

February 22, 1963.
Placed on Calendar.

House File 317 *Subs for*
By COMMITTEE ON AGRICULTURE 2 *S.F. 401*
AND HORTICULTURE *4/1*

Passed House, Date 3-22-63

Passed Senate, Date 4-1-63

Vote: Ayes 91 Nays 1

Vote: Ayes 48 Nays 0

Approved 4-5-63

Passed on file 3/25

A BILL FOR

An Act to amend chapter one hundred ninety-nine (199), Code 1962, relating to agricultural seeds.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 Section 1. Section one hundred ninety-nine point one
- 2 (199.1), Code 1962, is amended by striking all of subsection
- 3 two (2) and inserting in lieu thereof the following:
- 4 "The term 'agricultural seeds' shall mean the seeds of grass,
- 5 forage, cereal and fiber crops and any other kinds of seeds
- 6 commonly recognized within this state as agricultural seeds,
- 7 lawn seeds and mixtures of such seeds, and may include any addi-
- 8 tional seeds the secretary of agriculture may list in the rules
- 9 and regulations provided for in this chapter."
- 10 Further amend said section by striking from subsection four
- 11 (4), paragraph "b", subparagraph six (6), the words "Brassica
- 12 species" and inserting in lieu thereof the following:
- 13 "Brassica juncea, B. kaber and B. nigra".
- 14 Further amend said section by striking all of subsection
- 15 five (5) and inserting in lieu thereof the following:
- 16 "'Purity' shall mean the pure seed percentage by weight,
- 17 exclusive of inert matter and of other agricultural or weed
- 18 seeds which are distinguishable by their appearance from the
- 19 crop seed in question."
- 20 Further amend said section by adding the following new

21 subsections:

22 1. "A 'permit holder' is a person who has obtained a permit
23 number from the Iowa department of agriculture as required under
24 sections one hundred ninety-nine point fifteen (199.15) and one
25 hundred ninety-nine point sixteen (199.16) of the Code."

26 2. "A 'registered seed technologist' is a seed technologist
27 who has attained registered membership in the Society of Com-
28 mercial Seed Technologists through qualifying tests and experi-
29 ence as required by this society."

30 3. "The 'state botanist' is the head of the botany and plant
31 pathology section of the Iowa agricultural experiment station."

1 Sec. 2. Section one hundred ninety-nine point three (199.3),
2 Code 1962, is amended by striking from line one (1) the words
3 "Agricultural seeds" and inserting in lieu thereof the words
4 "All agricultural seeds for sale in Iowa".

5 Further amend said section by striking all of subsection two
6 (2) and inserting in lieu thereof the following:

7 "The label for seed mixtures for lawn or turf purposes or
8 both shall bear thereon:

9 "a. The word 'mixed' or 'mixture'.

10 "b. The headings 'Fine-textured Grasses' and 'Coarse Kinds'
11 in eight-point or larger type on a contrasting background.

12 Thereunder in tabular form in uniform-size type no larger than
13 the heading nor smaller than eight point:

14 "(1) The commonly accepted name, in order of its predomi-
15 nance, of the kind and variety, if known, of each
16 agricultural seed present in excess of five percent of the whole
17 and determined to be 'Fine-textured Grass' or a 'Coarse Kind' in
18 accordance with the rules and regulations provided for in this

19 chapter.

20 “(2) The word ‘None’ shall be printed under the appropriate
21 heading, ‘Fine-textured Kinds’ or ‘Coarse Kinds’ when no kind or
22 kind and variety is listed under either of these headings.

23 “(3) For each agricultural seed named: The percentage by
24 weight of pure seed; the percentage of germination, exclusive
25 of hard seed; the percentage of hard seed, if present; and the
26 calendar month and year the germination test was completed to
27 determine such percentage. One date of test may be given to
28 represent all kinds or kinds and varieties, provided, all kinds
29 or kinds and varieties were tested on or after the date given.
30 Such information shall clearly indicate that it is applicable
31 to all of the kinds or kinds and varieties listed.

32 “c. The heading ‘Other Ingredients’ and thereunder in
33 conspicuous type no larger than the heading:

34 “(1) The percentage by weight of all weed seeds.

35 “(2) The percentage by weight of all agricultural seed other
36 than those listed as ‘Fine-textured Grasses’ or ‘Coarse Kinds’
37 in the rules and regulations provided for in this chapter.

38 “(3) The percentage by weight of inert matter.

39 “d. The lot number or other identification.

40 “e. The name and rate of occurrence per ounce or per pound
41 of each kind of secondary noxious weed seed present.

42 “f. The name and address of the person who labeled said
43 seed, or who sells, offers or exposes said seed for sale within
44 the state.”

45 Further amend said section by adding a new subsection as
46 follows:

47 “Seeds sold on or from the farm, which are exempt from the

48 permit requirement by section one hundred ninety-nine point
49 fifteen (199.15), of the Code, shall be labeled on the basis
50 of tests performed by the Iowa state university seed laboratory
51 or a commercial seed laboratory personally supervised by a
52 registered seed technologist. Tests for labeling shall be as
53 provided in section one hundred ninety-nine point ten (199.10)
54 of the Code.”

