

CALIFORNIA FOOD AND AGRICULTURAL CODE  
Extracts Pertaining to Seed Inspection

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- 52257.6.** “Process” means any modification of the form or nature of agricultural or vegetable seed, or any treatment of the seed, which renders it inviable.
- 52257.8.** “Research” means any research related to the variety, purity, quality, type, strain, or other genetic and physiological characteristics of agricultural or vegetable seed or the production thereof.
- 52258.** “Restricted noxious weed seed” means the seed or propagule of any species of noxious weed, the seed of which is not otherwise designated as prohibited noxious weed seed, and which the director, as provided in Section 52332, finds and declares to be a restricted noxious weed seed.
- 52259.** “Vegetable seed” means the seed of any crop which is or may be grown in gardens or on truck farms and which is generally known and sold under the name of vegetable seed.
- 52260.** “Weed seed” means any noxious weed seed or vegetable seeds, and any seed that is not included in the definitions of agricultural seed, if it occurs incidentally in agricultural seed or vegetable seeds.
- 52261.** “Viability” means a description of living seeds which are capable of germinating.
- 52262.** “Farm” means a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more.

**ARTICLE 2. General Provisions**

- 52281.** This chapter and the terms which are used in it shall be construed so as to conform insofar as possible with the construction which is placed upon the Federal Seed Act (7 U.S.C., Sec. 1551, et seq.) and regulations which are issued pursuant to that act, and to effectuate its purpose to make uniform the laws of the states adopting it.
- 52282.** The secretary and, under the supervision and direction of the secretary, the commissioner of each county and the qualified representative of the commissioner, shall enforce this chapter and carry out its provisions and requirements. The secretary shall have the discretion to determine which enforcement activities are conducted by the commissioner in each county and which enforcement activities shall be conducted by department personnel.
- 52283.** The director may cooperate with the United States Department of Agriculture and other agencies in the enforcement of this chapter.
- 52284.** The director may issue such orders, circulars, and announcements as he may deem necessary to further the purposes of this chapter.
- 52285.** If the director or the commissioner finds that any person has violated any provision of this chapter, he may institute proceedings in the court of competent jurisdiction in the area in which the violation occurred, to have such person convicted of the violation, or he may file with the district attorney with the view of prosecution such evidence as may be deemed necessary.

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**52286.** The director shall maintain a properly equipped laboratory for examining and testing seeds.

**52287.** All prohibited and restricted noxious weed seed which are enumerated in this chapter or in any regulation which is adopted by the director pursuant to this chapter are hereby recognized as noxious within the meaning of the Federal Seed Act (7 U.S.C., Sec. 1551, et seq.).

**52288.** The Legislature hereby declares all of the following:

(a) It is the intent of this chapter to enable the seed industry, with the aid of the state, to ensure that seed purchased by the consumer-buyer is properly identified and of the quality and amount represented on the tag or label.

(b) The success of agriculture and the seed industry in this state depends upon the continued commitment to industry-funded research in order to improve the quality and variety of seed available to the consumer-buyer.

(c) Noncommercial seed sharing activity contributes significant value to the health of our communities and to the resilience of our food system. This chapter is intended to support noncommercial seed sharing activity and is not intended to supersede any provision of the California Rice Certification Act of 2000 (Chapter 4 (commencing with Section 55000) of Division 20).

**52289.** The department may post information on its Internet Web site about noncommercial seed sharing activity that includes, but is not limited to, the following:

(a) Germination or varietal purity standards.

(b) Compliance with the federal Plant Variety Protection Act (7 U.S.C. Sec. 2321 et seq.).

(c) Best practices for entities participating in noncommercial seed sharing activities, including public disclosure.

### **ARTICLE 2.5. Seed Advisory Board**

**52291.** There is in the department a Seed Advisory Board consisting of 11 members appointed by the secretary, seven of whom shall be labelers registered under the provisions of this chapter, two of whom shall be persons who receive or possess seed for sale in this state, and two of whom shall be members of the public. The members of the board who are labelers registered under the provisions of this chapter shall be representative of the functions of seed production, conditioning, marketing, or utilization.

**52291.1.** It is hereby declared, as a matter of legislative determination, that labelers appointed to the Seed Advisory Board pursuant to this article are intended to represent and further the interest of a particular agricultural industry concerned, and that such representation and furtherance is intended to serve the public interest. Accordingly, the Legislature finds that, with respect to persons who are appointed to such board, the particular agricultural industry concerned is tantamount to, and constitutes, the public generally within the meaning of Section 87103 of the Government Code.

**52292.** The term of office for each member of the board is three years. Vacancies shall be filled by the secretary for an unexpired term.