



January 26, 2010

HOUSE BILL No. 1284

DIGEST OF HB 1284 (Updated January 26, 2010 11:11 am - DI 77)

Citations Affected: IC 15-15.

Synopsis: Seed law. Establishes seed labeling requirements for cool season lawn and turf grasses. Allows the seed commissioner to issue a special use permit to use a prohibited noxious weed seed or a restricted noxious weed seed for purposes of research, development, production, or education. Provides for different labeling requirements for vegetable seeds based on how the seeds are sold. Increases seed inspection fees. Reduces the number of sales reports that must be filed each year. Establishes a minimum penalty for failure to file reports and pay fees. Establishes a minimum inspection fee. Prohibits: (1) using relabeling stickers that do not contain certain information; and (2) relabeling a seed lot using stickers more than once.

Effective: July 1, 2010; January 1, 2011.

Lehe, Pearson, Cherry, Michael

January 12, 2010, read first time and referred to Committee on Agriculture and Rural Development.
January 26, 2010, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

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January 26, 2010

Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1284

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 15-15-1-2, AS ADDED BY P.L.2-2008, SECTION
2 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2010]: Sec. 2. As used in this chapter, "agricultural seed" means the
4 seeds of legume, grass, forage, cereal, ~~or~~ fiber, **or oil** crops. The term
5 includes other kinds of seeds commonly recognized in Indiana as
6 agricultural seeds, lawn seeds, and mixtures of such seeds.

7 SECTION 2. IC 15-15-1-5.5 IS ADDED TO THE INDIANA CODE
8 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2010]: **Sec. 5.5. As used in this chapter, "cool season lawn and
10 turf grasses" includes:**

11 **(1) Kentucky bluegrass, red fescue, chewings fescue, hard**
12 **fescue, tall fescue, perennial ryegrass, intermediate ryegrass,**
13 **annual ryegrass, colonial bentgrass, or creeping bentgrass; or**
14 **(2) mixtures of any of the grasses listed in subdivision (1).**

15 SECTION 3. IC 15-15-1-15.5 IS ADDED TO THE INDIANA
16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2010]: **Sec. 15.5. As used in this chapter,**

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1 "permit" means a written authorization required under this
2 chapter and granted by the seed commissioner before a person
3 may distribute agricultural or vegetable seed in Indiana subject to
4 this chapter.

5 SECTION 4. IC 15-15-1-20.5 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2010]: Sec. 20.5. As used in this chapter,
8 "special use permit" means authorization issued by the seed
9 commissioner to a person subject to section 27(b)(17) of this
10 chapter for use of seeds of plant species for the purpose of
11 research, development, production, or education.

12 SECTION 5. IC 15-15-1-27, AS ADDED BY P.L.2-2008,
13 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2010]: Sec. 27. (a) The state seed commissioner shall
15 administer this chapter. The state seed commissioner may authorize an
16 agent to act for the state seed commissioner under this chapter.

17 (b) The state seed commissioner may do any of the following to
18 administer this chapter:

19 (1) Sample, inspect, analyze, and test agricultural and vegetable
20 seed distributed within Indiana for seeding and sowing purposes,
21 when, where, and to the extent the state seed commissioner
22 considers necessary to determine whether the agricultural or
23 vegetable seed is in compliance with this chapter.

24 (2) Notify a seed distributor of any violations of this chapter.

25 (3) Adopt rules:
26 (A) governing:
27 (i) methods of sampling, inspecting, analyzing, testing, and
28 examining agricultural and vegetable seed; and
29 (ii) tolerances to be followed in the administration of this
30 chapter; and

31 (B) necessary for the efficient enforcement of this chapter.

32 (4) Adopt rules to establish lists of prohibited and restricted
33 noxious weeds.

34 (5) Adopt rules to establish reasonable standards of germination
35 (as defined by rule adopted under section 28 of this chapter) for
36 vegetable seed.

37 (6) Adopt rules to establish standards for the effectiveness of
38 legume inoculant applied to pre-inoculated seed.

39 (7) Adopt rules to govern the treatment of seed and the labeling
40 and distribution of treated seed.

