

Seed Program Activities

Colorado Department of Agriculture

Division of Plant Industry

Fiscal Year July 1, 2003 – June 30, 2004

The Colorado Department of Agriculture conducts the seed program as prescribed in the Colorado Seed Act (C.R.S 35-27) and the associated rules and regulations. The legislative declaration for the Act states that:

The general assembly hereby finds and declares that truth in the labeling of seed is of paramount importance to the citizens of Colorado because the distribution and subsequent use of poor quality seed caused by inaccurate or misleading labeling of such seed can result in severe economic hardship due to low crop yields, poor crop quality, and the spread of noxious weed seed. It is the intent of the general assembly in enacting this article to prevent the distribution and use of poor quality seed through the regulation of the labeling, the labelers, and the sellers of seed for propagation in Colorado.

Registration

The Act requires that anyone who acts as a custom seed conditioner, farmer seed labeler, retail seed dealer, or seed labeler in this state, must be registered with the Department. Registrations must be renewed annually and all registrations expire on the last day of February following the year they were issued. Registration fees are as follows:

Seed labelers	\$ 300.00
Custom seed conditioners ..	\$ 300.00
Farmer seed labelers	\$ 75.00
Retail seed dealers	\$ 25.00
Second Business Location .	\$ 25.00*

The registration for seed labelers and custom seed conditioners was increased from \$200 to \$300 this year at the request of the Colorado Seed Association. The increased revenue will be transferred to the Colorado State University Seed Laboratory to assist with their budget shortfall.

*A registrant who conducts business at two or more business locations shall obtain a registration for each location at which it employs one or more permanent employees engaged in the business for which the registrant is registered. For purposes of this paragraph, "business locations" means any physical location at or through which the functional operations of business regularly occur, including, but not limited to, financial transactions, arrangement of contracts, or assignment of work, and

excluding buildings or locations used solely for storage of equipment or supplies or telephone answering services.

Seed Labeling

Except as otherwise provided in the Seed Act, every container of seed which is sold, offered or exposed for sale, bartered, or distributed within this state for propagation shall conspicuously bear a legible and plainly written or printed label or tag in English which shall provide all information required by the commissioner. A label shall not bear false or misleading information.

A lot of seed sold at wholesale or at bulk shall be categorized as a sale in a single container. All labels made pursuant to this section shall include arbitration information required by the Seed Act.

Specific labeling requirements for the different types of seed are spelled out in Rules and Regulations.

Inspections

As stated in the Legislative Declaration above, truth in labeling is of paramount importance. To verify compliance, Department personnel conduct inspections of seed at retail locations. Personnel will review the label on the seed package to determine compliance with certain items such as: date of germination test, amount of weed seed listed and presence of prohibited seed. In addition, samples may also be taken and sent to the Colorado State Seed Laboratory for analysis to determine if the label accurately reflects the contents.

When samples are found to be out of compliance a cease and desist order is issued. This requires that the seed be removed from sale until it is brought into compliance with the Act and rules and regulations. In instances where repeated violations are found, civil penalties may be issued, disciplinary actions may be taken such as denying, suspending, refusing to renew, or revoking a registration, or the Department may seek remedies through the appropriate court.

Statistics

Number of Seed Registrations Issued	1,101
Number of Seed Inspections Conducted	757
Total number of field Cease and Desist Orders Issued ..	363
Total number of laboratory Cease and Desist Orders Issued	37
Number of Seed Dealers to which field Cease and Desist orders were issued	96
Total number of pounds of seed impacted by field Cease and Desist orders	58,258.5 plus 100 seed packets

Total number of seed samples collected 281

Range grass & revegetation species 120
Turf species 73
Forage species 61
Cereals 34
Large seeded legumes 2
Vegetables 13
Ornamentals 16

Number of seed dealers from which samples
were taken 49

Number of seed dealers to which laboratory
Cease and Deist orders were issued 19

Total pounds of seed represented by samples taken ...2,480,145

Range grass & revegetation species 606,640
Turf species 256,632
Forage species 566,800
Cereals 972,700
Large seeded legumes 56,000
Vegetables 21,365
Ornamentals 8

