

SEED LAW – LABELING REQUIREMENTS CHECK –OFF LIST

Version 7-01-2009

Definitions:

Labeler: Any person whose name appears on the label of a container of seed which is offered for sale in California.

Free or None: Is the same as “0” or “0.00”.

Seed Label Requirements:

- Must possess a Current SEED LABELER LICENSE (FAC 52351)**
(Download a current directory of seed labelers at <http://www.cdffa.ca.gov/phpps/pe/Nursery/Seed.html>)
 - a. Required for every labeler of agricultural and/or vegetable seed offered for sale in CA.
 - b. A person who receives or possesses for sale or sells any seed that is not grown in CA.
 - c. Exemptions:
 - 1. An individual grower that conditions such seed exclusively for his own planting.
 - 2. A person who uses agricultural and/or vegetable seed only for the purpose of planting seed increase.
 - 3. Any person licensed to sell nursery stock unless he also engages in conditioning of seed. (FAC 52257.5)
- Label is in a conspicuous place, in English and printed/written clearly.**
- “Commonly accepted” names of ag. & vegetable seed kinds are listed in CCR 3899.**
Each kind, kind & variety, or kind and type of each component must be included on Ag Seed. See CCR.
Ag seed = kind - if variety name not required label may say VNS or Variety Not Stated
Note: Variety name is always required of Certified Seed and PVP Seed.
All Vegetable Seed requires variety name unless the variety name is unknown and stated as such on the label and states as such in the declaration of origin kept in the complete records.
- Percentage by weight of each component named. Percentages add to 100% !!!!**
- Lot number or other lot identification.**
- Percentage of weight of weed seeds (maximum 1.5%).**
- The name and number per pound of each kind of restricted noxious weed seed.**
See <http://pi.cdffa.ca.gov/pqm/manual/pdf/107.pdf>
- The percentage by weight of other crop** (any ag. seed which is required to be named. > 5%).
- Percentage by weight of inert matter** - (Note: coating may be shown as part of the inert matter with a reference to the percentage of coating stated contiguously to the inert matter OR listed as a separate line. Coating should not be on both a separate line AND in the inert matter (tag >100%).
- Germination percentage of each component in excess of 5%.**
 - a. Germination date of test.
 - 1. Interstate FSA within 5 mos (cool season grasses = 15 mos).
 - 2. Resale every 8 months.
 - 3. Retail every 15 months.
- Name and address of labeler.**
- Vegetable Seed Labeling (FAC 52453):** Not Vegetable seed, section does not apply.
 - a. Equal to or above standard germination test:
 - 1. Equal to or less than ½ pound: Kind **and variety** of seed
Name and Address of labeler
Packed for the (year) season
 - 2. Greater than ½ pound: Kind **and variety** of seed
Name and Address of labeler
Lot #
Date of Germination test (month, year)

b. Below standard germination test:

1. Equal to or less than ½ pound:

Kind **and variety** of seed
Name and Address of labeler
Date of Germination test (month, year)
"Below Standard" (in 8 pt. type)
%Germination
% Hard seed
Packed for the (year) season

2. Greater than ½ pound:

Kind **and variety** of seed
Name and Address of labeler
Lot #
Date of Germination test (month, year)
"Below Standard" (in 8 pt. type)
%Germination
% Hard seed

Nonfarm Use of Seed (FAC 52455). Farm use, section does not apply.

Seed sold by a retail merchant for nonfarm use shall conspicuously bear a viability assurance statement.

a. **"SELL BY (month, year)" or "USE BY (month, year).** May not exceed 15 months.

- ♦ Must be in capital letters, contiguous to the germination date and affixed to the containers destined for retail sales.

Hermetically sealed containers (CCR 3864). Not hermetically sealed, section does not apply

Must be conspicuously labeled with:

- a. Seed has been preconditioned as to moisture content.
- b. Container is hermetically sealed.

Arbitration/Conciliation/Mediation statement (FAC 52456)(CCR 3915.1).

- a. Exception: Seed sold at retail for nonfarm use.
- b. May be token labeled but must be included with invoice/paperwork.

Treated seed (FAC 52484). Not treated seed, section does not apply

For seed treated after harvest.

- a. "TREATED SEED" and the signal word written in capital letters on the label. The signal word shall be for the most toxic chemical.
- b. Chemical name or generic name of each chemical.
- c. Statement of hazard to humans and animals, practical treatment, if present on technical chemical label.
- d. **There is no token labeling for treated seed- each container shall have a treated seed tag!**

PVP Variety can only be sold as a class of Certified Seed [FAC 52482(f)].

- a. Seed of protected varieties must be sold by variety name (hence no VNS if PVP).
 - b. The amended PVP Act requires that if grain from a protected variety is in a form that could be propagated, **notice must be provided** with the grain that it is a protected variety for which unauthorized multiplication is prohibited.
 - c. Notice is provided when labeling has either the words "Unauthorized Propagation Prohibited" or the words "Unauthorized Seed Multiplication Prohibited" and after the certificate issues, such additional words as "U.S. Protected Variety" (Federal Seed Act: Sec. 2567).
 - d. **No token labeling of Certified Seed – each container must have certification tag!**
-

SEED LOT RECORD OF INSPECTION

Tally each record of inspection on Report 6. Then submit entire month's records of inspection to CDFA Seed Services with your monthly Report 6. Use FAX at (916) 651-1207 or scan and email to Jheaton@cdfa.ca.gov

County: _____

Date: _____

Approx. Time: a.m. p.m.

Inspector: _____

Inspection at (Firm Name): _____

Registered Labeler Unregistered labeler Dealer only Grower

Lot Number: _____ AMS # (if present on tag) _____

Labeler Name: _____

Kind: _____

Variety Name: _____

Class of Certified Seed?
Yes <input type="checkbox"/>
No <input type="checkbox"/>

Class of Seed: Foundation Registered Certified

Certification Series # _____

Lot Number _____

Approximate pounds in the present inventory? _____

Plant Variety Protection Notification (PVP)? Yes No

IT IS DESIRABLE TO ATTACH A LABEL OR COPY OF THE LABEL