, and be easily read by customers. If a listed invasive plant species is displayed at multiple locations in the retail establishment, each display with the invasive plant species shall have a sign.
- G. Be maintained so the information is legible. If the sign is no longer legible or is damaged in a way that prevents customers from reading and understanding the information on the sign, the sign must be replaced.
- H. Be printed at a size of 8.5” x 11”, at a minimum. Signs must use a font size that is easily read by customers.

A retail establishment may include additional information on its own sign.

Section 4 - Additional Requirements

The following requirements are applicable generally to all signage identifying invasive species, regardless of whether a retail establishment uses the Agency’s template sign or a sign of its own design:

- A. If multiple invasive plant species are being sold from a single display, the sign must identify all of the invasive plant species being sold from that display.
- B. The sign shall be included on displays containing invasive plant species commingled with non-invasive plant species.
- C. The sign shall include both the scientific and common name of the invasive plant species.
- D. Cultivars and varieties of the invasive plant species listed in section 3.2-3801.1 of the Law also must meet the signage requirements in the Law and the provisions of this guidance document.
Example: *Vinca major* ‘Maculata’, *Vinca major* ‘Variegata’, and *Vinca major* ‘Wojo’s Gem’ are all varieties of *Vinca major* and all require signage identifying them as invasive plant species.
- E. True hybrids, crosses, and different species are exempt from the signage requirements.

Example: *Buddleia X* ‘Miss Molly’, *Spiraea x vanhouttei*, *Albizia kalkora x julibrissin*

Section 5 - List of plants requiring signage

The following plants are identified by section 3.2-3801.1 of the Law as invasive, and require signage in accordance with the Law and the provisions of this guidance document:

1. *Acer platanoides*;
2. *Akebia quinata*;
3. *Albizia julibrissin*;
4. *Arum italicum*;
5. *Berberis thunbergii*;
6. *Buddleja davidii*;
7. *Cenchrus purpurascens*;
8. *Citrus trifoliata*;
9. *Clematis terniflora*;
10. *Egeria densa*;
11. *Elaeagnus pungens*;
12. *Euonymus alatus*;
13. *Euonymus fortunei*;
14. *Glechoma hederacea*;
15. *Hedera helix*;
16. *Iris pseudacorus*;
17. *Ligustrum sinense*;
18. *Lonicera fragrantissima*;
19. *Lysimachia nummularia*;
20. *Mahonia bealei*;
21. *Miscanthus sinensis*;
22. *Morus alba*;
23. *Murdannia keisak*;
24. *Myriophyllum aquaticum*;
25. *Nandina domestica*;
26. *Oshuna crassipes*;
27. *Paulownia tomentosa*;
28. *Perilla frutescens*;
29. *Phyllostachys aurea*;
30. *Pyrus calleryana*;
31. *Rubus phoenicolasius*;
32. *Securigera varia*;
33. *Spiraea japonica*;
34. *Triadica sebifera*;
35. *Tripidium ravennae*;
36. *Vinca major*;
37. *Vinca minor*;
38. *Wisteria floribunda*; and
39. *Wisteria sinensis*.

Contact and Additional Information

For additional information, visit <https://www.vdacs.virginia.gov/plant-industry-services-nursery-inspection.shtml> or contact the Virginia Department of Agriculture and Consumer Services, Office of Plant Industry Services at 804-786-3515.