

# Indiana Seedsmen's Handbook

(Revised January 1987)

## INTRODUCTION

The purpose of this Seedsmen's Handbook will be to clarify and simplify questions that many seedsmen have about the Indiana Seed Law, its Rules and Regulations, and Seed Certification Rules and Standards, and how they pertain to all areas of labeling and distributing seed in Indiana.

It is hoped this handbook will address the more common labeling problems and questions experienced by seedsmen in the state, and present the information in layman's terms (brief and to the point). As you may agree, laws and regulations sometimes don't seem to address specific situations, and because of the complex and vague wording, are interpreted in different ways by different people.

Many desires have been expressed to the authors of this handbook to put together a handy reference that will provide simple, straightforward answers and explanations in all areas of seed labeling and distribution in the state.

Additional questions or problems not addressed by the topics listed in this handbook should be directed to:

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### A Guide for Distribution and Labeling of Seed in Indiana

The first Indiana Seed Law was enacted in 1921 for the purpose of assuring adequate information through fair and consistent labeling. The current Act as amended September 1, 1986, carries on that purpose and provides the consumer the opportunity to make intelligent purchases of agricultural and vegetable seeds. The basic concept of the law is to assure complete and accurate labeling of seed before any seed is offered for sale or sold for seeding purposes in the state.

The seed law applies to all commonly known agricultural and vegetable seeds marketed in the state. Important aspects of the law governing these commodities include:

**UNLAWFUL DISTRIBUTION OF SEEDS** - The Indiana Seed Law prohibits the sale of agricultural and vegetable seeds by anyone if (a) the seed has not been tested for germination within the stated 9 month test period, (b) the seed carries labeling that is false or misleading in any manner, (c) the seed contains any prohibited noxious weed seeds, more than 0.25 percent of restricted noxious weed seeds, or more than 2.5 percent of all weed seeds, (d) the seed is represented to be "certified seed", "registered seed", or "foundation seed" unless it has been produced and labeled in accordance with the standards of the Indiana Crop Improvement Association.

**GROWER EXEMPTION** - The provisions of the law do not apply to seed grown, sold, and delivered by the producer on his own premises directly to the purchaser. However, the provisions do apply to the seed if it is advertised by newspaper, circular, catalog or other public means.

**AUTHORITY OF INSPECTION PROGRAM** - The duty of administering the Indiana Seed Law is vested in the State Seed Commissioner, who maintains the authority to conduct inspections and to collect samples to determine compliance with the law.

#### Section 1. Requirements for Selling and Distributing Seed in Indiana

Any person or company who wishes to distribute agricultural or vegetable seeds in Indiana must either (1) purchase from the office of the State Seed Commissioner "Official seed tags" which are filled out by the seedsman and attached to each container, or (2) apply to the State Seed Commissioner for a "permit" to use his own labeling and to report the quantity of seed sold and to pay the inspection fee on the basis of said report in lieu of attaching or furnishing official state

tags.

Under option number one, any person or company may purchase official state seed tags in weight denominations greater than or equal to the size of the container in which the seed is sold. The following styles of tags are offered for sale:

STYLE "A" TAGS (for alfalfas, clovers, vegetables, and grasses)

100 pound - 24 cents (\$0.24)  
75 pound - 18 cents (\$0.18)  
50 pound - 12 cents (\$0.12)  
25 pound - 6 cents (\$0.06)

STYLE "C" TAGS (for mixtures of alfalfas, clovers, vegetables, and grasses)

100 pound - 24 cents (\$0.24)  
75 pound - 18 cents (\$0.18)  
50 pound - 12 cents (\$0.12)  
25 pound - 6 cents (\$0.06)

STYLE "B" TAGS (for all other agricultural seeds)

100 pound - 9 cents (\$0.09)  
75 pound - 6.75 cents (\$0.0675)  
50 pound - 4.5 cents (\$0.045)  
25 pound - 2.25 cents (\$0.0225)

Under option number two, any person or company may apply for a "permit" to distribute seed under private label, and to report the quantity of seed sold on a calendar quarter basis, and to pay the inspection fee on the basis of said reports. Report forms are furnished automatically at the end of each calendar quarter for reporting purposes.

Any person or company applying for such a permit is issued a permit number that is not required to be shown on the label. There is no fee or charge for such permit. Once a permit is approved, it is considered permanent unless cancelled by the holder, or by the State Seed Commissioner if such action is warranted.

The following fees are applicable under the permit system:

For seeds distributed in packages in excess of 25 pounds and in bulk:

All alfalfas, clovers, vegetables, and grasses -- 24 cents/100 pounds

For all other seeds -- 9 cents/100 pounds

For seeds distributed in packages exceeding one pound and up to and including 25 pounds in

weight:

All alfalfas, clovers, vegetables, and grasses -- 6 cents/package

For all other seeds -- 2.25 cents (\$0.0225)

Agricultural seeds sold in packages of one pound or less require an annual registration of \$45.00 per kind and/or brand.

## **Section 2. Labeling Requirements for Agricultural Seeds**

The Indiana Seed Law considers "labeling" to consist of any labels, and other written, printed, or graphic representations, in any form, accompanying or associated with any lot of seed whether in bulk or in containers, and includes any representations on the invoices. This, of course, encompasses all information on the analysis label(s) as well as printed information on the container. It is important to note such information on the label and container shall not be conflicting.