41 (8) Publish at least one (1) time each year, in the form the seed
42 commissioner considers proper, information concerning:

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1 (A) the sales of agricultural and vegetable seed; and
 2 (B) the results of the analysis of official samples of
 3 agricultural and vegetable seed sold within Indiana as
 4 compared with the analysis guaranteed on the label.
 5 Information concerning production and use of agricultural and
 6 vegetable seed may not disclose the operation of any person.
 7 (9) Enter any:
 8 (A) public or private property during regular business hours;
 9 or
 10 (B) vehicle that transports seed, whether by land, water, or air,
 11 at any time the vehicle is accessible;
 12 to inspect seed and the records relating to the seed, subject to this
 13 chapter and the rules adopted under this chapter.
 14 (10) As used in this subdivision, "stop sale order" refers to a
 15 written order issued by the state seed commissioner to the owner
 16 or custodian of a lot of agricultural or vegetable seed that the state
 17 seed commissioner has found violates this chapter or rules
 18 adopted under this chapter. The state seed commissioner may
 19 issue and enforce stop sale orders. A stop sale order prohibits the
 20 future sale, processing, and movement of the seed until the state
 21 seed commissioner issues a release from the stop sale order. The
 22 owner or custodian of the seed is entitled to appeal a stop sale
 23 order to a court with jurisdiction in the locality in which the seed
 24 is found, as provided in IC 4-21.5, seeking a judgment as to the
 25 justification for the order for the discharge of the seed from the
 26 stop sale order in accordance with the findings of the court. This
 27 subdivision does not limit the right of the state seed commissioner
 28 to proceed as otherwise authorized by this chapter.
 29 (11) Establish and maintain or make provisions for seed testing
 30 facilities.
 31 (12) Employ qualified persons.
 32 (13) Incur necessary expenses.
 33 (14) Test or provide for testing seed for purity and germination
 34 (as defined by rule adopted under section 28 of this chapter) for
 35 farmers and dealers on request of a farmer or dealer, prescribe
 36 rules governing such testing, and charge for the tests made.
 37 (15) Cooperate with the United States Department of Agriculture
 38 and other agencies in seed law enforcement.
 39 (16) Enter the property of a producer of hybrid seed to determine
 40 whether the seed produced is as the seed is represented.
 41 **(17) Issue a written special use permit to a person to use a**
 42 **prohibited noxious weed seed or a restricted noxious weed**

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1 **seed for purposes of research, development, production, or**
 2 **education. The seed commissioner may grant a special use**
 3 **permit, condition a special use permit, or deny a special use**
 4 **permit. Each species must be considered separately. The seed**
 5 **commissioner may revoke a special use permit at any time if**
 6 **it appears the permit holder is not complying with the**
 7 **conditions established under the special use permit.**

8 SECTION 6. IC 15-15-1-32, AS ADDED BY P.L.2-2008,
 9 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2010]: Sec. 32. (a) A container of agricultural seed of any size
 11 consisting of more than one (1) pound distributed in Indiana for sowing
 12 and seeding purposes must contain or have attached in a conspicuous
 13 place on the outside of the container a plainly written or printed tag or
 14 label in English giving the information required by this section. If the
 15 seed is distributed in bulk, the information required by this section
 16 must accompany delivery and be supplied to the purchaser at the time
 17 of delivery.

18 (b) The labeling required for seed sold in bags and packages, and in
 19 bulk as required by this section, must include the following statements
 20 on the labeling attached to the container:

21 (1) The commonly accepted name of each kind and variety of
 22 each agricultural seed component that exceeds five percent (5%)
 23 of the whole and the percentage by weight of each in the order of
 24 its predominance. However, the variety designation may be
 25 omitted if the label states the name of the kind and the words
 26 "variety not stated". If more than one (1) component is required
 27 to be named, the word "mixture" or the word "mixed" must be
 28 shown conspicuously on the label. A mixture consisting of two (2)
 29 or more varieties of the same kind may be designated as a
 30 "blend".

31 (2) Lot number or other lot identification.

