

Labeling Agricultural Seed in Minnesota

Seed offered for sale in containers or in bulk for sowing purposes in Minnesota must have attached a seed label containing the information required by the Minnesota Seed Law (Minnesota Statutes, section 21.82). Proper labeling is the responsibility of the initial labeler, that is, the first person or firm to label the seed lot for sale in Minnesota, regardless of where the firm is located. Initial labelers are required to have a current seed permit.

Agricultural Seed Labels

The example label below shows the required information for agricultural (includes lawn and turfgrass) seeds and for vegetable and flower (includes wildflower) seed intended for agricultural use. The layout of the label can be different as long as the required information is present and clear. For bulk seed lots, a bulk certificate may be used instead of an attached label or mini-bulk placard.

| | | | | | |
|---|--|--------------------------------------|--|------------------------------|--|
| Kind: Wheat | | Variety: Certified Norden | | Lot Number: 13-1AZ | |
| Pure Seed: 99.90% | | Weed Seed (If Present): 0.01% | Other Crop: 0.01% | | |
| Germination: 94% | Hard (Dormant) Seed (If Present): N/A % | | Total: Germination Plus Hard (Dormant) Seed (Optional): N/A % | | |
| Noxious Weed Seeds (Name of Each Present): None | | | | Number Per Pound: N/A | |
| Origin (State or foreign Country): Minnesota | | | Germination Test Date (Month and Year): 1/14 | | |
| For Hybrid Field Corn Relative Maturity (Single Day Increment, Such as 93 Days): N/A | | | | Net Weight: 50 lbs. | |
| Labeler's Name: John Doe Seed Co. | | | | | |
| Labeler's Mailing Address: P.O. Box 10, Prairietown, MN 55555 | | | | | |

For classes of certified seed, proof of certification is required in the form of a certified seed label or bulk certificate issued by a recognized seed certification agency. An additional statement may be included as required under the Plant Variety Protection Act concerning the PVP status, requirement to be sold as a class of certified seed (Title V varieties), and a warning against unauthorized propagation.

Labeling Varieties and Brands

The variety name must be listed on the seed label unless:

- The variety name is not known or does not exist for a nonhybrid seed
- The variety name is known for nonhybrid biennial or perennial seed but the owner of the variety has granted written permission to omit it from the label
- The seed being offered for sale is a blend
- The components are not sold by brand names for lawn and turf grass seed sold in mixtures
- A variety being marketed as a branded AND the brand has been registered with the MDA. A brand name must be clearly identified as a brand so that it cannot be confused as a variety name.

If one of these conditions is applicable, then the words "**VARIETY NOT STATED**" are used in place of the variety name.

Treated Seed

“Treated” means the seed has received an application of a substance or has been subjected to a process for which a claim is made such as a pesticide, inoculant, or fertilizer. The name(s) of the substance(s) applied and the words **“DO NOT USE FOR FOOD, FEED, OR OIL PURPOSES”** must be included in the labeling for the seed. The appropriate signal word and symbol must also be shown.

Counties may further restrict use of seed containing the seeds of noxious weedy that have been petitioned to the county prohibited noxious weed list.

Required Records Keeping

The initial labeler is required to retain complete records of each of seed lot sold in this state for three years.

- Invoices that include the lot number, name of the kind and variety, amount of seed being sold, date of sale, and the name and address of buyer and seller.
- A copy of the seed label and the certification documents when applicable.
- The test information from which the labeling information was derived.
- A representative file sample for each seed lot for one year. Samples should be stored to maintain the purity and quality of the sample.

Noxious Weed Seed Requirements

Prohibited noxious weed seeds - The following species are not allowed in any seed offered for sale in the state.

- Canada thistle
- Musk thistle
- Field bindweed
- Perennial peppergrass
- Plumeless thistle
- Leafy spurge
- Perennial sowthistle
- Russian knapweed
- Hemp
- Bull thistle
- Palmer amaranth

Restricted noxious weed seeds - The following species are allowed in seed offered for sale in the state but only up to the maximum total rate of twenty-five (25) per pound. If present in lesser amounts, the name and number per pound for each must be listed on the label under the heading “Noxious Weed Seeds.”

- Buckhorn plantain
- Dodder
- Frenchweed
- Eastern black nightshade
- Horse nettle
- Wild mustard
- Wild radish
- Hoary alyssum
- Quackgrass
- Giant foxtail

Township, city, or county ordinances may further restrict use of seed containing noxious weeds.

Seed Permits

All initial labelers of agricultural, vegetable, flower, and wildflower seed sold in Minnesota must have a seed permit in one or more of the following categories:

CATEGORY A

Initial labelers of agricultural seed who sell 50,000 pounds or less of seed in Minnesota annually. Permit is valid for the current calendar year and is renewable.

CATEGORY B

Initial labelers of vegetable, flower, and wildflower seed sold for use in home gardens and household plantings, and initial labelers of native grasses and wildflower seed in commercial or agricultural quantities.

CATEGORY C

Initial labelers of agricultural seed who sell more than 50,000 pounds of seed in Minnesota annually. This is a permanent permit. Fee is based on kind and amount of seed sold. Permit holders report sales semi-annually.

Unlawful Acts

Persons who fail to comply with the requirements of the Minnesota Seed Law are subject to administrative, civil and criminal penalties.

Note

A “blend” is a combination of varieties and “mixture” is a combination of kinds. Seed fitting these definitions must be labeled using these terms.

“Bin run” seed is usually not legal for sale because it is generally not conditioned, tested, or labeled. In addition, there may be contractual or licensing stipulations that prohibit saving seed of certain varieties.

For more information e-mail: denise.thiede@state.mn.us • For copies of forms, go to: www.mda.state.mn.us/seed