Under Section 4 of the law, all agricultural seed sold for seeding purposes must be labeled truthfully with the following information:

- 1) Commonly accepted name of the kind and variety of each agricultural seed present in excess of 5 percent by weight, in the order of its predominance. However, the variety designation may be omitted if the label states the name of the kind and the words "variety not stated". When more than one (1) component is required to be named, the word "mixture" or the word "mixed" shall be shown conspicuously on the label. A mixture consisting of two (2) or more varieties of the same kind may be designated as a "blend".
- 2) Lot number or other lot identification.
- 3) Origin (State or foreign country where grown) for all seeds except hybrid corn. If the origin is unknown, that fact shall be stated.
- 4) Name and address of the person or company who labeled the seed or who distributed it within the state.
- 5) The percentage of "pure seed" by weight, of each seed component in excess of 5 percent.
- 6) "Other crop seeds" percentage, representing the presence of all other agricultural or vegetable seeds.
- 7) "Inert matter" percentage present.
- 8) "Weed seed" percentage present. The law provides for a maximum allowable limit of 2.5 percent of all weed seeds.
- 9) The name and rate of occurrence per pound of each kind of "restricted noxious weed seed" present. The law allows for a maximum allowable limit of 0.25 percent by weight occurrence of

restricted noxious weed seeds. Any seeds present in amounts less than the maximum limit must be shown on the label.

10) Germination percentage, exclusive of hard seed.

11) Hard seeds percentage, if present.

12) The calendar month and year the test was completed to determine such percentages. Such test shall have been completed within a nine (9) month period, exclusive of the calendar month in which the test was completed immediately prior to distribution.

**NOTE:** The germination percentage and hard seed percentage must be shown separately on the label. Any such reference to "total germ and hard seed" is not permitted on the label.

### **Section 3. Labeling Requirements for Vegetable Seeds**

Each container of vegetable seed of any size which is distributed within the state shall have attached to the container or printed on the container a label with the following information:

- 1) The name of the kind and variety of seed.
- 2) The name and address of the person who labeled or who distributed the seed.
- 3) For seeds which have been treated, the same labeling shall be required as for agricultural seeds.
- 4) The number of noxious weed seeds per pound of vegetable seed, if any are present.
- 5) For seeds which germinate less than the standard last established:
  - a) The percentage of germination, exclusive of hard seed.
  - b) Percentage of hard seed, if present.
  - c) The calendar month and year the test was completed to determine such percentages.
  - d) The words "Below Standard" in not less than 8-point type.

Vegetable seeds sold in pre-packaged packets must be labeled with the above label information printed on each individual packet. Vegetable seeds sold in bulk form must also be labeled with the appropriate information attached to the bulk container in a conspicuous manner.

### **Section 4. Seed Label Formats**

The Indiana Seed Law does not restrict the labeler to any specific label format for the required label information. However, the rules and regulations under the law do place some restrictions on how such information must be shown, in that any "abbreviations or contractions of required terms is not permitted. In addition, the omission of any required terms is not permitted. This would apply to situations involving,

for example, seed which did not contain any "other crop seeds" or "weed seeds" to be labeled with such categories listed as having "0.00 percent".

A recommended label format for agricultural seeds showing a suggested order of label components is as follows:

LOT NO. \_\_\_\_\_  
 \_\_\_\_\_  
 SEEDSMAN'S NAME  
 \_\_\_\_\_  
 ADDRESS ZIP

\_\_\_\_\_ KIND AND VARIETY OF SEED (or "VARIETY NOT STATED")

Min. Pure Seed: _____ %	Min. Germination: _____ %
Crop Seed: _____ %	Hard Seed: _____ %
Inert Matter: _____ %	Germ Test: _____ Month Yr.
Weed Seed: _____ %	Where Grown: _____
Noxious Weeds: _____ (If present, kind and number per pound)	

### Section 5. Naming Varieties

All agricultural and vegetable varieties may have "only one" legally recognized name, and that name must be used by anyone who represents the variety in labeling and advertising.

The responsibility for naming new varieties is given to the originator or discoverer of a new variety. If that person or company can't or chooses not to name a variety, someone else may give a variety a name for marketing purposes. In any case, the "name first used when the seed is introduced into commerce" will be the name of the variety.

It is illegal to change a variety name once the name has been legally assigned. In other words, a buyer may not purchase seed labeled as variety "X" and resell it as variety "Y". In the case where seedsmen are buying lines from plant breeders to market under their own name, it is important to determine if indeed the line has or has not been introduced into general commerce previously. If a seedsman purchases "exclusive" rights of ownership of a newly released line, and that line has not been purchased by anyone else, then the seedsman purchasing such exclusive rights to the line may assign the "variety" name to it. However, if the same line is offered to other buyers as well, then the variety name or number must be the one used by the discoverer or breeder of that line during the initial time the line is offered for sale. Individual seedsmen purchasing such a line have the option of labeling that line by brand name with or without disclosing the original variety designation. If the seedsman chooses not to disclose the original variety name, the following guidelines should be followed utilizing appropriate brand name nomenclature and the "variety not stated" labeling option.

