

STATE SEED LAWS

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If all seeds marketed for planting were of standard quality and correctly labeled, State and Federal seed laws would be unnecessary. Because this situation does not exist, it has been necessary to regulate the movement and sale of seed to safeguard the ultimate consumer and the seed industry.

All 50 States have seed laws that govern the intrastate movement and sale of seed. The enforcement of the various regulations involves inspection and testing of seed to determine if it is correctly represented as required by law and if it is suitable for planting.

Connecticut enacted the first State seed law in 1821. Illinois was the next State (1867) to pass such a law. When the Federal Seed Importation Act of 1912 was amended in 1926 to regulate interstate commerce of misbranded

seed, 45 States were enforcing laws covering labeling in the intrastate movement and sale of seed.

The early State seed laws only regulated the sale of seed containing Canada thistle and other objectionable weeds. State seed laws now include provisions for labeling the kind or kind and variety, purity, germination, date of test, and other information of value to the planter. Some States have included regulations for flower, herb, tree, and shrub seed, in addition to those for agricultural and vegetable seed.

The variance of the laws among the 50 States has often created problems for the seed trade. For example, a weed may be defined as noxious and may be prohibited or restricted in one State and not in a neighboring State.

Therefore, seed vendors processing and labeling seed in one State may have difficulty meeting the requirements of another State.

To make the laws more uniform, the Association of American Seed Control Officials sponsored a "Recommended Uniform State Seed Law," which was accepted in 1946 by the Association of American Seed Control Officials, the Association of Official Seed Analysts, the International Crop Improvement Association, and the American Seed Trade Association. These associations have reviewed biennially this recommended Uniform State Seed Law and have revised it when necessary. This recommendation has been a basis for revisions of State seed laws, and has resulted in a high degree of uniformity among States. Both the seed industry and seed control officials have benefited.

The Recommended Uniform State Seed Law provides for the labeling of agricultural and vegetable seeds and contains supplemental provisions for States desiring to include flower seeds in their State seed laws. The suggested label requirements are:

1. Each container which is sold, offered for sale, or exposed for sale, or transported within this state for planting purposes shall bear thereon in a conspicuous place a plainly written or printed label in the English language, giving the following information:
 - a) If treated, a statement indicating the seed has been treated.
 - b) The commonly accepted coined, or chemical, name of the applied substance or a description of the process used.
 - c) If treated with a harmful substance, an adequate warning.
 - d) If treated with an inoculant, the date beyond which the inoculant is not considered to be effective.
 - e) The name and address of the labeler or the person who sells, offers, or exposes seed for sale within the state.
- A. For agricultural seed
 1. Commonly accepted name of the kind or the kind and variety for each agricultural seed component in excess of 5 per- cent of the whole and the percentage by weight of each in order of

predominance. When more than one component is required to be named the term mixed or mixture shall be used conspicuously.

2. Lot number or other lot identification
3. Origin (State or Foreign Country) of alfalfa, red clover, and field corn (except hybrid corn). If origin is unknown, the fact shall be stated.
4. Percentage by weight of all weed seeds
5. The name and rate of occurrence per pound of each kind of noxious weed seed present.
6. Percentage by weight of other crop seeds
7. Percentage by weight of inert matter
8. For each named agricultural seed
 - a) Percentage of germination exclusive of hard seed
 - b) Percentage of hard seed, if present
 - c) Calendar month and year a test was completed to determine such percentages
- B. For vegetable seeds in containers of one pound or less
 1. Name of kind and variety
 2. For seeds which germinate less than the standard last established by the state
 - a) Percentage germination exclusive of hard seed
 - b) Percentage of hard seed, if present
 - c) Calendar month and year test was completed to determine such percentages
 - d) The words "Below Standard" in not less than 8 point type
- C. For vegetable seed in containers of more than one pound
 1. Name of kind and variety present in excess of 5 per cent plus percentage by weight of each in order of predominance
 2. Lot number or other lot identification
 3. For each vegetable seed named
 - a) Percentage germination exclusive of hard seed

b) Percentage hard seed, if present

c) Calendar month and year test was completed to determine such percentages

For states desiring to cover flower seeds in their seed laws, the following labeling provisions are recommended:

D. For flower seeds in packets for home flower gardens

1. Name of kind and variety or a statement of type and performance as prescribed
2. Calendar month or year seed was tested or year for which seed was packaged
3. For seeds of kinds which germinate less than the standard as established by this state
 - a) Percentage germination exclusive of hard seed
 - b) Words "Below Standard" in not less than 8 point type

E. For flower seeds in containers other than packets for home flower garden use

1. Name of kind and variety or statement of performance as prescribed
 2. Lot number or other lot identification
2. Calendar month and year seed was tested or year for which seed was packaged

3. For those kinds in which standard testing procedures are prescribed

a) Percentage germination exclusive of hard seed

b) Percentage hard seed, if present

Violations of State seed laws are handled in various ways. If agricultural or vegetable seed has moved in interstate commerce, the Federal Seed Act authorities may be asked to take appropriate action. This is accomplished by cooperative agreements between the individual States and the Federal Seed Act authorities. For agricultural and vegetable seed not involved in interstate commerce, or for flower seed violations, the individual State takes action. "Stop sale" orders are most common and restrain the sale, use, disposition, and movement of a definite amount of seed. Penalties may be assessed against the labeler or vendor in certain States. Seizure of seed in violation of State seed laws is also possible, but it is seldom done.

Seed laws are supplemented by rules and regulations which give full effect to legislative provisions. These rules and regulations define terms used in the seed laws, establish germination standards, specify kind names, and otherwise clarify the provisions of the seed law. Such regulations have the full effect of law and must be observed by those distributing seed under their provisions.