Types of seed sampled that were placed under
Cease and Desist orders

	<u>Number</u>	<u>Pounds</u>
Range grass & revegetation species	32	113,485
Turf species	10	23,906
Forage species	3	21,750
Cereals	3	46,500
Large seeded legumes	0	0
Vegetables	1	1
Ornamentals	3	0.46

SUMMARY OF SEED SAMPLING JULY 1, 2002 TO JUNE 30, 2003

Labeling Company	No. of Samples Taken	CEASE AND DESIST ORDER ISSUED FOR VIOLATION OF					Samples Labeled Correctly
		Purity	Germi- nation	Noxious Weed Seed		Other	
				Prohibited	Restricted		
A S I - Seedwest	2	-	-	-	-	-	2
Aqland Incorporated	4	-	-	-	-	-	4
Arkansas Valley Seeds	69	2	1	1	1	-	64
Barenbrug USA Inc	18	2	-	-	-	-	16
Browning Seed Inc	1	1	-	-	-	-	0
Big Sky Wholesale Seeds Inc.	1	-	-	-	-	1	0
Botanical Interests	6	-	-	-	-	-	6
Bruce Seed Farm & Co	1	-	-	-	-	-	1
Burpee, W. Atlee & Co	1	-	-	1	-	-	0
Carhart & Sons Seed Growers	2	-	-	-	-	-	2
Cenex/Land O'Lakes	1	-	-	-	-	-	1
Curtis and Curtis Inc	1	1	-	-	-	-	0
Dairyland Seed Co Inc	5	-	-	-	-	-	5
Den Besten Seed Co Inc	1	-	-	-	-	-	1
Green Fields Seed and Feed	19	3	1	-	-	-	15
Indiana Seed Solutions	1	-	-	-	-	-	1
Intermountain Farmers Asso	4	-	-	-	-	-	4
Johnson's Seeds	1	-	-	-	-	-	1
Lake Valley Seed Inc	10	-	-	-	-	-	10
Lebanon Seaboard Corp	1	1	-	-	-	-	0
Liefgreen Seed Co	1	-	1	-	-	-	0
Livingston Seed Co	1	1	-	-	-	-	0
Lofts Seed	1	-	-	-	-	-	1
Monsanto Ag Products	1	-	-	-	-	-	1
Mr. Fothergill's USA Inc.	3	-	-	1	-	-	2
Mycoqen Seeds	1	-	-	-	-	-	1
Olds Seed Solutions	1	-	-	-	-	-	1
Pawnee Buttes Seed Inc.	23	7	1	-	-	-	15
Pennington Seed	10	-	-	-	1	-	9
Perry Brothers Seed Inc.	3	-	-	-	-	-	3
Pioneer Hi-Bred Int'l.	1	-	-	-	-	-	1
Progressive Ag	1	-	-	-	-	-	1

	No. of Samples Taken	CEASE AND DESIST ORDER ISSUED FOR VIOLATION OF					Samples Labeled Correctly
		Purity	Germi nation	Noxious Weed Seed		Other	
				Prohibited	Restricted		
Richardson Seeds Inc.	1	-	-	1	-	-	0
Robinson, J.C. Seed Co.	2	-	-	-	-	-	2
Rocky Mountain Seed Co	5	-	-	-	-	-	5
Seed Research of Oregon	3	-	-	-	-	-	3
Seed Works	3	-	-	-	-	-	3
Seekamp Seed Co	20	3	-	-	-	-	17
Sharp Brothers Seed Co.	42	9	2	3	-	1	27
Southwest Seed Inc	26	3	-	-	-	-	23
Stock Seed Farms Inc	1	-	-	-	-	-	1
Syngenta Seeds Inc	2	-	-	-	-	-	2
The Scotts Company	3	-	-	-	-	-	3
UHS Inc	4	2	-	-	-	-	2
Union Seed Co	1	-	-	-	-	-	1
W L Research	6	-	-	-	-	-	6
Weaver Seed Co.	2	-	-	-	-	-	2
Wheatland Seed	2	-	-	-	-	-	2
Total	319	35	6	7	2	2	267