### Section 6. Brand Name Labeling

Brand names and terms taken from trademarks may be associated with the kind and variety names as an indication of source. However, such terms shall be clearly indicated as being other than part of the name of the kind and variety.

The Indiana Seed Law now defines the term "brand" as a word, name, number, or design used to identify seed of one person to distinguish it from seed of another person. Brand names may be used in conjunction with "variety not stated" labeling for individual lines, mixtures, and blends as long as such brand names are clearly indicated as being other than part of the name of the kind, variety, mixture or blend. The word "brand" must be included as a part of the brand name to avoid any misrepresentation of the name of the product.

A private brand seed variety marketed under the "variety not stated" labeling option of section 4(a) of the seed law may be labeled with a brand designation as mentioned previously. When a brand name is stated but no variety name, the terms must be shown on the seed label in the following order from left to right or top to bottom:

- (1) the brand name;
- (2) the word "brand";
- (3) the kind name;
- (4) the words "variety not stated".

For example: ACME 1234 BRAND WHEAT  
Variety Not Stated

Placement of the word "brand" is extremely important to properly indicate the complete brand designation. In the above example, the brand name is clearly represented as "Acme 1234".

Section 15-4-1-6(b)(10) of the Indiana Seed Law states that "it is unlawful for any person within this state to assign the same brand designation to more than one variety or blend of the same kind of seed, if not sold by variety name". This simply means that a particular variety or line may only have one brand name assigned to it by an individual seedsman throughout the period of time that he chooses to market that brand. As an example, if variety "X" is sold as "Acme 1234 Brand" the first year, it must also be sold as "Acme 1234 Brand" in subsequent years by the same seedsman.

## Section 7. Blend Labeling and Advertising

The labeling and advertising of a varietal mixture or blend must not create the impression that the seed is a single variety. Blends may be assigned brand names, and the word "Blend" must be included as a part of that name. For example, if a soybean product were a blend of three varieties, the label or advertising could not read "Golden Pod Soybeans" because "Golden Pod" could be mistaken for a variety name. The same soybeans could be sold as "Golden Pod Brand Soybean Blend" or "Golden Pod Soybean Blend".

The following three examples cover most options for labeling blends in Indiana:

A. Blend containing two varieties (protected publics) with all varieties stated. The blend must be labeled with the percentage by weight and germination of each component. For example:

ACME 5500 BRAND WHEAT BLEND Lot Number 1

49.75%	Caldwell	Germination:	95%	Origin:	IN
49.70%	Auburn	Germination:	95%	Origin:	OH
.00%	Other Crop Seed				
.50%	Inert Matter	Germ Test Date:	Sept. 1986		
.05%	Weed Seed	Noxious Weed Seeds -	None		

B. A blend containing three varieties with one variety stated (protected public) and the other two labeled "Varieties Not Stated". For example:

ACME 5600 BRAND WHEAT BLEND Lot Number 2

49.75%	Caldwell	Germination: 95%	Origin: IN
49.75%	Varieties Not Stated	Germination: 95%	Origin: IN
.00%	Other Crop Seed		
.50%	Inert Matter	Germ Test Date: Sept. 1986	
.00%	Weed Seed	Noxious Weed Seeds - None	

C. A blend containing any number of components that are labeled "varieties not stated" may be represented by one common pure seed percentage, one germination percentage, and one hard seed percentage, if applicable, for the blend as a whole. Keep in mind that multiple varieties labeled under a group term must use the plural form of the term, such as "varieties not stated". For example:

ACME 5700 BRAND SOYBEAN BLEND Lot Number 3  
VARIETIES NOT STATED

99.50%	Pure Seed	Germination: 90%	Origin: IN
.00%	Other Crop Seed		
.50%	Inert Matter	Noxious Weed Seeds - None	
.00%	Weed Seed	Germ Test Date: Jan. 1986	

**Section 8. Mixture Labeling**

Seed mixtures consisting of 2 or more different kinds of seed, each present in excess of 5% by weight, shall be labeled to indicate such by use of the term "Mixture" as a part of the name for the product. The percentage by weight and name of each component shall be listed in order of predominance, along with a separate germination percentage and hard seed percentage (where applicable) for each component of the mixture. The origin of each component shall also be listed. Crop kinds sold under "common kind designations" such as kentucky bluegrass, perennial ryegrass, and medium red clover, as examples, must be labeled as "variety not stated" when not labeled by variety name. The former version of the seed law provided for a Rule which exempted 17 different crop kinds from the mandatory variety labeling requirement. Crops commonly sold by common kind designations could be labeled as such with or without varietal reference. Such crops now must be labeled appropriately with the phrase "variety not stated". For example:

Medium Red clover Lot Number 123  
Variety Not Stated

An example of a mixture label is as follows:

JOHN DOE SEED COMPANY, INC.  
ANYWHERE, INDIANA 47000  
"SHADY GRASS SEED MIXTURE" LOT AB1  
73.50% BARON KENTUCKY BLUEGRASS GERMINATION 80% WA. GROWN  
13.72% PENNLAWN CREEPING RED FESCUE GERMINATION 85% OR. GROWN  
10.78% \* CHEWINGS FESCUE GERMINATION 85% OR. GROWN  
0.09% OTHER CROP SEEDS  
1.82% INERT MATTER  
0.09% WEED SEEDS

\* Variety Not Stated

NOXIOUS WEED SEEDS - NONE  
GERM TEST DATE: JAN 1984

## **Section 9. Bulk Seed Labeling**

Seed sold in bulk form is required to be labeled with the same information as required on packaged products. However, in cases of bulk sales, the invoice may serve as the master label for the given quantity being sold. All label information should be printed on the invoice or delivery ticket at the time the customer takes possession of the lot, or a tag containing the label information may be attached to the invoice.

