

# SEED LAW – LABELING REQUIREMENTS CHECK –OFF LIST

Version 10-22-2019

## 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

### PART I

- Must be a Current Registered Seed Seller (FAC 52351)**  
(Download a current directory of seed sellers at [https://www.cdfa.ca.gov/plant/pe/nsc/docs/seed/Dir\\_RegisteredSeedSellers.pdf](https://www.cdfa.ca.gov/plant/pe/nsc/docs/seed/Dir_RegisteredSeedSellers.pdf))
  - 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 ag, veg, and or grass seed that is for planting 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.**
- Name and Address of labeler**
- “Commonly accepted” names of ag. & vegetable seed kinds are listed in CCR 3899.**  
Ag seed requires kind (if variety name not required label may say VNS or Variety Not Stated Each kind, kind & variety, or kind and type of each component must be included on)  
Note: Variety name is always required of Certified Seed and PVP Seed.  
Vegetable Seed requires kind and 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.
- Agricultural Seed       Grass Seed       Vegetable Seed       Nonfarm Use

### PART II

#### For non-farm use

- If for non-farm use (FAC 52455):**  
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.

#### For farm use

- For Hermetically sealed containers (CCR 3864)**  
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!**

**PART III (For Ag & Grass Seed only)**

- Lot number or other lot identification**
- Percentage by weight of each component named. Percentages add to 100% !!!!**
- 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
- 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.cdfa.ca.gov/pqm/manual/pdf/107.pdf>

**PART IV (For Veg Seed Only)**

- Vegetable Seed Labeling (FAC 52453):**
  - a. Equal to or above standard germination test:
    1. Equal to or less than ½ pound:
 

	Kind <b>and variety</b> of seed
	Name and Address of labeler
	Packed for the (year) season
    2. Greater than ½ pound:
 

	Kind <b>and variety</b> 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 <b>and variety</b> 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 <b>and variety</b> of seed
	Name and Address of labeler
	Lot #
	Date of Germination test (month, year)
	“Below Standard” (in 8 pt. type)
	% Germination
	% Hard seed

# 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. Email to [seedservices@cdfa.ca.gov](mailto:seedservices@cdfa.ca.gov).

County: \_\_\_\_\_

Date: \_\_\_\_\_

Time: \_\_\_\_\_  AM  PM

Inspector: \_\_\_\_\_

## Inspection

Firm's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Registered Labeler

Unregistered labeler in CA

Dealer only

Grower

Lot Number: \_\_\_\_\_ AMS # (if present on tag): \_\_\_\_\_

## Premise Inspection (verify conditions to maintain seed quality and avoid contamination):

Seed stored away from direct sunlight

Mitigation and control of rodents

Seed stored away from direct rain

Integrity of storage containers

Mitigation and control of insects

Contents of containers adequately identified

## Label Inspection

Labeler's Name: \_\_\_\_\_ Registered Labeler:  Yes  No

Address of Labeler: \_\_\_\_\_

Kind: \_\_\_\_\_ Variety Name: \_\_\_\_\_

Aprox. lbs.: \_\_\_\_\_  Agricultural Seed  Vegetable Seed  Grass Seed

Class of Certified Seed (if yes, complete below):  Yes  No

Class of Seed:  Foundation  Registered  Certified

Certification Series #: \_\_\_\_\_ Plant Variety Protection Notification (PVP):  Yes  No

Lot Number: \_\_\_\_\_ Approx. lbs. in the present inventory: \_\_\_\_\_

**PLEASE ATTACH LABEL OR COPY OF THE LABEL**

**For multiple label inspections at one premise. Must attach with seed lot record of inspection.**

County: \_\_\_\_\_ Date: \_\_\_\_\_

Inspector: \_\_\_\_\_

**Label Inspections**

Labeler's Name: \_\_\_\_\_ Registered Labeler:  Yes  No

Address of Labeler: \_\_\_\_\_

Kind: \_\_\_\_\_ Variety Name: \_\_\_\_\_

Aprox. lbs.: \_\_\_\_\_  Agricultural Seed  Vegetable Seed  Grass Seed

Class of Certified Seed (*if yes, complete below*):  Yes  No

Class of Seed:  Foundation  Registered  Certified

Certification Series #: \_\_\_\_\_ Plant Variety Protection Notification (PVP):  Yes  No

Lot Number: \_\_\_\_\_ Approx. lbs. in the present inventory: \_\_\_\_\_

**Label Inspection**

Labeler's Name: \_\_\_\_\_ Registered Labeler:  Yes  No

Address of Labeler: \_\_\_\_\_

Kind: \_\_\_\_\_ Variety Name: \_\_\_\_\_

Aprox. lbs.: \_\_\_\_\_  Agricultural Seed  Vegetable Seed  Grass Seed

Class of Certified Seed (*if yes, complete below*):  Yes  No

Class of Seed:  Foundation  Registered  Certified

Certification Series #: \_\_\_\_\_ Plant Variety Protection Notification (PVP):  Yes  No

Lot Number: \_\_\_\_\_ Approx. lbs. in the present inventory: \_\_\_\_\_

**Label Inspection**

Labeler's Name: \_\_\_\_\_ Registered Labeler:  Yes  No

Address of Labeler: \_\_\_\_\_

Kind: \_\_\_\_\_ Variety Name: \_\_\_\_\_

Aprox. lbs.: \_\_\_\_\_  Agricultural Seed  Vegetable Seed  Grass Seed

Class of Certified Seed (*if yes, complete below*):  Yes  No

Class of Seed:  Foundation  Registered  Certified

Certification Series #: \_\_\_\_\_ Plant Variety Protection Notification (PVP):  Yes  No

Lot Number: \_\_\_\_\_ Approx. lbs. in the present inventory: \_\_\_\_\_

**PLEASE ATTACH LABELS OR COPY OF THE LABELS**

Rev. 10/23/2019