1 Sec. 3. Section one hundred ninety-nine point four (199.4),
2 Code 1962, is amended by striking all of the last paragraph.

1 Sec. 4. Section one hundred ninety-nine point eight (199.8),
2 Code 1962, is amended by striking from subsection one (1), para-
3 graph “d”, all of lines five (5) to sixteen (16), inclusive and
4 inserting in lieu thereof the following:

5 “Determination of freedom from primary noxious weed seeds
6 shall be based on an examination of not less than the amounts
7 specified in the rules and regulations provided for in this
8 chapter.”

1 Sec. 5. Section one hundred ninety-nine point nine (199.9),
2 Code 1962, is amended by inserting in line one (1) of subsection
3 one (1), paragraph “b” after the words “consigned to,” the
4 words “or for sale to,”.

1 Sec. 6. Section one hundred ninety-nine point ten (199.10),
2 Code 1962, is hereby repealed and the following enacted in lieu
3 thereof:

4 “1. Testing methods when seed is for sale. Seed lots
5 intended for sale in this state shall be tested in accordance
6 with the Association of Official Seed Analysts rules for test-
7 ing seed or the rules and regulations under the federal seed Act.
8 The tests required shall be:

9 "a. Purity analysis.

10 "b. Noxious weed examination.

11 "c. Germination.

12 "2. Testing methods when seed is not for sale.

13 "a. Guidance tests employing nonofficial testing methods may
14 be used.

15 "b. All individuals or organizations making guidance tests
16 shall:

17 "(1) Issue special report forms for guidance tests. These
18 forms shall carry a statement in bold-face type at the top of
19 the report: 'This report not valid for the sale of seed.'

20 "(2) Report the name and address of the seed sender and
21 submit copies of all guidance tests reports to the Iowa depart-
22 ment of agriculture.

23 "3. Charges for seed testing by the Iowa state university
24 or department of agriculture seed laboratory shall be determined
25 by the Iowa state university laboratory. Separate fee schedules
26 shall be published for:

27 "a. Guidance tests for farmers who do not plan to sell seed.

28 "b. Tests for seedmen, permit holders and farmers who plan
29 to sell seed.

30 "c. Tests for out-of-state persons.

31 "4. Co-operation between the Iowa state university and the
32 state department of agriculture. To furnish farmers and seedsmen
33 with information as to seed quality and guide them in the proper
34 labeling of seed for sale, these organizations shall:

35 "a. Integrate seed testing so as to avoid unnecessary dupli-
36 cation of personnel and equipment. The state department of
37 agriculture seed laboratory shall be primarily concerned with

38 seed testing for seed law enforcement purposes. The Iowa state
 39 university seed laboratory shall promote seed education and
 40 research and shall conduct service testing for farmers and
 41 seedsmen.

42 "b. Exchange information which will be mutually beneficial
 43 to both agencies in matters pertaining to agricultural seed.

44 "c. Guide seed testing by all individuals, organizations or
 45 seedsmen so as to promote uniformity of seed testing in Iowa."

1 Sec. 7. Section one hundred ninety-nine point fifteen
 2 (199.15); Code 1962, is amended by adding after the first
 3 sentence the following:

4 "Permit numbers shall be listed on the label or container in
 5 such manner that they do not obscure or confuse the other label
 6 information."

EXPLANATION OF HOUSE FILE 317

1. Transfer technical aspects of testing, like the list of agricultural crop seeds and the size of sample for a noxious weed check to the rules and regulations. Minor changes can then be made by the secretary of agriculture without the necessity of legislative action.

2. Specify the species of mustards considered noxious.

3. Add needed definitions to the law.

4. Specify labeling requirements of the law.

5. Adopt labeling requirements of the Uniform State Seed Law for the sale of lawn seed in Iowa. This will make it possible for home owners to choose the right kinds of seed for a fine lawn even though they do not have technical knowledge concerning the characteristics of different kinds of lawn grasses.

6. Specify the kinds of tests needed to gain essential information necessary to meet labeling requirements of the Iowa Seed Law.

7. Clarify the nature of cooperation between the Iowa State University seed laboratory and the Iowa state department of agriculture.

HOUSE FILE 317

1 Amend House File 317 as follows:

2 1. Amend Section 2, line fifteen (15), by striking all
 3 after the word "the" and inserting in lieu thereof the
 4 following: "kind or kind and variety of each".

5 2. Amend Section 2, line twenty-one (21), by striking
 6 the word "Kinds" and inserting in lieu thereof the word
 7 "Grasses".

8 3. Amend Section 2, line thirty-six (36), by inserting
 9 after the word "listed" the words "on the label", also by
 10 placing a period after the word "kinds".

11 4. Amend Section 2 by striking all of line thirty-seven
 12 (37).

13 5. Amend Section 2, line fifty (50), by inserting after
 14 the word "laboratory" the following: ", Iowa department
 15 of agriculture seed laboratory,".

16 6. Amend Section 6, line four (4), by inserting after
 17 the word "lots" the following: "of all kinds of agricultural
 18 seed, except seed corn".

Filed
 March 12, 1963.

adopted 3/22

McELROY of Fremont.