In the case of bulk sales made by a seedsman using "Official State Seed Commissioner Tags", a sufficient number of tags must be provided to the customer to cover the weight of the total purchase.

For example, a bulk sale consisting of 1,200 pounds of seed must be accompanied by 24 - 50 lb. tags or 16 - 75lb. tags, or 12 - 100lb. tags, etc.

## **Section 10. Treated Seed Labeling**

The Indiana Seed Law and the Federal Seed Act require that all treated seeds be labeled to show the "commonly accepted coined, chemical (generic) or abbreviated chemical name". The proprietary or trade name is unacceptable by itself. If shown, the trade name must be in a subordinate position to the coined, generic, or abbreviated chemical name of the product.

Some examples are shown below:

- 1) "Vitavax" is a proprietary name for a product containing "Carboxin", which is the commonly accepted coined name for that substance.
- 2) "Granox" is a proprietary name for a combination of "HCB" and "MANEB", which are the commonly accepted coined names for those chemicals.

Most chemical companies who provide pre-printed labels to their customers are careful to meet these requirements. However, mislabeling sometimes occurs when seed firms make their own tags. Many tags are observed having only proprietary names, and not the coined generic, or abbreviated chemical names as required.

The "Farm Chemicals Handbook", (Meister Publishing Company, Willoughby, Ohio) is an excellent reference for this information. Questions, regarding treatment substances can also be directed to the Office Of The Indiana State Seed Commissioner.

## **Section 11. Vigor Labeling**

There continues to be much interest in "Vigor" tests, vigor testing, and vigor labeling of agricultural seeds because of the additional and valuable information that is obtained when such tests are used "in house". These types of tests, along with other tests become very helpful for evaluating lots of seed over a wide range of stresses and conditions.

However, methods for such tests have not yet been standardized by any official testing governing body, such as the AOSA, (Association of Official Seed Analysts). AOSA has continued to make progress in developing methods of vigor tests, but much variability exists between the numerous test methods being used. Because of this variety and variability of vigor tests, any reference in the form of publicity, advertising and labeling to vigor tested, vigor testing, vigor rated, etc. is considered incomplete and misleading unless "defined" and explained appropriately on the label, including a vigor test date.

## **Section 12. Hybrid Seed Labeling**

If any kind and variety of seed present in excess of 5% is "Hybrid" seed, it shall be designated "Hybrid" on the label. The percentage that is hybrid shall be at least 95% of the percentage of pure seed shown unless the percentage of pure seed which is hybrid seed is shown separately. If two or more kinds or varieties are present in excess of 5%, each that is hybrid shall be designated as hybrid on the label. Any kind and variety that has pure seed which is less than 95% but more than 75% hybrid seed as a result of incompletely controlled pollination in a cross shall be labeled to show the percentage of pure seed that is hybrid seed. No one kind and variety of seed may be labeled as hybrid if the pure seed contains less than 75% hybrid seed. It may be labeled as a mixture or blend.

## **SECTION 13. CARRYOVER SEED LABELING**

When agricultural and vegetable seeds remain in the inventory of a distributor after the germination test has expired (9 months) the seed must be removed from sale or relabeled. New percentages of germination and hard seeds, (where applicable) and the new germination test date may be entered on the tags previously attached to the seed only if these items are inserted in such a way as to be clearly legible and the old percentages of germination, hard seeds, and date of test are completely obliterated. In all cases where such changes are necessary the attachment of new tags is advised.

The person upon whose premises the seed is located shall be held responsible for obtaining the new test and for subsequent re-labeling of the seed.

## **SECTION 14. TOLERANCES APPLIED TO LABEL GUARANTEES**

If we flip a coin 10 times, we don't necessarily get 5 heads and 5 tails, and if we flip it again 10 times, we don't expect to repeat the same heads-tails ratio as the first time. Likewise, if one person who tests a lot of seed and gets 85 percent germination, 88.61 percent pure seed, and no noxious weed seeds, we don't expect the next person who tests the lot to get exactly the same results. We, therefore, have tolerances to compensate for the expected variation between one test and another.

Tolerance tables that are used are found in the "Rules for Testing Seeds" published by the Association of Official Seed Analysts allow for both mathematical and experimental error. They are based on the following concepts:

- 1) The tolerances are to be used to determine whether the second analysis is significantly poorer than the first.
- 2) The labeled analysis (first analysis) and the inspection analysis (second analysis) are both unbiased estimates.
- 3) The probability of error is 5 percent.
- 4) Each analysis is of one working sample.
- 5) There are 2 samples.
- 6) Tolerances for "chaffy" and "non-chaffy" kinds differ.
- 7) Tolerances for unmixed and mixed kinds differ.

In summary, tolerances are used to determine significant differences between analyses of a given lot of

seed. It is advised that tolerances should not be used to determine label guarantees, or be built into label guarantees. Seed should be labeled accurately based on actual analysis information.

