

Guidance for Orchid Societies - Grower Licences

Purpose

The Office of Environment and Heritage (OEH) has prepared the following information to provide guidance to orchid societies to clarify members' responsibilities under the current Whole Plant Sustainable Management Plan 2018-22.

Background (legal requirements)

All Orchidaceae, native to NSW, are included within Schedule 6 of the *Biodiversity Conservation Act 2016*. The legal requirements for the cultivation and sale of protected and threatened species of orchids are as follows:

- The cultivation and sale of orchids to the public requires a grower's licence. This includes sale of orchids to the public at orchid society events, and raffles where tickets are sold to members of the public. This is not a new requirement.
 - An orchid society must obtain a licence to cover the sale of orchids at society events that are open to the public.
 - An individual orchid society member must obtain a licence if they sell orchids to the public outside of society meetings or shows.
- The cultivation and sale or trade of orchids between persons who grow orchids as a non-commercial hobby does not require a licence. This includes sale and trade of orchids between orchid society members.

Concerns Raised

Application Process

An application for a grower licence may be submitted by an orchid society to cover all members that sell orchids to the public at the societies orchid shows or open days.

An application for a separate grower licence (distinct to the society) should be submitted by an individual when they sell orchids to the public outside of society meetings or shows.

Application Information

Details of persons working on behalf of the applicant (part 3 of application form)

The society should indicate that the application is intended to cover members of the society that sell NSW native orchids at society events. The relevant individual members' names and addresses are not required on the application but the society must maintain this information separately and submit to OEH on request.

Property Information (part 4)

Members operating under an orchid society grower licence will grow plants at many addresses and nominating a single property where plants are grown may not be possible.

A property address is required when applying for a grower licence. When applying as a society, OEH recommends listing the nominated society meeting venue, venue where shows are held or an appropriate office bearer's address (e.g. secretary) as the primary property

address. Details on the title, size of property, road directions, description may be marked as 'not applicable'.

As per part 3 above, a list of orchid society members and their full address at which plants are grown must be maintained by the society and provided to OEH on request.

Species Information (part 6)

Many species may be grown by a society and it may not be practical to list all species on the application form. OEH will accept applications that list plants at the genus level. The society must also indicate if this will include native hybrid species. Any threatened orchids must be listed at the species level.

If societies or individual licensees request grower tags printed by OEH, the species name must be provided.

Note: Licensing requirements are relevant only to orchid species native to NSW. Species which do not occur in NSW in the wild do not require a licence. Please refer to [PlantNET](#) for orchid species recognised as native to NSW.

Source of Parent Material (part 7)

OEH is aware of concerns that demonstrating the source of parent material may not be possible, as orchids may have been in members' possession for many years. A written statement providing information on the source of parent plants is acceptable, such as "cultivated by society members". More information may be requested during assessment of the application, especially for threatened species.

Grower Tags

All growers are required to attach a grower tag to plants, including orchid hybrids, that are **intended to be publicly displayed or offered for sale**. This is not a new requirement.

Grower tags are produced by the grower licensee and may take the form of a sticker, label or sleeve. Grower tags must be attached to the plant or container directly. They need to have enough information to trace the plant to its origin, such as the species scientific name, term 'plantation grown' and the supplier or orchid societies' name.

Orchid societies or individual growers could print a batch of stickers or labels and add the species name prior to offering the plant for sale.

Hobbyists are not required to tag plants while they are being grown or held in their collection.

Orchid Hybrids

Grower tags are required for native hybrid orchid species. This has been retained from the 2013-17 management plan due to difficulty in identifying hybrids from non-hybrid plants. Tags for hybrids are required and must include the word 'hybrid' and identify the parent material.

As native orchids may have been hybridised multiple times and the exact parent species are no longer known, OEH will accept tags with the hybrid names at the genus level e.g. "*Dendrobium species* – Hybrid plant". Where available, a full descriptive label of parentage should be provided.

Reporting requirements

Harvest returns with information on 'harvest' activities (or plants grown) during the licence term are required one month after licence expiry. Harvest return sheets must include information on the species and quantities grown and sold by the society during the licence term. Hybrid orchids must be reported to (at least) the genus level. Licence renewals will not be granted until the harvest returns have been submitted.

As multiple members may operate under a societies' grower licence, the licensed society is responsible for collating records of sales at society events and submitting this information with a renewal. OEH recommends that societies collect this information on an ongoing basis by recording orchid species and numbers sold at each event, on the day of the sale.

Orchids purchased from a licensed grower and immediately sold on (e.g. raffled as a prize) by the society do not need to be included in reporting requirements, provided the original grower's tag is still attached to the plant.

Further contacts:

Your local National Parks and Wildlife Service (NPWS) area office will assess your application and grant a licence. Local NPWS area office details are available [online](#).