32 (3) Origin (state or foreign country where grown) for all seed
 33 except hybrid corn. If the origin is unknown, that fact must be
 34 stated.

35 (4) The percentage of all weed seed.

36 (5) The name and rate of occurrence per pound of each kind of
 37 restricted noxious weed seed present.

38 (6) The percentage of all other agricultural or vegetable seed,
 39 which may be designated as "other crop seeds" or "crop seeds".

40 (7) The percentage of inert matter.

41 (8) For each named agricultural seed:

42 (A) the percentage of germination (as defined by rule adopted

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- 1 under section 28 of this chapter), exclusive of hard seed;
 2 (B) the percentage of hard seed, if present; and
 3 (C) the calendar month and year the test was completed to
 4 determine the percentages.
- 5 (9) The name and address of the person who labeled the seed or
 6 who distributed it within Indiana.
- 7 (10) For all seed named and treated (for which a separate label
 8 may be used):
 9 (A) a word or statement indicating that the seed has been
 10 treated;
 11 (B) the commonly accepted coined chemical or abbreviated
 12 chemical (generic) name of any applied pesticide;
 13 (C) a description of the process or the commonly accepted
 14 name of the substance applied if other than a pesticide; and
 15 (D) if the substance in the amount present with the seed is
 16 harmful to human or other vertebrate animals, a caution
 17 statement such as "Do Not Use For Food Or Feed Or Oil
 18 Purposes". A poison statement or symbol must be used as the
 19 caution for mercurials and similarly toxic substances.
- 20 (11) For pre-inoculated seed, in addition to other labeling
 21 requirements of this section (for which a separate label may be
 22 used):
 23 (A) a word or statement indicating that the seed has been
 24 pre-inoculated; and
 25 (B) the date beyond which the inoculant is not to be
 26 considered effective.
- 27 **(12) For cool season lawn and turf grasses, the following**
 28 **statements on the labeling:**
 29 **(A) For single kinds of grasses, the name of the kind or**
 30 **kind and variety.**
 31 **(B) For grass mixtures:**
 32 **(i) the word "mix", "mixed", "mixture", or "blend"**
 33 **must be stated with the name of the mixture;**
 34 **(ii) the headings "Pure Seed" and "Germination" or**
 35 **"Germ" must be used in the proper places; and**
 36 **(iii) the commonly accepted name of kind or kind and**
 37 **variety of each agricultural seed component that exceeds**
 38 **five percent (5%) of the whole, and the percentage by**
 39 **weight of pure seed in order of its predominance and in**
 40 **columnar form.**
 41 **(C) Percentage by weight of agricultural seed other than**
 42 **those required to be named on the label (which must be**

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- designated as "crop seed").
- (D) The percentage by weight of inert matter.
- (E) Percentage by weight of all weed seeds. The maximum weed seed content may not exceed two and five-tenths percent (2.5%) by weight.
- (F) The name and rate of occurrence per pound of each kind of restricted noxious weed seed present and listed under the heading "Noxious Weed Seeds". Restricted noxious weed seed may not exceed twenty-five hundredths of one percent (0.25%) by weight.
- (G) For each agricultural seed named under clause (A) or (B), the following:
 - (i) Percentage of germination, exclusive of hard seed.
 - (ii) Percentage of hard seed, if present.
 - (iii) Calendar month and year the test was completed to determine the required percentages. The oldest test date must be used.
 - (iv) The statement "Sell by (month/year)". The date may not exceed fifteen (15) months from the date in item (iii), exclusive of the month of the test.

The total of the percentages by weight under clauses (B)(iii), (C), (D), and (E) must equal one hundred percent (100%).

(c) The statements required by this section may not be modified or denied.

(d) The total of the percentages under subsection (b)(1), (b)(4), (b)(6), and (b)(7) must equal one hundred percent (100%).