## **SECTION 15. "NOXIOUS WEED SEEDS IN INDIANA"**

Section 6 of the Indiana Seed Law states it is unlawful to distribute seed within Indiana if the seed contains or consists of PROHIBITED Noxious weed seeds, and/or if seed contains or consists of RESTRICTED Noxious weed seeds in excess of 0.25% by weight. The name and number per pound of each RESTRICTED noxious weed seed must be shown on a seed tag or label if present in quantities less than 0.25%.

The following weeds are classified as "Noxious" weeds in Indiana when found in seeds offered for sale for seeding purposes. There are other specific laws currently in effect in Indiana which deal with illegal propagation and infestation of specific weeds and which are enforced by local government agencies.

### **PROHIBITED NOXIOUS WEED SEEDS IN INDIANA**

Canada thistle	Perennial sowthistle
Field bindweed	Quackgrass
Johnsongrass	Russian Knapweed
Perennial peppergrass	Wild garlic, Wild onion

### **RESTRICTED NOXIOUS WEED SEEDS IN INDIANA**

Bitter wintercress	Field peppergrass
Buckhorn	Giant foxtail
Cocklebur	Horsenettle
Corncockle	Mustard
Curled dock	Oxeye daisy
Dodder	Pennycress
Eastern black nightshade	

## **CERTIFIED SEED LABELING**

An act of the 1935 Indiana state legislature provides for the state certification of seeds, plants, or plant parts. In Indiana, the certification of agronomic crops has been delegated to the Indiana Crop Improvement Association by the Director of the Purdue University Agricultural Experiment Station under the state law governing seed certification. Rules and regulations concerning certification are approved by the Director of the Experiment Station and are applied by the Indiana Crop Improvement Association.

### **PURPOSE OF CERTIFICATION -**

1. To provide a system whereby newly developed crop varieties can be increased into sufficient quantities for distribution to the Indiana farmer.
2. The primary objective of certifying seed is to maintain the genetic purity and identity of the seed from the time it leaves the plant breeder until it is available to the farmer.

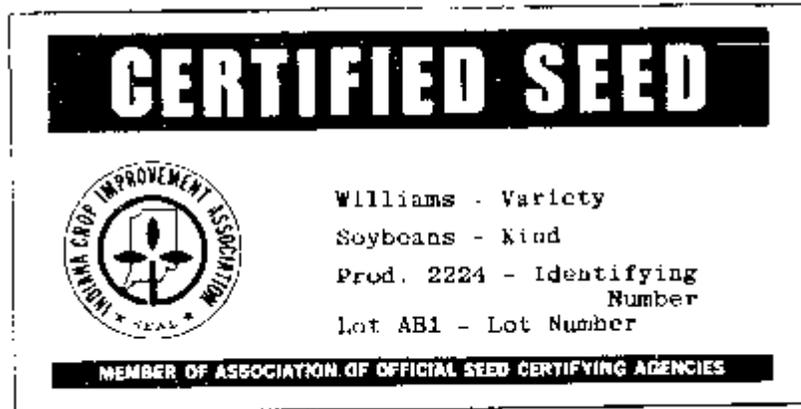
Each person or company who certifies seed in Indiana must follow the policies and procedures that have been established by the Indiana Crop Improvement Association. If the seed has been produced in such a manner that it does meet all of the standards that have been established for Certified Seed, official tags are issued to the grower in order that they may be attached to each bag of seed that he sells.

### **SECTION 1. REQUIRED FORMAT FOR CERTIFICATION TAGS**

1. Variety name must be stated.
  - a. The variety must be eligible for certification in Indiana.
  - b. Once a name is established for a particular variety or blend, that name should not change.
2. Kind of seed must be stated: Soybeans, Wheat, Corn, etc.
3. An Identifying number must be on the tag.
  - a. Indiana uses a producer number as a reference number on certified tags. This is a 3-digit number assigned to each producer of certified seed in the state.
  - b. The fourth digit in the producer number indicates year of production. The fourth digit is equivalent to the last digit of the year in which the crop was produced.
4. A lot number must be on the tag.
  - a. This is any combination of letters or numbers assigned by the seedsman to identify a particular batch of seed.
  - b. The lot number of the certified tag and the analysis tag should match.
  - c. The certified lot number should also match the lot number on the bag or package.

EXAMPLE FORMAT FOR CERTIFICATION TAG:

JOHN DOE SEED COMPANY  
PRODUCER NUMBER 222  
YEAR OF PRODUCTION - 1984



5. (OPTIONAL) Analysis information may be printed on certification tags with prior approval of the certification office.

**SECTION 2. LABELING REQUIREMENTS FOR CLASSES OF CERTIFIED SEED**

1. All certified seed, when offered for sale, shall have an official certification label affixed to each container, except in the case of bulk sales.

2. The appropriate labels will be issued for the specific classes of seed: Foundation, Registered and Certified.

3. The Michigan Certification scheme has no Registered seed class. All Michigan Certified class seed is produced from Foundation seed. In addition, Michigan will not accept the Certified class of seed (blue label) from other states, unless it has been produced from Foundation Seed. To facilitate the movement of certified seed into Michigan, the Indiana Crop Improvement Association will place an "R" on the certified (blue) tag to verify seed lots are the progeny of Foundation seed. Seed with Registered labels meets the Michigan requirements with no additional labeling.

