

### **199.3 Labeling of seed.**

Each container of agricultural or vegetable seed which is sold, offered for sale, exposed for sale, or transported within this state shall be labeled according to the following schedule:

1. Seed for sowing purposes shall be labeled as follows:

*a.* Agricultural or vegetable seed that is treated, inoculated, or coated shall contain a word or statement indicating that the treatment, inoculation, or coating has been done. A separate label may be used.

*b.* If treated, the label shall indicate the commonly accepted chemical or abbreviated chemical name of the applied substance or substances or a description of the type and purpose of procedure used. If the substance in the amount present with the seed is harmful to human or vertebrate animals, the label shall bear a caution statement such as "Do not use for food, feed, or oil purposes". In addition, for highly toxic substances, a poison statement or symbol shall be shown on the label.

*c.* If the seed is inoculated, the label shall indicate the month and year beyond which the inoculant is not claimed to be effective.

*d.* If the seed is coated, the label shall show the percentage by weight in the container of pure seed, inert matter, coating material, other crop seed, and weed seed. The percentage of germination shall be labeled on the basis of a determination made on at least four hundred pellets or capsules, whether or not they contain seed.

*e.* All seed in package or wrapped form which are required to be labeled, unless otherwise provided, shall conform to the requirements of sections 189.9 and 189.11.

2. Except for seed mixtures for lawn or turf purposes, agricultural seed shall bear a label indicating:

*a.* The name of the kind or kind and variety for each agricultural seed present in excess of five percent of the whole and the percentage by weight of each. If the variety of those kinds generally labeled as to variety is not stated, the label shall show the name of the kind and the words, "variety not stated". Hybrids shall be labeled as hybrids. Seed shall not be labeled or advertised under a trademark or brand name in a manner that may create the impression that the trademark or brand name is a variety name.

*b.* Lot number or other lot identification.

*c.* State or foreign country of origin, if known, of alfalfa and red clover. If the origin is unknown, the fact shall be stated.

*d.* Percentage by weight of all weed seed.

*e.* The name and rate of occurrence per unit of weight of each kind of secondary noxious weed seed present.

*f.* Percentage by weight of agricultural seed which may be designated as "other crop seed" other than those required to be named on the label.

*g.* Percentage by weight of inert matter.

*h.* For each named agricultural seed:

(1) Percentage of germination, exclusive of hard seed.

(2) Percentage of hard seed, if present.

(3) The calendar month and year the test was completed to determine the percentages.

Following (1) and (2), the "total germination and hard seed" may be stated as such, if desired.

*i.* Name and address of the person who labeled the seed, or who sells, offers, or exposes the seed for sale within this state.

3. For seed mixtures for lawn or turf purposes, the label shall indicate:

*a.* The word "mixed" or "mixture" along with the name of the mixture.

*b.* The heading "pure seed" and "germination" or "germ" where appropriate.

*c.* Commonly accepted name of kind or kind and variety of each turf seed component in excess of five percent of the whole, and the percentage by weight of pure seed in order of its predominance and in columnar form.

*d.* Name and percentage by weight of other agricultural seed than those required to be named on the label which shall be designated as "other crop seed." If the mixture contains no "other crop seed" that fact may be indicated by the words "contains no other crop seed."

*e.* Percentage by weight of inert matter.

*f.* Percentage by weight of all weed seed. Maximum weed seed content not to exceed one percent by weight.

*g.* The name and rate of occurrence per unit of weight of each kind of secondary noxious weed seed present.

*h.* For each turf seed named under paragraph "c":

(1) Percentage of germination, exclusive of hard seed.

(2) Percentage of hard seed, if present.

(3) Calendar month and year the test was completed to determine such percentages. The oldest current test date applicable to any single kind in the mixture shall appear on the label.

*i.* Name and address of the person who labeled the seed, or who sells, offers, or exposes the seed for sale within the state.

4. The labeling requirements for vegetable seed sold from containers of more than one pound shall be deemed to have been met if the seed is weighed from a properly labeled container in the presence of the purchaser. Packets of vegetable seed prepared for use in home gardens or household plantings or vegetable seed in preplanted containers, mats, tapes, or other planting devices, shall bear labels with the following information:

*a.* Name of kind and variety of seed.

*b.* Lot identification.

*c.* The year for which the seed was packed for sale or the percentage of germination and the calendar month and year the test to determine such percentage was completed.

*d.* Name and address of the person who labeled the seed or who sells, offers, or exposes the seed for sale within the state.

*e.* For seed which germinate less than the standard last established by the secretary in rules adopted under chapter 17A:

(1) Percentage of germination, exclusive of hard seed.

(2) Percentage of hard seed, if present.

(3) The words "below standard" in not less than eight point type.

*f.* For seed placed in a germination medium, mat, tape, or other device in such a way as to make it difficult to determine the quantity of seed without removing the seed from the medium, mat, tape, or device, a statement to indicate the minimum number of seed in the container.

*g.* The last date on which the variety of seed will normally germinate according to standards established by rules adopted by the department.

5. All other vegetable seed containers shall be labeled, indicating:

*a.* The name of each kind and variety present in excess of five percent and the percentage by weight of each in order of its predominance.

*b.* Lot number or other lot identification.

*c.* For each named vegetable seed:

(1) Percentage germination exclusive of hard seed.

(2) Percentage of hard seed, if present.

(3) The calendar month and year the test was completed to determine such percentages.

Following (1) and (2) the "total germination and hard seed" may be stated as such, if desired.

*d.* Name and address of the person who labeled the seed, or who sells, offers, or exposes the seed for sale within the state.

6. Seed sold on or from the farm, which is exempt from the permit requirements by section 199.15, shall be labeled on the basis of tests performed by the Iowa State University of science and technology seed laboratory, department of agriculture and land stewardship seed laboratory, or a commercial seed laboratory personally supervised by a registered seed technologist. Tests for labeling shall be as provided in section 199.10.

[S13, § 5077-a6, -a18, -a19, -a21; C24, 27, 31, 35, 39, § **3129, 3130, 3131, 3132**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 199.3; 82 Acts, ch 1191, § 3]

92 Acts, ch 1239, § 34