SECTION 7. IC 15-15-1-33, AS ADDED BY P.L.2-2008, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 33. A container of vegetable seed of any size distributed within Indiana for sowing and seeding purposes must have attached in a conspicuous place on the outside of the container a plainly written or printed label in English giving (a) For vegetable seeds in packets as prepared for use in home gardens or household plantings or vegetable seeds in preplanted containers, mats, tapes, or other planting devices in containers that do not exceed one (1) pound, the labeling must include 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 seed that germinates less than the standard most recently established under this chapter:
 - (A) the percentage of germination (as defined by rule adopted

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- 1 under section 28 of this chapter), exclusive of hard seed;
- 2 (B) the percentage of hard seed, if present;
- 3 (C) the calendar month and year the test was completed to
- 4 determine the percentages; and
- 5 (D) the words "Below Standard" in not less than 8 point type.
- 6 (4) For seed that has been treated, the same labeling information
- 7 required for agricultural seeds.
- 8 (5) The number of noxious weed seeds per pound of vegetable
- 9 seed, if any weed seed is present.
- 10 **(6) Lot number or other lot identification.**
- 11 **(7) Germination test information in any of the following**
- 12 **forms:**
 - 13 **(A) The calendar month and year the germination test was**
 - 14 **completed and the statement "Sell by (month/year)". The**
 - 15 **date may not exceed twelve (12) months from the date of**
 - 16 **the test, exclusive of the month of the test.**
 - 17 **(B) The year for which the seed was packaged for sale as**
 - 18 **"Packed for (year)". The date must be for a calendar year**
 - 19 **and include the statement "Sell by (month/year)". The date**
 - 20 **may not exceed twelve (12) months from the date of the**
 - 21 **test, exclusive of the month of the test.**
 - 22 **(C) The percentage of germination and the calendar month**
 - 23 **and year the test was completed to determine the**
 - 24 **percentages. However, the germination test must have**
 - 25 **been completed within the previous twelve (12) months,**
 - 26 **exclusive of the month of the test.**
- 27 **(b) For vegetable seeds sold in containers that are more than**
- 28 **one (1) pound, the labeling must include the following:**
 - 29 **(1) The name of each kind and variety present that exceeds**
 - 30 **five percent (5%) and the percentage by weight of each in**
 - 31 **order of its predominance.**
 - 32 **(2) Lot number or other lot identification.**
 - 33 **(3) For each named vegetable seed:**
 - 34 **(A) the percentage of germination, exclusive of hard seed;**
 - 35 **(B) the percentage of hard seed, if present; and**
 - 36 **(C) the calendar month and year the test was completed to**
 - 37 **determine the percentages. The date may not be later than**
 - 38 **twelve (12) months after the date of the test, exclusive of**
 - 39 **the month of the test.**
 - 40 **(c) For seeds placed in a germination medium, mat, tape, or**
 - 41 **another device and in a way to make it difficult to determine the**
 - 42 **quantity of seed without removing the seed from the medium, mat,**

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tape, or other device, the labeling must include a statement to indicate the minimum number of seeds in the container.

SECTION 8. IC 15-15-1-34, AS ADDED BY P.L.2-2008, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2011]: Sec. 34. (a) For the purpose of defraying the costs of inspection, analysis, publication, and other expenses incurred in the administration of this chapter, the state seed commissioner shall charge the amount set forth in this section. ~~for tags or labels required by sections 32 and 33 of this chapter:~~

(b) ~~The charge for alfalfa, clover, vegetable, and grass seed or mixtures of any of these seeds is the following:~~

- ~~(1) Six cents (\$0.06) for each twenty-five (25) pound tag or label.~~
- ~~(2) Twelve cents (\$0.12) for each fifty (50) pound tag or label.~~
- ~~(3) Eighteen cents (\$0.18) for each seventy-five (75) pound tag or label.~~
- ~~(4) Twenty-four cents (\$0.24) for each one hundred (100) pound tag or label.~~

~~(c) The charge for seed other than seed described in subsection (b) is the following:~~

- ~~(1) Two and one-fourth cents (\$0.0225) for each twenty-five (25) pound tag or label.~~
- ~~(2) Four and one-half cents (\$0.045) for each fifty (50) pound tag or label.~~
- ~~(3) Six and three-fourths cents (\$0.0675) for each seventy-five (75) pound tag or label.~~
- ~~(4) Nine cents (\$0.09) for each hundred (100) pound tag or label.~~
- ~~(5) Nine cents (\$0.09) for one hundred (100) pounds for each tag or label that the state seed commissioner furnishes in denominations larger than one hundred (100) pounds.~~