4. Analysis tags and information on the bag should reflect the actual class of seed being shipped.

**SECTION 3. PLANT VARIETY PROTECTION LABELING**

1. There are three possibilities associated with plant variety protection.

a. NOT PROTECTED - Variety is not protected by the Plant Variety Protection Office. The variety may be sold in the marketplace without the permission of the owner of the variety.

b. U.S. PROTECTED VARIETY - The variety is protected by the Plant Variety Protection Office. It can be sold only with the permission of the owner of the variety. The words U.S. PROTECTED VARIETY

should appear on the analysis tag or somewhere on the package.

c. TITLE V PROTECTION - The variety is protected under the Title V option of Plant Variety Protection and can be sold by variety name only as a class of certified seed. The certified tag carries the following statement: UNAUTHORIZED PROPAGATION PROHIBITED - U.S. PROTECTED VARIETY. TO BE SOLD BY VARIETY NAME ONLY. AS A CLASS OF CERTIFIED SEED.

2. It is unlawful to sell uncertified seed of a variety protected under the Title V option unless permission is obtained from the owner to sell such seed "Variety Not Stated".

#### **SECTION 4. CERTIFIED BLEND LABELING**

1. All components in a certified blend must be certified.
2. Title V varieties cannot be used in uncertified blends without the owner's permission (see Section 3).
3. It is not necessary to list the components of a blend on a certified tag. Blend components will be kept on file (confidentially) by the agency. See section relating to analysis tag information - Section 7 of the Seed Law Requirements.
4. The blend name or number must be consistent. If components or percentage of components change, assign a new designation to the blend.
5. Protection statements will be used if any of the components of the blend are protected.

#### **SECTION 5. BULK MOVEMENT AND SALE OF CERTIFIED SEED**

1. There are three types of bulk movement of certified seed:
  - a. Bulk sale of unconditioned seed (seedsmen)
  - b. Bulk sale of cleaned seed (consumers)
  - c. Bulk sale of seed to applicators (fertilizer)

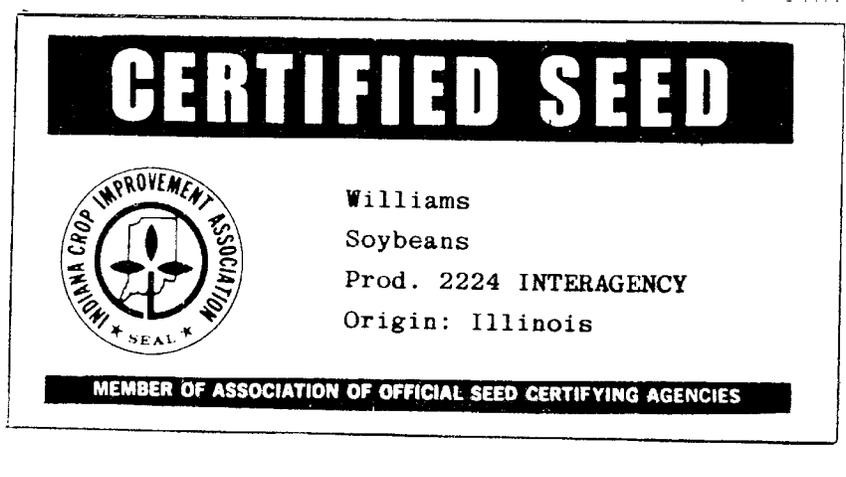
#### **BULK SALE OF UNCONDITIONED SEED**

1. This is movement of unconditioned seed from one seedsman to another. It involves wholesaling of seed in the bulk.
2. The seedsman selling the seed is responsible for filing a bulk transfer certificate available from the Certification Office.
3. It is the buyer's responsibility to complete certification on the seed by submitting a final certification sample and ordering certified tags with the buyer's producer number through the certification office.
4. The buyer of unconditioned certified seed must be a certified seed producer.
5. If seed is bulked to an Indiana seedsman from another state it must be accompanied by a bulk transfer certificate as is necessary if bulk seed is sent out of state.
6. When seed is produced in another state and bagged in Indiana the origin of the seed should be indicated on the certified tag and the state tag.
7. Since this is a cooperative effort between certifying agencies, the word INTERAGENCY will appear

somewhere on the certified tag.

8. Seed can be moved in bulk only once.

SAMPLE: CERTIFIED TAG FOR BULK SEED FROM OUT OF STATE



#### ***BULK RETAIL SALES TO CONSUMER - CERTIFIED CLASS ONLY***

1. A seedsman may sell cleaned seed in the bulk to a farmer (consumer) for planting.
2. The seedsman must file a Bulk Retail Sale Certificate available from the Certification Office. A copy of the bulk retail sales certificate goes to the farmer who purchases the seed. This certificate also provides analysis information for the farmer since no other tags are involved in these sales.
3. Certification tags are not used in these sales.

#### **BULK SALES TO APPLICATOR - CERTIFIED CLASS ONLY**

1. A seedsman may sell cleaned seed in the bulk to an applicator or firm involved in mixing the seed with non-seed products.
2. An applicator is usually a fertilizer company that is spreading seed with fertilizer.
3. The seedsman must file a Bulk Retail Sales Certificate available from the Certification Office. A copy of the certificate accompanies the seed to the applicator. This certificate also provides analysis information for the farmer since no other tags are involved in these sales.

#### **SECTION 6. REBAGGING OF CERTIFIED SEED**

1. When seed is rebagged and/or reconditioned, new certification tags are generally needed.
2. New lot numbers can be assigned to seed that has been rebagged and/or reconditioned.
3. The certification tags will still indicate the year of production in the producer number - not the year

of rebagging.

4. Rebagged seed from another state must indicate origin of seed.
5. All rebagged seed or reconditioned seed is reported to the Certification Office using a "Reconditioning Form" available from the agency.

#### **SECTION 7. LABELING CARRY-OVER LOTS OF CERTIFIED SEED**

1. It is not necessary to put a new certified label on seed that has been carried over in the same package.
2. If new tags are requested for carry-over seed, the year of production will be part of the producer number on the certified tag.

#### **SECTION 8. UNIFORM LABELING INVOLVING LABEL AND CONTAINERS**

1. Variety names, kind, and lot numbers of the certification tag should match the information on the analysis tag and the bag, and not conflict with any other information on the package.
2. Seed may not be sold in bags with a different kind of seed stated on the bag. In other words - SOYBEANS cannot be sold in bags that are designated as WHEAT.
3. The company name on the analysis tag and the company name on the bag should match.

#### **SECTION 9. ATTACHING LABELS BEFORE SEED IS DISTRIBUTED**

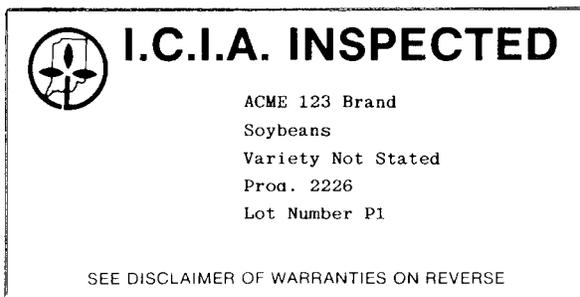
1. When bagged seed is transported, labels must be attached. The certified tags must be affixed to the bag when the seed leaves the plant.

#### **SECTION 10. CERTIFIED BAGS CARRYING NON-CERTIFIED SEED**

1. Only officially certified seed may be sold in bags bearing certification labels; or in bags that have printing or designates or implies in any way the seed is certified.

#### **SECTION 11. QUALITY ASSURANCE LABELS**

1. The quality assurance label is issued by Indiana Crop Improvement Association for seed meeting all the requirements of the Indiana Crop Improvement Quality Assurance Program.
2. The label is green with the phrase "ICIA Inspected" in conjunction with the ICIA quality assurance logo.



3. Seed lots bearing this label have met standards for field inspection, laboratory evaluation and post-control grow-outs; based upon an applicant/breeder's description.

4. The following information appears on the Quality Assurance Label:

- a. Variety, brand, or blend designation
- b. The phrase "Variety or Varieties Not Stated" if applicable
- c. Kind of seed
- d. Producer number
- e. Lot number
- f. (OPTIONAL) Analysis Information may be printed on these tags

### ADDRESS AND TELEPHONE REFERENCE LISTING

Dr. Alan R. Hanks State Chemist and Seed Commissioner Purdue University 1154 Biochemistry West Lafayette, IN 47907-1154	Larry W. Nees Seed Administrator Purdue University 1154 Biochemistry West Lafayette, IN 47907-1154
Telephone: (765) 494-1492 Fax: (765) 494-4331	Telephone: (765) 494-1557 Fax: (765) 494-4331

Indiana Crop Improvement Association, Inc. Larry Svajgr, Manager Alan Galbreth, Assistant Manager 3510 U.S. 52 South Lafayette, Indiana 47905
Telephone # (765) 474-3494

### NEIGHBORING STATES NOXIOUS WEED SEED REQUIREMENTS

ILLINOIS	
Primary	Secondary
Bindweed, field	Buckhorn
Hoary cress	Bullnettle
Johnsongrass and Sorghum almum and any plant the seed of which cannot be distinguished from Johnsongrass	Carrot, wild Daisy, oxeye Dock, curled
Knapweed, Russian	Dodders
Sowthistle, perennial	Foxtail, giant
Spurge, leafy	Garlic, wild
Thistle, Canada	Mustard, wild
	Onion, wild
	Quackgrass
	Rape, bird

KENTUCKY	
	Limitations per Pound
Johnsongrass and Sorghum almum and perennial rhizomatous derivatives of these	NONE
Quackgrass	NONE
Thistle, Canada	NONE
Bluegrass, annual	256
Buckhorn, Plantain	304
Corncockle	192
Daisy, oxeye	256
Dodder	192
Foxtail, giant	192
Onion, wild and Garlic, wild	96
Sorrel	256
Ballonvine	NONE
Purple Moonflower	NONE

OHIO	
PROHIBITED	SECONDARY
Ballcress	Buckhorn
Bindweed, field	Corncockle
Bindweed, hedge	Dock, curled
Johnsongrass	Dodder
Knapweed, Russian	Frenchweed
Quackgrass	Garlic, wild
Sowthistle, perennial	Horsenettle
Spurge, leafy	Onion, wild
Thistle, Canada	
Hoary cress	