~~(d) Tags furnished by the state seed commissioner must:~~

- ~~(1) contain the facsimile signature of the state seed commissioner;~~
- ~~(2) be referred to as state seed commissioner tags or labels;~~
- ~~(3) be completely filled out with the information required in sections 32 and 33 of this chapter; and~~
- ~~(4) be attached to containers or be delivered with sales of agricultural or vegetable seed distributed in bulk in quantities of more than one (1) pound.~~

~~(e) A distributor or the distributor's successor may return for credit any unused and obsolete state seed commissioner tags or labels. The state seed commissioner shall give credit for the return of obsolete tags or labels after deducting all costs of printing and handling.~~

~~(f) If the state seed commissioner grants a distributor a permit to~~

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1 report the quantity of seed sold and pay the inspection fee on the basis
 2 of this report instead of attaching or furnishing state seed commissioner
 3 tags or labels as provided in this section; the distributor may return for
 4 credit, not later than sixty (60) days after issuance of the permit, all
 5 unused state seed commissioner tags or labels whether obsolete or not.
 6 The state seed commissioner shall credit the distributor those tags or
 7 labels:

8 (1) submitted as blank at the purchase price; and

9 (2) that have been filled out at the purchase price less the cost of
 10 printing and handling.

11 (g) (b) A distributor of agricultural seed in packages of not more
 12 than one (1) pound shall pay not later than January 15 of each year an
 13 annual fee of forty-five dollars (\$45) for each brand of seed distributed.
 14 The distributor is not required to affix state seed commissioner tags or
 15 labels to packages of not more than one (1) pound that bear a proper
 16 label. Payment of an annual fee is not required of retailers who furnish
 17 quantities of not more than one (1) pound from a properly labeled
 18 container of seed on which the inspection fee has been paid.

19 (h) (c) Except as provided in subsection (d), a person who
 20 distributes agricultural or vegetable seed in Indiana may apply to the
 21 state seed commissioner for a permit to use the person's own labeling,
 22 report the quantity of seed sold, and pay the inspection fee on the basis
 23 of the report. instead of attaching or furnishing state seed commissioner
 24 tags or labels. The inspection fee is the following:

25 (1) Twenty-four **Thirty** cents (~~\$0.24~~) (**\$0.30**) per one hundred
 26 (100) pounds of alfalfa, clover, vegetable, grass seed, and
 27 mixtures of such seeds, with a minimum payment of ~~six seven~~
 28 **and one-half** cents (~~\$0.06~~) (**\$0.075**) for each package or
 29 container of more than one (1) pound.

30 (2) ~~Nine Eighteen~~ cents (~~\$0.09~~) (**\$0.18**) per one hundred (100)
 31 pounds of all agricultural seed other than seeds described in
 32 subdivision (1), with a minimum payment of ~~two and one-fourth~~
 33 **four and one-half** cents (~~\$0.0225~~) (**\$0.045**) for each package or
 34 container of more than one (1) pound.

35 (3) ~~One dollar and fifty cents~~ (~~\$1.50~~) for each assortment or unit
 36 of vegetable seed distributed in an assortment or other display
 37 unit, in packets of not more than one (1) pound.

38 (d) A person who distributes vegetable seeds in:

39 (1) packets as prepared for use in home gardens or household
 40 plantings; or

41 (2) preplanted containers, mats, tapes, or other planting
 42 devices in containers of not more than one (1) pound;

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1 shall pay, not later than January 15 of each year, an annual fee of
2 two hundred dollars (\$200).

3 (i) (e) In making application for a permit under subsection (h);
4 subsection (c), the distributor must agree to the following:

- 5 (1) Label the seed with the information required by law.
- 6 (2) Keep the records the state seed commissioner considers
7 necessary to indicate accurately the number and size of containers
8 of each kind of agricultural and vegetable seed distributed and the
9 quantity of such seed distributed in bulk.
- 10 (3) Grant the state seed commissioner or the state seed
11 commissioner's authorized representative permission to examine
12 the records described in subdivision (2) and verify the statement
13 of quantity of seed distributed.
- 14 (4) Report under oath to the state seed commissioner on forms
15 furnished by the state seed commissioner the quantity of
16 agricultural and vegetable seed sold during the period covered.