LISTING OF NORTH CENTRAL AND  
EASTERN REGIONAL CONTROL OFFICIALS

ILLINOIS

Mr. Mark Ringler  
Seed Inspection Supervisor  
Illinois Dept. of Agriculture  
Div. of Agriculture Industry Regulations  
Illinois State Fairgrounds  
Springfield, Illinois 62706  
Phone # (217) 785-1082

Iowa

Seed Control Official  
Iowa Dept. of Agriculture  
Henry A. Wallace Building  
Des Moines, Iowa 50319  
Phone # (515) 281-8589

Kansas

Seed Control Official  
Kansas Dept. of Agriculture  
1720 S. Topeka Ave.  
Topeka, Kansas 66612  
Phone # (785) 296-3558

Kentucky

Mr. David Buckingham  
Seed Control Official  
Div. of Regulatory Services  
Kentucky Dept. of Agriculture  
University of Kentucky  
Lexington, Kentucky 40506  
Phone # (606) 257-7363

Maryland

Mr. Malcolm Sarna  
Turf and Seed Section  
Maryland Dept. of Agriculture  
H.J. Patterson Hall  
College Park, Maryland 20742  
Phone # (410) 841-2721

Michigan

Mr. Ken Rauscher  
Michigan Dept. of Agriculture  
P.O. Box 30017  
Lansing, Michigan 48909  
Phone # (517) 373-4087

Minnesota

Mr. Charles G. Dale  
Seed Control Official  
Minnesota Dept. of Agriculture  
90 W. Plato Boulevard  
St. Paul, Minnesota 55107  
Phone # (651) 296-6123

Missouri

Mr. Darrel L. Sharpe  
Seed Control Official  
Missouri Dept. of Agriculture  
Division of Plant Industries  
P.O. Box 630  
2632 Industrial Drive  
Jefferson City, Missouri 65102  
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Nebraska

Mr. David Svik  
Seed Control Official  
Nebraska Dept. of Agriculture  
3703 South 14th Street  
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Phone # (402) 471-2176

North Dakota

Mr. James E. Swanson  
North Dakota State Seed Commissioner  
State University Station  
Fargo, North Dakota 58105  
Phone # (701) 237-7927

Ohio

Mr. Gordon Rudloff  
Specialist in Charge  
Seed Inspection Station  
Ohio Dept. of Agriculture  
Reynoldsburg, Ohio 43068  
Phone # (614) 866-6361

Pennsylvania

Mr. Joe Garvey  
Acting Chief and Laboratory Supervisor  
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Harrisburg, Pennsylvania 17110  
Phone # (717) 787-5609

South Dakota

Mr. Jimmy Krsnak  
Director of Seed and Fertilizer Section  
South Dakota Dept. of Agriculture  
State Office Building #1  
Pierre, South Dakota 57501  
Phone # (605) 773-3724

Wisconsin

Mr. William D. Brener  
Seed Control Official  
Wisconsin Dept. of Agriculture  
4702 University Ave., PO Box 7883  
Madison, Wisconsin 53707  
Phone # (608) 266-7134

**LISTING OF NORTH CENTRAL  
CERTIFICATION AGENCIES**

Illinois Crop Improvement Assn. 508 South Broadway Urbana, Illinois 61801 Phone # (217) 637-4053	Ohio Seed Improvement Assn. 6150 Avery Road Box 477 Dublin, Ohio 43107 Phone # (614) 889-1136
Iowa Crop Improvement Assn. 112 Agronomy Bldg. Iowa State University Ames, Iowa 50011 Phone # (515) 294-6921	Pennsylvania Dept. of Agric. Bureau of Plant Industry 2301 N. Cameron Street Harrisburg, Pennsylvania 17110 Phone # (717) 787-4843
Kansas Crop Improvement Assn. 205 Call Hall Kansas State University Phone # (913) 532-6118	Tennessee Crop Improvement Assn. 2640-C Nolensville Road Nashville, TN 37211 Phone # (615) 242-0467
Kentucky Seed Improvement Assn. P.O. Box 12008 Lexington, Kentucky 40579 Phone # (606) 257-2971	Wisconsin Crop Improvement Assn 554 Moore Hall University of Wisconsin Madison, WI 53706 Phone # (608) 262-0167
Michigan Crop Improvement Assn. P.O. Box 21008 Lansing, MI 48909 Phone # (517) 355-7438	Mr. Jim Clark State Entomologist Indiana Department of Natural Resources Phytosanitary Certificates Phone # (317) 232-4120
Minnesota Crop Improvement Assn. University of Minnesota 1900 Hendon Avenue St. Paul, MN 55108	OECD Certification USDA - Washington, D.C. Ms. Lydia Pool Phone # (301) 344-3903

Phone # (612) 373-0883	
Missouri Seed Improvement Assn. P.O. Box 852 Columbia, Missouri 65205 Phone # (314) 449-0586	Federal Seed Branch USDA, AMS, Warehouse & Seed Division 1400 Independence Avenue, SW Washington, D.C. 20250 Phone # (202) 447-9340
Nebraska Crop Improvement Assn. 266 Plant Sciences Hall IANR-UNL East Campus Lincoln, Nebraska 68583 Phone # (402) 472-1444	