17 (j) (f) The state seed commissioner may grant a permit under
18 subsection (h) subsection (c) if the state seed commissioner determines
19 that the applicant's proposed report of the quality of agricultural and
20 vegetable seed sold will lead to efficient enforcement of this chapter.
21 The state seed commissioner may revoke the permit at any time if it
22 appears to the state seed commissioner that the distributor is not
23 complying with the agreement described in subsection (i) (e) or this
24 chapter. The report of sales is due and the inspection fees payable
25 quarterly, on the last day of the month following the end of the quarter.
26 If:

- 27 (1) the report is not filed and the inspection fee not paid before
28 ten (10) days following the due date;
- 29 (2) the report of volume is false; or
- 30 (3) the labeling requirements of this chapter have not been
31 complied with;

32 the state seed commissioner may revoke the permit. If the inspection
33 fee is unpaid after the ten (10) day grace period, a penalty shall be
34 assessed in the amount of ten percent (10%) in addition to the amount
35 due:

36 (g) The report of quantity sold is due and the inspection fees are
37 payable semiannually on the last day of the month following the
38 end of the semiannual period. The first half reporting period ends
39 June 30. The second half reporting period ends December 31.

40 (h) If:

- 41 (1) the report is not filed and the inspection fee not paid
42 within fifteen (15) days following the due date;

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1 (2) the report of quantity sold is false; or
2 (3) the labeling requirements of this chapter have not been
3 complied with;
4 the state seed commissioner may revoke the permit.
5 (i) If the report is not filed and the inspection fee not paid within
6 fifteen (15) days following the due date described in subsection (g),
7 a penalty must be assessed in the amount of:
8 (1) fifty dollars (\$50); or
9 (2) ten percent (10%) of the amount due;
10 whichever is greater, in addition to the amount due.
11 (j) The minimum inspection fee is ten dollars (\$10) per reporting
12 period, if a report is required under this section.
13 SECTION 9. IC 15-15-1-41, AS ADDED BY P.L.2-2008,
14 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2010]: Sec. 41. A person may not do any of the following:
16 (1) Detach, alter, deface, or destroy any label provided for in this
17 chapter or the rules adopted under this chapter.
18 (2) Alter or substitute seed in a manner that may defeat the
19 purpose of this chapter.
20 (3) Disseminate false or misleading advertisements concerning
21 agricultural or vegetable seed.
22 (4) Hinder or obstruct in any way an authorized person in the
23 performance of the person's duties under this chapter.
24 (5) Fail to comply with a stop sale order issued under section 27
25 of this chapter.
26 (6) Use the word:
27 (A) "trace" as a substitute for any statement required by this
28 chapter; or
29 (B) "type" in any labeling in connection with the name of any
30 seed variety.
31 (7) Use a state seed commissioner tag or label more than once.
32 (8) Sell grain or other seed that has been treated to any person for
33 any purpose unless the grain or seed is clearly labeled as required
34 in sections 32 and 33 of this chapter.
35 (9) Distribute seed colored so that it does not contrast with the
36 natural color of the seed.
37 (10) Distribute noxious weed seed **without a special use permit**
38 **issued by the seed commissioner as required by section**
39 **27(b)(17) of this chapter.**
40 (11) Assign the same brand designation to more than one (1)
41 variety or blend of the same kind of seed, if not sold by variety
42 name.

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- 1 **(12) Use relabeling stickers without having:**
- 2 **(A) both the calendar month and year the germination test**
- 3 **was completed and the sell-by date required in sections 32**
- 4 **and 33 of this chapter; and**
- 5 **(B) the lot number that matches the existing original lot**
- 6 **number.**
- 7 **(13) Relabel a seed lot using stickers more than once.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1284, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

PEARSON, Chair

Committee Vote: yeas 10, nays 0.

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